

Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024

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Health, Environment and Agriculture Committee
Parliament House
Cnr George and Alice Streets
Brisbane QLD 4000

By email to: HEAC@parliament.qld.gov.au

To the Health, Environment and Agriculture Committee

Re: Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024

The Royal Australian and New Zealand College of Psychiatrists (RANZCP) Queensland Branch welcomes the opportunity to provide comment on the *Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024*. Thank you for the extension of time to submit to this consultation.

Recommendations

- 1. The RANZCP Position Statement 97: E-cigarettes and vaporisers [1] and Clinical Guideline on Smoking Cessation [2] support the legalisation and regulation of nicotine-containing e-cigarettes and other vaporised nicotine products to facilitate their use as harm reduction tools.**
- 2. The RANZCP recognises the need for balance in the regulation of e-cigarettes and vaporisers to reduce the incidence of new nicotine users through this route, while still encouraging the harm reduction gains of smokers switching to these devices.**

Key Messages

- Tobacco use remains the leading cause of morbidity and mortality for people living with mental illness.
- Nicotine vaping products have specific risks associated with both the nicotine vaping unit and nicotine vaping liquid which individuals and prescribers need to be aware of.
- Nicotine vaping products should never be prescribed for those not dependent on nicotine via cigarettes or other tobacco containing products, nor be shared with children or adolescents.
- The evidence regarding nicotine vaping products' effectiveness as a smoking cessation strategy, potential long-term harms from vaping, and their role in introducing young people to nicotine dependence and smoking is evolving.

Vaping Regulatory Changes in Australia 2024

The National Tobacco Strategy 2023-2030 [3] (priority area 9: strengthening regulations on e-cigarettes and novel and emerging products) has been endorsed by all Australian Governments.

In November last year, the Minister for Health and Aged Care the Hon Mark Butler MP, announced enhanced controls on the importation, manufacture, advertising, supply and commercial possession of vapes to be implemented throughout 2024. We understand that it will now be illegal to import, manufacture or supply vapes that are not registered on the Australian Register of Therapeutic Goods (ARTG), or do not meet the regulatory requirements for unapproved therapeutic vapes.

We know that under the reforms, sale of all vaping products (regardless of nicotine content) outside of pharmacies became illegal after 1 July this year. A prescription from a medical or nurse practitioner will still be required until 1 October, thereafter therapeutic vaping products will be moved to Schedule 3 of the *Poisons Standard*, allowing them to be supplied by pharmacists.

Many Queenslanders currently use vapes as part of a smoking cessation strategy, without a prescription. The RANZCP supports the use of nicotine vaping products as a harm minimisation measure, to support those smoking cigarettes or using other tobacco products to make changes or cease in their use of tobacco. This is consistent with a precautionary approach which encourages the replacement of dangerous substances and activities with less dangerous substances or technologies where suitable alternatives are available.

The RANZCP Queensland Branch supports the proposed reforms that will enable persons with a legitimate need to access therapeutic vapes to continue to do so, where clinically appropriate. Therapeutic vapes are just one option to treat nicotine dependence, and the Queensland Branch recommends consumers of vapes should consult with their doctor on evidence-based smoking cessation strategies, including pharmacological and behavioural interventions.

Addressing smoking behaviour is important for psychiatrists and is currently not a common practice. Given the strong association between nicotine dependence, with its associated comorbidities, and mental ill health, psychiatrists have a role in supporting individuals in providing interventions that can support those seeking to address their tobacco and nicotine dependence use via the therapeutic use of vapes. The Queensland Branch therefore recommends that nicotine vaping products become a common harm minimisation tool for psychiatrists, when caring for those with mental illness who are dependent on nicotine via tobacco use.

We appreciate that once the reforms are implemented, tobacconists, vape shops and convenience stores will no longer be able to sell vapes and the Queensland Branch supports this move to protect all Queenslanders, particularly young people, from the harms of vaping and nicotine dependence.

To discuss the contents of this submission please contact me via Ms Nada Martinovic, Policy and Advocacy Advisor, at [REDACTED] or on [REDACTED]

Yours sincerely

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Professor Brett Emmerson AM
Chair, RANZCP Queensland Branch Committee

[1] Position Statement 97: E-cigarettes and vaporisers | RANZCP [Internet]. December 2023. Available from: <https://www.ranzcp.org/clinical-guidelines-publications/clinical-guidelines-publications-library/e-cigarettes-and-vaporisers>

[2] Clinical Guideline on Smoking Cessation | RANZCP [Internet]. June 2022. Available from: <https://www.ranzcp.org/clinical-guidelines-publications/clinical-guidelines-publications-library/smoking-cessation>

[3] National Tobacco Strategy 2023-2030 [Internet]. Australian Government Department of Health and Aged Care. May 2023. Available from: <https://www.health.gov.au/resources/publications/national-tobacco-strategy-2023-2030?language=en>