

## Tobacco and Other Smoking Products Amendment Bill 2023

**Submission No:** 8  
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### Submitter Comments:

I am really pleased to see the Qld Govt doing something about the illicit trade that is crippling the small retailer in Qld. I have a number of concerns regarding the proposed new laws. 1. Licensing is a very good idea but what will stop these Illicit Operators from applying for a license. These people are rather well organised and I'm sure they will have people apply for licenses on their behalf. In other words their names won't be on the applications but they will still be funding the businesses, 2. Licensing is over 15 months away. What is going to be done in the meantime. 3. Will the Health Dept have sufficient resources to act on the new laws. 4. These criminals are well aware of the new laws. At the moment they are selling coloured packs of cigarettes etc. My belief is they will remove all coloured packs from store and replace with plain paper packaging that look legit but is not. Federal Laws are very specific regarding font size on packaging, warnings etc. Will the Health Inspectors be trained well enough to distinguish the correct packaging in a store. 5. Illicit Stores are not hard to spot as they don't fall under one of the Major Banners being TSG Tobacco Station, Cignal Tobacconist, Freechoice Tobacconist and King Of the Pack. We now have more than 330 Illicit Stores in Qld which outnumber the legitimate tobacconists by about 80. In Townsville alone we now have 10 Illicit stores selling chop chop, coloured pack and nicotine vapes. 4 of those stores have been opened this year. They have no scruples so they don't care who they sell to. Some of these stores are very close to schools etc. 6. Health Inspectors don't visit these stores at present so what will change with these new laws. 7. Even if the Health Inspectors and Police raid these stores it is well known that in the past once raided they are opened again for trade in some cases within 5 hours or at least the very next day. So if this trend continues the shops will need to be raided on a daily basis. Will we have enough resources to shut these people down. How will the new laws change this? 8. In the past there has been an incident where the Police found 20kg of chop chop in a plastic tub in one of these stores and because it was under the legal weight limit the Police couldn't confiscate it. Will these new laws enable the Police to confiscate the product? 9. Vaping has been exploding amongst the younger generation in some cases in children as young as 10. It has become a massive problem in our schools. These kids can buy vapes on line (social media) and in these illicit shops in some cases they even deliver the vapes to these children with no concern from the sellers that they are selling to under age children. 10. The new laws show increased fines for people selling illicit product. Will these operators be able to fight these fines in a court of law. What are the penalties if they don't pay the fines. 11. These Illicit operators are run by organised crime groups and intimidation & threats have become a common occurrence against Legal traders. So what is going to stop these groups from intimidating the Health Officers therefore just sending these Health officers to legal traders as they are scared to approach the illicit traders. Keeping in mind some of these Illicit shops are right next door to Police Stations or opposite Federal Law Enforcement Offices. They have no fear of any consequences from selling Illicit product. 12. Most of these Illicit stores only accept cash. They even have ATMs in their stores so cash can be used by the consumer. They pay their workers in cash well below what Fair Trade Commission states what workers should be paid. Most of them aren't registered for GST. All these things are defrauding the Government of monies that could be used on the Australian Economy. 13. Will these new laws address these issues? Bottom Line will these new laws be acted on straight away when passed through Parliament and will my concerns be addressed.