

Tobacco and Other Smoking Products Amendment Bill 2023

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TSG Franchise Management wishes to thank the Queensland (QLD) Government for the opportunity to make a submission to the inquiry into the Tobacco and Other Smoking Products Amendment Bill 2023. Tobacco Station Group (TSG) is a national franchise with >550 members, thereof >190 franchises in QLD. TSG welcomes the Tobacco and Other Smoking Products Amendment Bill 2023. It is a positive step in the right direction, but immediate action is required. We need enforcement of existing laws, and we are critical that they have not been enforced in the past. QLD's current enforcement framework relies solely on QLD health inspectors to intervene in the tobacco black market: the bill will still see Health department responsible but enables QLD Police Service to assist on request. We request immediate action on the ever-growing number of illicit stores that open every week. The number of illicit stores operating in QLD are only growing because operators know there is no one enforcing the rules – the government need to stop them. Even when the Police raid stores and seize illicit products with the Australian Federal Police's help, these illicit stores re-open the next day. How will this change under the new bill? Illicit tobacco shops are not hard to spot by police, however, without the appropriate mandate from the government, they will not act. Responsibility still sits within Health Department. The Palaszczuk Government needs to urgently combat this crime surge by ensuring the QLD Police and the Health Department are appropriately resourced to tackle retail enforcement, and offenders are punished with proportionate penalties for offences. Whilst the Bill does propose strict tobacco licencing and tougher penalties for illicit tobacco sales it still doesn't go deep enough into the role QLD Police will have in enforcing the new laws in our views. It also doesn't state what is going to be done to stop these illegal operators for the next 18 months until the licences will be required from 1/9/2024. Retailers need to see more action from this government on exposing illegal operators selling illicit tobacco and vapes. Currently there's little interest from the Police – they've even told retailers as such. Everyone can see now that these illicit stores are taking full advantage of the significant flaws in Queensland's tobacco and nicotine vaping product laws. Law-abiding retailers, who choose not to deal in black market products are suffering huge downturns as foot traffic drops and consumers purchase illicit tobacco and nicotine vapes from the criminal operators down the road. The State Government needs to play a significantly stronger role in advocating for reform, including with their federal counterparts who need to resource the Australian Border Force with the resources to stop illegal product coming into the border. This cannot be the state going alone or the federal government making rules for the states. It requires to be thought through, joint strategy with everyone working together to get rid of illicit tobacco and vapes in this country. Thank you for considering our submission. Kind regards