

## Executive Summary

The Bill amends the *Hospital and Health Boards Act 2011* to require at least one member of each Hospital and Health Board to be a clinician who is employed or engaged by the Hospital and Health Service for which the board is established and provide they may not be appointed as Chair or Deputy Chair of the board.

The Bill also amends the *Tobacco and Other Smoking Products Act 1998* (TOSPA) to allow the chief executive of Queensland Health to promptly forfeit vaping goods upon seizure and empower courts to order persons convicted of an offence under TOSPA to pay the state for reasonable costs incurred as a result of the offence. Minor and technical amendments to improve the operation of the TOSPA are also included.

The committee published 12 submissions and held a public hearing during which we heard from 4 witnesses. Submitters and witnesses supported the objectives of the Bill and added recommendations to expand the scope of the Bill, or the Acts being amended.

After considering the submissions and testimony we received and reviewing the Bill (including its explanatory notes and its statement of compatibility with human rights) for compliance with the *Human Rights Act 2019*, the *Parliament of Queensland Act 2001* and the *Legislative Standards Act 1992*, we are recommending that the Bill be passed.

Our assessment of the Bill's compliance with issues of fundamental legal principle found the Bill has sufficient regard for the rights and liberties of individuals, and the institution of Parliament. We carefully analysed one of the Bill's proposals which impacts natural justice and procedural fairness to ensure it sufficiently protects the rights and liberties of individuals. We also find that the Bill is compatible with human rights.

The committee made 1 recommendation, found at page vi of this report.