

Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation Amendment Bill 2025

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In November 2024 a tobacco shop selling illegal tobacco and nicotine products and vapes opened in a retail lot in our apartment complex. Since then, the premises has been visited on a number of occasions by the Metro North Public Health Unit. It was subject to a forced 72hr closure on 11th August this year. On the day it reopened, our body corporate Chair witnessed a person exiting the shop, and with their permission, photographed the illegal cigarettes they had just purchased. Our committee receives almost daily reports of people exiting this shop unwrapping vapes or with packets or cartons of illegal cigarettes. This is despite the recent forced closure. Our Body Corporate Committee fully supports the Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation Amendment Bill 2025 as the current laws have not been robust enough to remove this illegal trade from our building. The process of addressing the threat posed to our residents from the shop selling illegal tobacco in our building has been incredibly disheartening and disillusioning for our Body Corporate Committee. But we continue because we want to protect our residents both physically and financially. The illegal tobacco shop in our building needs to close permanently for the following reasons. •It continues to sell illegal tobacco and nicotine products despite visits from Queensland Health and a recent 72hr forced closure. It does not have a license to sell tobacco but continues to advertise as a tobacconist with signage on the front of the building and a sandwich board on the footpath. •Our Body Corporate Committee and building now has no choice in building insurance. Despite going out to tender, only one insurer would provide us coverage for 2025-26. •This insurer has not guaranteed they will reinsure us in 2026. •We are subject to a liability of \$25,000 insurance excess if the Lot where the tobacco shop is located is firebombed or damaged. •Our residents are at risk of physical injury or death if the shop is firebombed. •Our residents who live above the shop are at risk of losing their homes if the shop is firebombed. •Many of our residents who live close to or above the shop speak of the ongoing anxiety they experience due to the possibility the shop could be firebombed. •Our Body Corporate Committee members put themselves at risk gathering and forwarding evidence of illegal cigarette sales to support correspondence such as this. We feel forced to do this to advocate for and protect the residents of our community because of the slow and limited action able to be taken under the current laws. •Our Body Corporate has engaged extensively with the landlord of this retail lot (who is also the rental manager). The landlord has been dismissive about the committees concerns and has not cooperated with us. •The Body Corporate Committee currently has no power to force the landlord to address the illegal tobacco trade in their lot or produce a tobacco trading license. Thanks to the relentless pressure from the ABC investigative journalists who pursued the exposure of money laundering by criminal groups through ATMs located in illegal tobacco shops, the ATM in the illegal tobacco shop in our building has now been removed. Our committee believes the proposed amendments to current laws are essential to provide protection for our community. Current laws have proven inadequate to support authorities to shut this shop down. As a result, our building and its residents remain at significant risk. A risk the insurance industry has now endorsed by placing a huge financial burden on our residents if damage should occur as a result of the presence of this shop. Our Body Corporate Committee endorses the amendments contained in this bill and asks they be introduced in their entirety.