

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

Submission No: 38

Submitted by: Cairns and Hinterland Hospital and Health Service

Publication:

Attachments:

Submitter Comments:

From: [REDACTED]
To: [Health, Environment and Innovation Committee](#)
Subject: RE: Call for submissions - Health, Environment and Innovation Committee - Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation Amendment Bill 2025
Date: Friday, 10 October 2025 10:18:42 AM
Attachments: [REDACTED]

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Good Morning Team

Please see the below endorsed feedback from Cairns and Hinterland HHS.

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

Clause 17: Amendment of s 197 (Seizing evidence at a place that may be entered without consent or a warrant)

(2) Also, the authorised person may seize a thing **in** the place if the authorised person reasonably believes the thing is compromised goods.

Should the word “in” be replaced with “at” for consistency and accuracy?

Clause 21 Insertion of new s 205BA

205BA Forfeiture of compromised goods

(1) The chief executive may decide a seized thing is forfeited to the State if the chief executive is satisfied—

(a) the thing is compromised goods; and

(b) either—

*(i) a relevant product under section 205(6) was present at the place in which the thing was seized and **has been forfeited under section 205**; or*

(ii) vaping goods were present at the place in which the thing was seized and have been forfeited under section 205B.

(2) The chief executive is not required to provide procedural fairness in making the decision.

As compromised goods do not include illicit tobacco or illicit nicotine products themselves, clarification is sought on the following:

- **Will a separate forfeiture decision be required for compromised**

goods?

- **Can a forfeiture decision relating to compromised goods be issued together with a forfeiture decision for prohibited products (illicit tobacco/illicit nicotine)?**
- **Alternatively, must the forfeiture decision for compromised goods wait until the decision for prohibited products has been served?**

Clause 26 Insertion of new pt 11, div 4A, sdiv 3 Relevant Lessors

209CA Definitions for subdivision

In this subdivision— lease, in relation to premises, includes any right to occupy the premises.

premises means any of the following—

- (a) a retail outlet;*
- (b) a wholesale outlet;*
- (c) premises at which illicit tobacco or illicit nicotine products are available for sale by retail or wholesale.*

The current definition does not explicitly include storage sheds or other places where illicit tobacco or illicit nicotine products are stored but not sold.

Clarification is needed on whether such storage-only premises are intended to be covered.

With Kind Regards

Nadine

Nadine Kutz

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From: Health, Environment and Innovation Committee <HEIC@parliament.qld.gov.au>
Sent: Friday, 19 September 2025 2:01 PM
To: Health, Environment and Innovation Committee <HEIC@parliament.qld.gov.au>
Cc: Health, Environment and Innovation Committee <HEIC@parliament.qld.gov.au>
Subject: Call for submissions - Health, Environment and Innovation Committee - Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation Amendment Bill 2025

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Good afternoon,

You have received this email because you have been identified as a possible stakeholder for the Health, Environment and Innovation Committee's Inquiry into the **Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation Amendment Bill 2025** (the Bill).

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

On Tuesday, 16 September 2025, Hon Tim Nicholls MP, Minister for Health and Ambulance Services, introduced the Bill into the Queensland Parliament. The Bill was referred to the Health, Environment and Innovation Committee (committee) for detailed consideration.

Documents relating to the committee's inquiry, including the Bill, explanatory notes and introductory speech, can be viewed on the [committee's webpage](#).

About the Bill

The objectives of the Bill are to:

- protect public health by reducing the supply and possession of illicit tobacco and illicit nicotine products;
- strengthen existing powers and offences to ensure they provide an appropriate financial deterrent to the supply and possession of illicit tobacco and illicit nicotine products;
- reduce the availability of commercial premises used for the illegal trade;
- hold lessors who permit the supply and possession of illicit products accountable;

- improve enforcement and investigation efficiencies; and
- make minor and technical amendments to improve the operation of the Act.

Call for submissions

The committee invites submissions addressing any aspect of the Bill from all interested parties.

Please ensure your submission meets these requirements: [Guidelines for making a submission to a parliamentary committee are available here](#).

The closing date for submissions is **10am, Friday 10 October 2025**.

How to make a submission

Submissions can be made [here](#).

Through this link, you can write your submission or upload a file containing your submission.

Submissions **must** include:

- the author's full name
- if the submission is made on behalf of an organisation, the level of approval (e.g. a local branch, executive committee or national organisation), **and**
- **at least two of the following:**
 - email address
 - mailing address, and
 - daytime telephone number.

Please ensure your submission includes the above or it may not be considered by the committee. If you are unable to provide a written submission, please contact the secretariat to discuss other options.

Public briefing

The committee will hold a public briefing to hear from Queensland Health on **Wednesday, 8 October 2025**.

Public hearing

The committee will hold a public hearing in Brisbane on **Tuesday, 21 October 2025**.

Details will be posted on the [committee's web page](#).

Further Information

Further information about the inquiry process will be provided on the committee's webpage as it becomes available.

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If you have any questions, please contact the committee secretariat on (07) 3553

6626 or by return email.

Kind regards,

Health, Environment and Innovation Committee



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