

Body Corporate and Community Management and Other Legislation Amendment Bill 2023

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Committee Secretary, Legal Affairs and Safety Committee
Parliament House, George Street, Brisbane Qld 4000
Via email only: lasc@parliament.qld.gov.au

Body Corporate and Community Management and Other Legislation Amendment Bill 2023

Dear Committee Secretary,

Lung Foundation Australia, the nation's peak lung health body, strongly endorse the amendment to the *Body Corporate and Community Management Act 1997 (BCCM Act)* relating to second-hand smoke. Allowing bodies corporate to make by-laws that prohibit smoking (including e-cigarettes/vapes) on common property or an outdoor area such as a balcony will protect Queenslanders' lung health. In particular, this amendment will ensure that the one in three Queenslanders who are living with a lung disease can be protected from exacerbations of their symptoms due to smoke drift in community titles schemes.

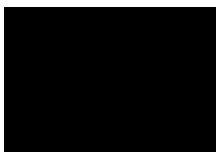
We advise that, in 2019, an estimated 1,581 deaths in Australia were attributable to second-hand smoke.ⁱ Second-hand smoke induces and exacerbates a range of mild to severe respiratory effects and can cause lung cancer and chronic obstructive pulmonary disease in smoking and non-smoking adults.ⁱⁱ

We note that consistent with the object of self-management, making of by-laws is not compulsory and that bodies corporate can determine what areas and smoking products their smoke-drift by-law will apply to. Lung Foundation Australia recommends that the amendment to make such a by-law is well-publicised to bodies corporate upon ascent.

As conveyed in the explanatory notes to the Bill, the smoke-drift amendment supports the aim of Queensland's smoking laws. Lung Foundation Australia strongly support the direction of Queensland's tobacco-control legislation, and thus we commend the Department of Justice and Attorney-General on this alignment through the BCCM Act.

If you would like to discuss our response further, please contact Paige Preston, General Manager of Policy, Advocacy and Prevention, at paigep@lungfoundation.com.au or 3251 3645.

Yours sincerely,



Mark Brooke
Chief Executive Officer
Lung Foundation Australia

ⁱ Global Burden of Disease Collaborative Network 2023. Global burden of disease study 2019 results. Available from: <https://vizhub.healthdata.org/gbd-results/>

ⁱⁱ US Department of Health and Human Services 2026. The health consequences of involuntary exposure to tobacco smoke: A report of the Surgeon General. Available from: <https://www.cdc.gov/tobacco/sgr/2006/>