



Speech by

BONNY BARRY

MEMBER FOR ASPLEY

Hansard 16 May 2002

TOBACCO LEGISLATION AMENDMENT BILL

Ms BARRY (Aspley—ALP) (12.12 p.m.): I rise to support the Tobacco Legislation Amendment Bill 2002. In doing so, I reaffirm my pride in being part of a government that puts the health of Queenslanders forward as a priority. The introduction and passage in May 2001 of the Tobacco and Other Smoking Products (Prevention of Supply to Children) Amendment Act 2001 comprehensively legislated for the implementation of the Queensland Tobacco Action Plan. The goals of that plan are the reduction of the exposure of the public—in particular, children and young people—to the harm caused by cigarette smoking, the reduced promotion of smoking as a lifestyle option, and to reduce smoking's devastating effect on the health of Queenslanders. As with any legislation of this nature, finding the balance between the competing interests in our communities—smokers and nonsmokers, licensed premises and non-licensed premises, workers and customers—is challenging. I congratulate the minister on finding that balance in the legislation before the House today.

The bill before us today deals specifically with the treatment of players where bingo is played. A legislative anomaly has arisen that has resulted in unequal rights for those premises that accommodate bingo games. Unlicensed, predominantly not-for-profit community-run facilities were excluded from smoking during games, but licensed facilities were allowed to let their smokers participate in cigarette smoking by nature only of their access to facilities holding a licence. The unintentional outcome of this anomaly would be to advantage the licensed premises in terms of attractiveness to smoking bingo patrons and to create an environment in which nonsmoking bingo players were exposed to harmful close-range cigarette smoke from their smoking neighbours in a licensed premises.

In introducing the Tobacco Legislation Amendment Bill 2000, the minister has moved swiftly to minimise financial and patronage disadvantage to unlicensed premise bingo operators whilst retaining the direction of the Queensland Tobacco Action Plan by excluding smoking in all bingo facilities, thereby reducing Queenslanders' exposure to cigarette smoke. I am well aware that the debate will continue for many years on the rights of smokers versus nonsmokers. I understand that figures show that some 75 per cent of bingo players are smokers. But the treatment of all players, premises and staff with equity by excluding all smokers 30 minutes prior to a session and during the session is one that I believe creates a level playing field for all of those involved in the industry. More importantly, it reinforces this government's and this Health Minister's commitment to tackling the tough issue of smoking in our society. The need for policy that addresses the real cost of smoking to individuals and communities from cigarette smoking and yet acknowledges that strategies to minimise the effects of cigarette smoking must be done in consultation with the community is critical.

This bill's approach in banning smoking during bingo sessions is consistent with the approach to banning smoking in dining areas. The bill provides suitable penalties for failure to abide by the ban or to stop a person smoking and puts the onus on the licensee to ensure that the law is implemented. It does, however, recognise defences for licensees in the event of a person's refusal to stop smoking. I note, however, that many clubs have already begun to prepare for the 31 May deadline changes to smoking no-go zones by educating staff and customers on the new laws. I congratulate those clubs on their efforts and cooperation in this important legislative change.

I am afraid that I will never resile from my view that our world would be better, healthier and more prosperous in the absence of cigarette smoking. I am afraid that too many years as a cancer

nurse have coloured my view. Cigarette smoking, however, is a choice for some and an addiction for far too many. Changes must be considered and consultative, but they always must be focused on improving the health of all Queenslanders, smokers and nonsmokers alike.

This legislation is a step forward for Queensland. It is balanced and it is fair. It means that Queensland can be beautiful one day and healthy the next. It does so by moving towards a multifaceted Tobacco Action Plan designed to reduce the burden on society caused by smoking. I would like to commend the minister on behalf of my electorate's non-licensed bingo operators for moving swiftly to create equity amongst clubs by introducing this legislation. I would like also to take the time to congratulate my local clubs, both licensed and unlicensed, on the responsibility they have shown in preparing for the 31 May deadline for the introduction of tough nonsmoking zones. I thank smokers and nonsmokers alike in anticipation of their cooperation, and I commend the bill to the House.