




Speech By
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MEMBER FOR MACALISTER

Record of Proceedings, 25 May 2023

TOBACCO AND OTHER SMOKING PRODUCTS AMENDMENT BILL

 **Mrs McMAHON** (Macalister—ALP) (4.47 pm): I rise to speak in support of the Tobacco and Other Smoking Products Amendment Bill 2023. In Queensland smoking is the leading cause of preventable cancer. In Queensland one in five cancer deaths is linked to smoking, which, in itself, represents over 3,400 deaths each year. Each year the cost to the Queensland health system through smoking related diseases and ailments is \$27 billion. That is on the current figures and it used to be much worse. On current figures, regular smokers represent 10 per cent of the population, which is down from 24 per cent in 1998. The sharp decline in those figures is not accidental. It was the result of deliberate and proactive health measures and legislation implemented by both state and national governments over that time. Bans on advertising, a reduction in displays at point of sale and the world-leading plain packaging initiative have targeted the public perception and availability of smoking.

However, for all of those proactive steps and the knowledge we now have of the dangers of smoking—and we have come a long way from the time of doctors promoting cigarettes and McDonald's providing ashtrays in their restaurants—in Queensland there has never been a licensing framework for the sale of tobacco products. Where there is not a licensing framework there will always be difficulties in monitoring and enforcing legal requirements—a handy thing when the product you sell comes with addictive behaviours and, ultimately, deadly consequences. Therefore, the introduction of this bill, which primarily will establish a licensing framework for tobacco retailers and wholesalers, has received universal support from health professionals and tobacco manufacturers and retailers; a strange cohort indeed.

The retail licence will authorise the sale of smoking products by retail sale and the wholesale licence will authorise the sale of smoking products by wholesalers, but only to licensed retailers. Both types of licences authorise sales at one physical premises and one online shop, with additional premises or online shops requiring additional separate licences. There will be appropriate checks and balances on the licensee's standing as a fit and proper person to hold the licence. The licence fees are intended to ensure full cost recovery of the licensing infrastructure and delivery and fund additional compliance activities throughout Queensland. It will also allow police to become authorised to assist health department officers in monitoring and enforcement. With a licensing framework comes the ability to better ensure compliance and crack down on illegal tobacco trade. A KPMG report calculated that almost 20 per cent of tobacco consumed in Australia was obtained illicitly. In excise fees alone, that is a revenue loss of \$3.4 billion to our bottom line.

A number of speakers have outlined the issues with and prevalence of the illegal tobacco trade in their areas. My electorate is no different. Chop-chop has always been an issue in Logan, in both the black market and the backdoor market of legitimate businesses. The creation of appropriate and deterrent penalties for the supply and possession of illicit tobacco will hopefully see a reduction in these supplies. While I cannot say that I am an avid supporter of the tobacco manufacturers, wholesalers and retailers, they are legitimate businesses who ostensibly are complying with the regulatory requirements that have been placed upon them by both state and federal governments.

Levies and excises have made smoking an expensive habit. This has been a deliberate lever pull by successive governments to reduce the appeal and rate of smoking, particularly for young people. These businesses, in collecting the revenue, help offset the health costs of the habit. They do not deserve to be losing business and market share to illegal operators who undercut this generally bipartisan stance.

I note that many contributors opposite have stated that they support the bill but that it does not address the growing problem that is e-cigarettes and vaping. While I do share the wider community's concerns about the prevalence and availability of vaping products, particularly to high schools, there is a body of work being done to take an informed and consultative approach to this. I note that the inquiry currently being undertaken seems to have foreshadowed the approach that the federal government appears keen to adopt. Let's be clear: a national response is required.

Regardless, the mechanics of this bill in establishing the licensing framework are the first step in any future crackdown on vaping products. Given that there is a legitimate role for vaping products within a health setting, having a licensing structure will ensure that when the time comes licensed wholesalers and sellers will be able to supply within the health network while also being able to enforce future provisions when it comes to the possession and sale of banned items. You cannot have monitoring and enforcement without an appropriate licensing structure. That is what the bill does. This is step 1.

There are many other provisions in this bill which aim to reduce the exposure and normalisation of smoking to our children. As a mother of teenagers and preteens, I applaud any effort by any government to this end. Smoking related cancers are such a sad tale, knowing that in most instances they are deaths that could have been avoided. While in decades gone by it was regrettable that the dangers were not publicly known, there can be no such excuse in these times. Everyone who puts a cigarette to their lips knows the risks and the dangers yet still makes that choice. I commend the bill to the House.