




Speech By  
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**MEMBER FOR BUDERIM**

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**TOBACCO AND OTHER SMOKING PRODUCTS (VAPING) AND OTHER  
LEGISLATION AMENDMENT BILL**

 **Mr MICKELBERG** (Buderim—LNP) (6.20 pm): I rise to address the Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024. As has been noted by previous speakers, the LNP will not be opposing this bill. We will not be opposing this because vaping is a scourge on society and, hopefully, that is something we can all agree on.

I have four young kids and it concerns me how prevalent vaping has become amongst young people and how easily accessible vapes seem to be, even with the laws that are in place. When I visit high schools around my community, I am often told by staff that one of the main challenges they deal with is the use of vapes on school grounds—students gathering in bathrooms or hidden areas in the school to share a vape or an e-cigarette.

Last week I held a mobile office outside one of my local schools. I was not on the school grounds but in the park nearby. After school finished, some young lads in year 8 came over. One of them was quite the vape aficionado. After we spoke about the merits or otherwise of vaping, I asked him what he found useful about it. He said he enjoyed the taste. I said, 'Do you realise what it is doing to your health, mate?' From that conversation, it became very clear that he had no idea what it was doing to his health. He had no idea what the consequences of his actions may be. We need to ensure that we protect people who may not be in a position to be as informed on some of these things as they should be.

Being under the legal age to purchase smoking products—whether that is e-cigarettes or vapes—has not stopped young teens. What is especially worrying is hearing that those kids are connecting with adult strangers online, getting them to buy their vapes for them and then meeting them in person to exchange them. I am sure that is concerning to all parents and to all adults in our community. Nothing good can come from that course of action.

The reason I brought that up is that it has been happening for many years now. It is feedback that I regularly receive. There has been very little policing or enforcement of this. I acknowledge that the authorities have limited resources to enforce some of these issues. That is a problem for our society. It is a problem for business. It is a problem from a public health perspective.

It is all well and good for us to voice our disgust with respect to illegal tobacco or vapes, but we need to ensure we resource departments appropriately so that they can take real action to crack down on those who do the wrong thing. I have been contacted by residents and business owners in my electorate on several occasions about chop-chop shops that are operating across the Sunshine Coast. There is one in the main street probably 200 metres from my office. I think all members of the House would acknowledge that some of these chop-chop shops blatantly break the law and there is little consequence for that.

I know that you, Deputy Speaker, as the member for Southern Downs, have raised this in the parliament in the past. This is true in many electorates across the state. In my role as the shadow minister for small and family businesses, businesses that are legitimately selling tobacco frequently

raise the issue of illegal businesses selling chop-chop and illegal tobacco and the impact this has had not just on their trade but also on their customers. They are buying something and they have idea no what the product is.

We have seen the associated links between organised crime and these chop-chop shops in many communities across the state, including in my own. Admittedly, it is just across my boundary in the electorate of Ninderry. There have been ramraids on legitimate tobacconists and tobacco stolen to, I would contend, drive them out of business because chop-chop shops are seeking to take their market.

What is very clear is that this behaviour has been happening for years but there has been no serious penalty. We have seen no marked increase in penalties. The question has to be asked: what is going to change with this legislation? If the authorities do not have the resources to enforce the legislation, what is the point of passing legislation in first place?

Most small and family businesses are trying to do the right thing. They are following the direction to stop the sale of vapes containing nicotine, but not all shops are doing that. It is very clear that there are a number of businesses openly flouting the existing legislation and regulations. The dodgy shops out there continuing to sell vapes and e-cigarettes containing nicotine do that with little fear of consequences. They know there is not going to be a consequence. We need to ensure that there is a consequence. We need to ensure that we protect those who are doing the right thing.

Personally, I would rather see a society where there is no smoking, but I acknowledge that it is a reality in our society that people can choose to smoke. I think we need to protect the community to ensure the incidence of smoking is reduced. While it is legal, we need to ensure that those who choose to do the right thing are protected and those who do the wrong thing are held to account. That is not happening right now.

The reality is that tobacconists or shops like newsagents that choose to sell cigarettes and are doing the right thing are losing trade to those who are selling under-the-counter illicit products. I would hate to see legitimate businesses doing the right thing close, particularly small and family businesses. I have spent most of my time in parliament, as have many on this side of the chamber, fighting for small and family businesses. A shop that is selling illegal tobacco products or vapes, especially if they are ending up in the hands of young people, needs to be held to account and close their doors, in my opinion.

That would take a state government that is genuinely committed to addressing this problem. My view is that, unfortunately, this is lip-service. The dodgy shops flouting the law right now will not be impacted and will not see any meaningful crackdown on their actions unless there are appropriate resources allocated. They know there will not be a penalty applied to them. Queensland Health has previously criticised the state government's enforcement of illegal tobacco products, but even that did not prompt a response from the state government. I think that tells us the gravity of the issue for this state government.

We need to see real action if we are going to address the scourge of illegal vapes and e-cigarettes. There needs to be an additional allocation of resources to departments to ensure they can enforce compliance. Queenslanders want a government that will not just introduce legislation but will implement measures which will address the concerns and issues that are countenanced by this bill. Good intentions are fine, but without action we are not going to see any improvement on the many issues facing Queensland.

It is my view that the only way that we are going to address these concerns is by changing the government on 26 October. What has become very clear is that this government does not have the intention to take the action that is necessary. It is happy to pay lip-service to some of these issues, but words without action are meaningless. It is time to show Labor the door in '24.