




Speech By  
**Rob Molhoek**

**MEMBER FOR SOUTHPORT**

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

 **Mr MOLHOEK** (Southport—LNP) (3.59 pm): I rise today to address the Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Bill 2024. At the outset, I want to thank the committee for its work during both the inquiry process that was conducted some 18 months to two years ago and more recently in its review of the bill. My LNP colleagues and I will not oppose this bill, but we must highlight the shortcomings of successive Labor governments for not enforcing their own laws when it comes to illicit tobacco and vaping products. Good intentions are one thing, but good governance and enforcement are what deliver good outcomes. The blatant disregard for the law that these chop-chop shops have demonstrated over the last four or five years is just breathtaking. In my electorate alone, I can count seven stores that are blatantly flouting current tobacco laws in Queensland and continue to flout them even in respect of the supply of illegal vapes, yet I am still waiting to see any strong action being taken with regard to these illegal retailers of illegal tobacco products and vaping products.

During the course of the inquiry we heard evidence from the Department of Health on the Gold Coast. Officers from the Department of Health presented us with a range of evidence around the number of investigations they had undertaken. They spoke about the number of vapes that had been seized and tested. During that inquiry process they spoke at length about the challenges of taking any action under the current laws. That, essentially, is why this legislation is so important in that the bill introduces several important measures, including creating new offences related to the supply and possession of illicit nicotine products, increasing penalties for those engaged in the illicit tobacco trade and giving the chief executive the power to order the closure of premises selling illegal products. These are steps in the right direction, but they will mean little if the government does not enforce them.

It is important to note that the legislation does not just refer to vapes; it actually refers to 'illicit tobacco' products. There are many other products and forms of tobacco that can be consumed that are not necessarily all that popular yet in Australia, but the legislation has been specifically drafted to make sure that if other products enter the market in place of vapes or other illegal tobacco products then there is a scope of power within the existing legislation to deal with any other trends.

One of the most significant changes is the creation of a new offence related to adults who supply illicit nicotine products to children outside of a business activity. This is essential because vaping amongst children has become a serious issue and they are not aware often that they contain harmful substances and have health implications. The government must ensure it enforces this amendment in order to keep our children safe. In addition to these measures, the bill also addresses the issue of dangerous littering. The amendment to the Waste Reduction and Recycling Act 2011 introduces penalties for those who deposit vaping devices or accessories in public places, recognising the environmental impact of these products.

We must address the growing problem of illicit tobacco in Queensland. We owe it to our communities to ensure that these dangerous products are taken off the shelves and that those who distribute them are held accountable. The LNP will not oppose this bill, but we urge the government to take enforcement seriously and that when these laws are passed we ask that it ensure they are upheld. The health and safety of our communities depend on it.

During the course of the previous inquiry, we heard concerns raised about the illicit sale of e-cigarettes in Queensland. We heard evidence that suggested that millions of unchecked, unsafe and unregulated e-cigarettes are finding their way across our borders and into our homes and into our schools every month. We need to impress upon the federal government the need for tighter border control. There is no point banning vapes only to see them being imported and smuggled into the country in their thousands and tens of thousands with no control. The greater concern is that many of these illegal vapes contain nicotine levels that are far and above any recommended or reasonable strength and they pose serious health risks to our young people.

We also need through the Department of Education to ensure there are training programs and resources provided to our teachers, because many teachers are tearing their hair out at the frustration of having to deal with vaping at school, and this is a significant issue. While some schools are managing disciplinary issues and vaping restrictions quite effectively, many others are struggling. Management of detentions and suspensions impacts considerably on staff resources and teaching outcomes and teachers are fed up with having to manage disciplinary issues, vaping issues and all of the other issues that occur day to day at the expense of having meaningful face-to-face time to teach young people the things they are there to learn. We need to call on our educators in the Department of Education to look at how we can implement interactive educational courses and also how we can engage parents and the broader school community in addressing these challenges.

I have already touched on border control. The federal government already plays a significant role in compliance. While having seized significant quantities of illicit e-cigarette devices, I do not believe that Border Force nor the department have had adequate resources or the scope of powers to stem the flow. Just like the war on drugs and just like so many other social issues that we deal with in our society, this is another social issue that is not going to go away and, as a government, we need to empower our agencies to take strong, affirmative action, and that is why I support the bill before the House today.