



Speech By
Adam Baillie

MEMBER FOR TOWNSVILLE

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TOBACCO AND OTHER SMOKING PRODUCTS (DISMANTLING ILLEGAL TRADE) AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

 **Mr BAILLIE** (Townsville—LNP) (7.55 pm): I rise to make a contribution and speak in support of the Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation Amendment Bill 2025. Earlier this year I spoke in this place about the decisive action the Crisafulli government is taking to crack down on illegal vapes and illicit tobacco. The previous bill strengthened the ability to seize, store and destroy unlawful products, and it held offenders financially responsible for the damage they cause. Despite those actions, and with Queensland now having some of the strongest penalties and enforcement powers in Australia, the black market continues to thrive. Illegally imported cigarettes, loose-leaf tobacco and nicotine filled vapes remain readily available in a range of retailers across Queensland.

This bill takes the fight against illegal tobacco products to the next level and sends one very clear message to rogue operators who target our kids and undermine public health: their illegal business will not be tolerated. This bill is another major step in dismantling the supply chains and business models that allow these criminals to profit. More importantly, it is about protecting our young people and restoring safety in our communities, especially communities like mine in Townsville.

In Townsville, families are fed up with seeing smoke shops pop up on busy corners, trading late and selling highly addictive products to kids in school uniforms. Products like vapes are marketed to our children with bright colours, flavours like candy and watermelon, and packaging designed to look harmless, but the reality is far from harmless. These devices are packed with nicotine. They are highly addictive, highly damaging and highly effective at hooking young people. They contain toxic chemicals like antifreeze, volatile compounds found in paint and heavy-duty cleaners, and even formaldehyde. More recently, some vapes have been found to contain nitazene, which is a synthetic opioid several members have already referred to that is 500 times more potent than heroin.

Vaping rates among Queensland high-schoolers tripled between 2017 and 2023. I hear stories from teachers, parents and school students about vapes and their use at schools. We have seen reports where kids as young as six are caught vaping in school toilets and teenagers are sneaking behind teachers' backs during class. The cause for concern is even greater when bodies like the Cancer Council advise that children who vape are 29 times more likely to take up cigarettes. If this is not addressed now, the health impacts in our community will continue to get worse.

Since the Crisafulli government came into office we have taken more illegal product off the streets in one year than Labor managed in a decade. Across Queensland we have seized 57 million illicit cigarettes, 7.7 tonnes of loose tobacco, 475,000 illicit vapes and 405,000 nicotine pouches. That is more than \$75 million worth of illegal and dangerous goods seized, stopped and prevented from reaching our kids. More than 1,800 penalty infringement notices have been issued—the toughest in the nation.

In Townsville alone, Queensland Health has seized 675,000 cigarettes, 267 kilograms of loose tobacco, 12,753 vapes and 2,411 nicotine pouches. However, seizing the products alone is not enough to curb the behaviour of these illegal product traders. Currently, enforcement officers can only shut down stores for three days, effectively a long weekend off for the illegal traders. For a closure order of any longer than that, a court order is required. This bill introduces much stronger closure powers, allowing Queensland Health to shut illegal stores for three months without requiring a court order. Similarly, the bill also doubles the maximum duration of court ordered closure orders from six months to 12 months. These extended closure powers strip offenders of their trading power and deliver a direct hit to their profit margins. It will also become a criminal offence to open, trade or even work from a business subject to a closure order. Under these powers, when we say closed it means closed.

In addition, for the first time Queensland will directly address the role of commercial landlords in this black market. We know that many of the landlords are not complicit in this illegal trade and they have been crying out for powers to evict their tenants if they are carrying out this illegal business in their building. The bill gives landlords a clear statutory power to terminate commercial leases where the leased premises are subject to closure orders. This ensures the criminal enterprise cannot continue to occupy retail spaces while protecting landlords who act responsibly. Evicted offenders will lose their premises, their bond and their ability to profit from the illegal activity. This will make it harder for rogue traders to find willing landlords or new shopfronts for their operations.

We also know that some landlords knowingly profit from the illicit trade and enable these operations to continue. Those landlords who deliberately turn a blind eye to unlawful activity in pursuit of their own financial gain and to the detriment of our communities will now be subject to a new criminal offence and civil penalties to hold them to account. Under this bill, a landlord who knowingly permits their premises to be used for the supply or possession of illicit tobacco or illicit nicotine products will face penalties of up to \$166,000 or one year's imprisonment, or more than \$800,000 for corporations.

Further, this bill enables authorised Queensland Health officers to undertake controlled purchase operations, equipping enforcement officers with the powers and tools they need to catch illegal retailers in the act, enabling mystery shopper style operations to provide the direct admissible evidence that leads to prosecutions. These operations are proportionate and effective and mirror frameworks used successfully already in alcohol and tobacco enforcement across Australia.

This bill also allows authorised officers to seize all legal smoking products and related components when they are found in connection with illicit tobacco or vaping products. This approach dismantles the dual business model that illicit traders sometimes rely upon where they mask their real intention at the front of the shop in order to conceal the illicit trade behind the counter.

This bill is about protecting our kids, backing our frontline officers and shutting down the criminals who have taken advantage of weak laws for far too long. The Crisafulli government is restoring order, restoring accountability and putting community health ahead of criminal profits. These reforms hit illegal operators where it hurts: in their wallets, their business model and the ability to target young people in places like Townsville. This legislation keeps our children safe. I commend the bill to the House.