




Speech By
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MEMBER FOR NOOSA

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

Second Reading

 **Ms BOLTON** (Noosa—Ind) (7.49 pm): For decades, determined and combined efforts by the community, government, health, law enforcement and retail sectors have dramatically reduced smoking rates, and I want to congratulate everyone who has given up smoking, including myself, because it is really hard. However, the introduction and rapid rise of illegal vapes and other illegal tobacco and nicotine products, particularly amongst our young people, has led to a devastating reversal of this trend. What is particularly disturbing is that it could have been prevented. Ever since the mention of vaping as a smoking cessation product in 2020, medical experts—including voices from the AMA, the TGA and the AHPPC—were clear that these should only be available by prescription. No-one listened. The lack of preventive action demonstrates the many failings in our systems and politics.

Let's be brutal: smoking is one of the leading causes of preventable death and disease. It increases the risk of cancer, heart disease and diabetes, as well as having a crippling effect on our public health system. One in eight Australians currently smokes or vapes. Children as young as six—just think about that; they are six years old—have been caught using vapes which are toxic, addictive and now illegal. Research indicates they cause seizures, poisoning, lung damage, increases to blood pressure, higher heart rates, and lung and oral cancer. For our 12- to 13-year-olds, one in three have already tried vaping and evidence suggests they are 29 times more likely to take up smoking tobacco—which is what we fought against for years—than their peers.

Cancer Council research shows that 87 per cent of children aged 14 to 17 found it easy to access illegal vapes. Even though the 2024 legislation restricted vape sales to pharmacies, online illegal purchasing—where not even evidence of age is required—is still rife. I actually tested this tonight before I came to the chamber. This is unbelievable. What is truly frightening is the emergence of so-called supercharged vapes laced with nitazene, which is a substance that is 500 times stronger than heroin, where even a tiny grain can be deadly. I really want parents to think about this and what is occurring.

What does this legislation do to address all of this? Basically, it targets the business model and the economic incentives driving this illegal industry, with new and improved enforcement measures for Queensland Health. I want to congratulate the minister and the department for this. The bill covers four key areas: first, to reduce the availability of commercial premises used for illegal trade; second, to hold lessors who permit the supply and possession of illicit products accountable via civil penalties; third, to improve enforcement and investigation efficiencies; and, fourth, to strengthen existing powers and offences to ensure they provide an appropriate financial deterrent. Of note, my committee heard that across Australia there are over 40,000 outlets to service the eight per cent of the population who smoke; in contrast, there are 7,000 petrol stations to service the 70 per cent of us who drive cars. Tobacco is more readily available than fuel.

This legislation will also give Queensland the strongest laws in Australia against illegal operators, such as expanding interim closures from three days to three months and doubling long-term closures, as well as enabling the cancellation of leases. Our committee heard evidence that more than half of all tobacco and nicotine products are now illegally sourced. This highly profitable illicit market is increasingly sophisticated, and it is worsening with organised crime syndicates that are targeting our kids at local shopping centres, with reports of attacks on businesses, ram raids, firebombings and rising violence. In my own community we have experienced tobacco shop fires, and these often have devastating impacts on surrounding businesses for many months.

There were 45 submissions from various sectors, including retail representatives, small business owners, and health councils and foundations. The majority were highly supportive. Some concern was expressed that, with increased legislation, supply could go further underground, increasing black market trade. Environmental Health Australia also stressed the importance of prioritising our regions, with the Queensland Law Society raising the substantial shift in responsibility and risk allocation between lessors and lessees. Our committee noted there may be merit in Queensland Health considering providing notice to landlords of enforcement action to help them meet their obligations. We also noted that all those impacted by these changes should be well informed, and we need to tackle that densification.

Ultimately, stopping the flow and access to these illegal products that are targeted at our kids is paramount, including online. I want to again thank the minister and those who made submissions, my fellow committee members, our chair and secretariat, our health workers, the police and the many law-abiding store owners and operators for their endeavours every day. This bill, as most have submitted, is a step in the right direction. I commend it to the House.