

House of Representatives
Supplementary Order Paper

Wednesday, 13 July 2011

**Smoke-free Environments (Controls and
Enforcement) Amendment Bill**

Proposed amendments

Iain Lees-Galloway, in Committee, to move the following amendments:

New clause 7B

To insert the following clause after clause 7A (after line 31 on page 12)

7B Free distribution and rewards prohibited

- (1) Section 28(1) is amended by omitting “or retailer” and inserting “retailer or wholesaler”.
- (2) Section 28(1)(c) is amended by inserting “or wholesaler” after “retailer”, and by inserting “or wholesalers” after “retailers”.

Clause 9: new section 29AA

To omit paragraphs (a) and (b) (lines 27 to 32 on page 13) and substitute the following paragraphs:

- “(a) is rectangular with its longer sides horizontal and its shorter sides vertical, and the message “SMOKING KILLS Ka Mata koe i te kai hikareti” printed in black across it—
 - “(i) within a black rectangular border that is no wider than an upper case “I” in the point size used for the words “SMOKING KILLS”; and
 - “(ii) on a white background within that border; and
 - “(iii) in the typeface known as Helvetica; and
 - “(iv) in Roman font; and
 - “(v) with the words “SMOKING KILLS” printed centred, in upper case letters, in one line; and
 - “(vi) with the words “Ka Mata koe i te kai hikareti” printed centred, in upper and lower case letters in one line—

- “(A) beneath the words “SMOKING KILLS”;
and
- “(B) in a point size such that its risers are two-thirds the height of the words “SMOKING KILLS”; and
- “(vii) in a type that is clear and legible, of normal weight, and of such a point size that the words “Ka Mata koe i te kai hikareti” do not touch the vertical elements of the border, but as nearly as possible take up the full width of the sign between them; and
- “(viii) is at least 1 square metre in area; and
- “(ix) includes the attribution “Ministry of Health Warning”, printed centre, in one line beneath the words “Ka Mata koe i te kai hikareti”—
 - “(A) in upper and lower case letters; and
 - “(B) in an italic font in the typeface known as Helvetica; and
 - “(C) in a point size such that its risers are no more than half the weight of the words “SMOKING KILLS”; and
- “(b) complies with any regulations for the time being in force under **section 39(1)(id)**.

Clause 10: section 30(6)

To omit paragraph (a) (lines 28 to 31 on page 14) and substitute the following paragraph:

- “(a) complies with the signage requirements set out in **section 29AA(a)**; and
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Explanatory note

This Supplementary Order Paper replaces SOP No 255 and amends the Smoke-free Environments (Controls and Enforcement) Amendment Bill in the following ways:

- *New clause 7A* is inserted to include a prohibition on wholesalers from offering trade discounts on tobacco products.
 - *Clause 9* amends new section 29AA to retain the original provisions concerning signage. As currently drafted this would not prevent retailers and wholesalers from creating personalised signs that could contain favourable or misleading images.
 - *Clause 10* is a consequential amendment to the changes proposed in clause 9.
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