

House of Representatives

Supplementary Order Paper

Tuesday, 6 December 2022

Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Bill

Proposed amendments

Hon Dr Ayesha Verrall, in Committee, to move the following amendments:

Clause 2

In *clause 2(1)*, replace “**and 49(3)**” (page 6, line 2) with “**49(3), and 58 to 60**”.

Clause 6

In *clause 6, new section 3AB(d)*, replace “in relation to the sale and distribution of” (page 9, lines 32 and 33) with “relating to requirements for”.

Clause 15A

In *clause 15A*, replace “vaping products that are available for sale within the retail premises or on an Internet site of a retailer” (page 17, lines 19 and 20) with “vaping products that are available for sale within the retail premises or on the Internet site of the retailer”.

Schedule

In the *Schedule, new Part 3 of Schedule 1*, replace *clause 15* (page 42, lines 13 to 16) with:

15 Obligation of person selling notifiable products

Section 20R (which relates to the notification requirement of a person who sells notifiable products) does not apply until the date that is 9 months after the commencement date.

In the *Schedule, new Part 3 of Schedule 1*, replace *clause 17* (page 42, lines 21 to 25) with:

**Proposed amendments to
Smokefree Environments and Regulated Products
(Smoked Tobacco) Amendment Bill**

17 Sale of smoked tobacco products other than by approved smoked tobacco retailer

- (1) **Section 20G** (which prohibits the sale of smoked tobacco products other than by an approved smoked tobacco retailer) does not apply until the date that is 18 months after the commencement date.
- (2) **Section 20H** (which provides for applications for approval to be an approved smoked tobacco retailer) does not apply until the earlier of the following:
 - (a) the date on which regulations made under **section 82A** commence:
 - (b) the date that is 18 months after the commencement date.

In the *Schedule*, new *Part 3 of Schedule 1*, after *clause 18(c)* (page 42, after line 35), insert as subclause (2):

- (2) **Section 57B** (which provides for applications for approval for sale or import of smoked tobacco products) does not apply until the earlier of the following:
 - (a) the date on which regulations made under **section 81(1)(20)** (relating to approval of smoked tobacco products) commence:
 - (b) the date that is 27 months after the commencement date.

In the *Schedule*, new *Part 3 of Schedule 1*, after *new clause 18* (page 42, after line 35), insert:

19 Notifier must not sell product unless it has been notified

The requirement in section 60 on a notifier of a notifiable product does not apply in respect of a herbal smoking product until the date that is 9 months after the commencement date.

Explanatory note

This Supplementary Order Paper makes minor and technical amendments to *clause 6*, *new section 3AB*, to *clause 15A*, and to the commencement and transition of certain provisions in the Bill.