

PARLIAMENTARY INQUIRY QUESTION ON NOTICE

Department of Health and Aged Care

Senate Standing Committee on Community Affairs

Public Health (Tobacco and Other Products) Bill 2023, and the Public Health (Tobacco and Other Products)(Consequential Amendments and Transitional Provisions) Bill 2023

PDR Number: IQ23-000124

Clause 87 of Public Health (Tobacco and Other Products) Bill 2023

Written

Senator: David Pocock

Question:

1. Clause 87 of the Bill allows for tobacco product ingredients to be prohibited by regulation where those ingredients may be contributing to increased palatability, appeal or addictiveness of tobacco products. Would this provision, or any other part of the Bill, allow for the accessories, such as papers, filters and other items that may add flavour to cigarettes to be prohibited?

Answer:

1. Clause 87 relates to tobacco products, it does not regulate tobacco product accessories.
2. Clause 10 of the Bill defines 'tobacco product accessories' to mean any of the following:
 - a. a cigarette paper (including a pre-rolled cigarette paper) that is not part of a tobacco product,
 - b. a cigarette roller,
 - c. a filter tip for a cigar or cigarette that is not part of a tobacco product;
 - d. a wrapper for tobacco that is in the form of a sheet or tube made from or with tobacco,

- e. a card, capsule, bead or other device that is designed or intended to alter the flavour, smell or intensity of a tobacco product (except such a device that is part of a tobacco product),
 - f. a pipe designed or intended for smoking pipe tobacco.
3. The Bill regulates tobacco product accessories by restricting the ability of accessories to enhance the attractiveness of tobacco products, particularly to youth. This is given effect through clause 91, which provides that tobacco accessories must not alter, or be capable of altering, the flavour or smell of a tobacco product with which it is used. In addition, clause 124 would allow for regulations to prescribe additional requirements in relation to tobacco product accessories, should this be needed in the future.