
Public Health (Tobacco) Amendment Bill (No 2) 2024

Amendments made by Legislative Assembly on 12 November 2024.

No. 1 **Grounds for refusing or cancelling licences**

Page 3, Schedule 1[1], section 4(1). Insert after line 5—

law enforcement agency means the following—

- (a) the NSW Police Force,
- (b) a Police Force of another State or a Territory of the Commonwealth,
- (c) the Australian Federal Police,
- (d) another authority or person responsible for the enforcement of the laws of the Commonwealth or the State, another State or a Territory of the Commonwealth.

No. 2 **Prohibition on certain sales**

Page 3, Schedule 1[2], proposed section 6, penalty, lines 21 and 22. Omit all words on the lines. Insert instead—

- (a) for a corporation—7,000 penalty units, or
- (b) for an individual—1,400 penalty units.

No. 3 **Prohibition on packing and sale of tobacco product without health warning**

Page 3, Schedule 1[3], proposed section 7, penalty, lines 26 and 27. Omit all words on the lines. Insert instead—

- (a) for a corporation—7,000 penalty units, or
- (b) for an individual—1,400 penalty units.

No. 4 **Prohibited words**

Page 3, Schedule 1, insert after line 27—

[3A] Section 8 Prohibited words

Omit section 8(1), penalty. Insert instead—

Maximum penalty—

- (a) for a corporation—7,000 penalty units, or
- (b) for an individual—1,400 penalty units.

No. 5 **Grounds for refusing or cancelling licences**

Page 8, Schedule 1[8], proposed section 39A(4). Insert after line 19—

- (c1) on the recommendation of, or receipt of relevant information from, a law enforcement agency,

No. 6 **Grounds for refusing or cancelling licences**

Page 9, Schedule 1[8], proposed section 39C(4). Insert after line 26—

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- (c1) on the recommendation of, or receipt of relevant information from, a law enforcement agency,

No. 7 **Grounds for refusing or cancelling licences**

Page 10, Schedule 1[8], proposed section 39G. Insert after line 24—

- (d1) on the recommendation of, or receipt of relevant information from, a law enforcement agency,

No. 8 **Proceedings for offences**

Page 12, Schedule 1. Insert after line 10—

[12A] Section 54(3)

Omit “12 months”. Insert instead “2 years”.

No. 9 **Review of Act**

Page 12, Schedule 1. Insert after line 31—

[13A] Section 61

Omit the section. Insert instead—

61 Review of certain provisions

- (1) The Minister must conduct a review of the reviewable provisions to identify if—
 - (a) the policy objectives of the reviewable provisions remain valid, and
 - (b) the terms of the reviewable provisions remain appropriate for securing the objectives.
- (2) The review must be commenced within 6 months after the period of 5 years after the commencement date.
- (3) A report on the outcome of the review must be tabled in each House of Parliament within 1 year after the last day by which the review must commence.
- (4) In this section—

commencement date means the date on which the amendments to Part 5 made by the *Public Health (Tobacco) Amendment Act (No 2) 2024* commence.

reviewable provisions means the provisions inserted into Part 5 by the *Public Health (Tobacco) Amendment Act (No 2) 2024*.