



Queensland

# Tobacco and Other Smoking Products and Another Regulation Amendment Regulation (No. 1) 2011

## Subordinate Legislation 2011 No. 229

made under the

*State Penalties Enforcement Act 1999*

*Tobacco and Other Smoking Products Act 1998*

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Tobacco and Other Smoking Products and Another Regulation Amendment Regulation (No. 1) 2011*.

### **2 Commencement**

This regulation commences on 18 November 2011.

## **Part 2 Amendment of Tobacco and Other Smoking Products Regulation 2010**

### **3 Regulation amended**

This part amends the *Tobacco and Other Smoking Products Regulation 2010*.

### **4 Insertion of new s 1A**

Part 1—

*insert—*

#### **‘1A Definitions**

‘In this Act—

*mandatory sign* means a sign complying with the requirements stated in section 8.

*style* includes a style with a bold, italic or underlined appearance.’.

**5 Amendment of s 3 (Price ticket for other than a tobacco product vending machine—Act, s 26H)**

- (1) Section 3, heading—

*omit, insert—*

**‘3 Price ticket for relevant point of sale—Act, s 26E’.**

- (2) Section 3(1), from ‘For section’ to ‘machine’—

*omit, insert—*

‘For section 26E(2)(b) of the Act, a price ticket for a smoking product’.

- (3) Section 3(1)—

*insert—*

‘(ba) must have the same font size, style and typeface as the price tickets for all other smoking products being sold at the same retail outlet; and

*Example of a font size, style and typeface—*

10 point, bold and Times New Roman’.

- (4) Section 3(1)(ba) to (d)—

*renumber* as section 3(1)(c) to (e).

**6 Amendment of s 4 (Price ticket for tobacco product vending machine—Act, s 26ID)**

- (1) Section 4(1)—

*insert—*

‘(ba) must have the same font size, style and typeface as the price tickets for all other tobacco products being sold from the same tobacco product vending machine; and

*Example of a font size, style and typeface—*

10 point, bold and Times New Roman’.

- (2) Section 4(1)(ba) and (c)—

*renumber* as section 4(1)(c) and (d).

**7 Omission of pt 2, div 3 (Price boards)**

Part 2, division 3—

*omit.*

**8 Omission of pt 3, div 1 (Signs for humidified containers and humidified rooms)**

Part 3, division 1—

*omit.*

**9 Replacement of pt 3, div 2 (Prohibition and quit smoking signs)**

Part 3, division 2—

*omit, insert—*

**‘Division 1 Mandatory and permitted signs**

**‘8 Form of mandatory sign—Act, ss 26HC and 26IF**

‘(1) For sections 26HC(1) and 26IF of the Act, a mandatory sign must—

- (a) be at least 210mm x 297mm in size; and
- (b) display only the following words in the following sequence—

‘It is an offence to supply a smoking product to a person under 18 years

Maximum penalty \$42,000

Proof of age may be required

Quitline 13 QUIT (13 7848)’.

‘(2) The words stated in subsection (1)(b) must be—

- (a) at least 8mm in height; and
- (b) in, or in a combination of, the following—
  - (i) white on a black background;

(ii) black on a white background.

‘(3) For subsection (1)(b), the words ‘Quitline 13 QUIT (13 7848)’ may be replaced by the following logo—



‘(4) Nothing in this section prevents the sign displaying a reference to the State, the department or the Act.

**‘9 Form of permitted sign—Act, s 26HC**

‘(1) For section 26HC(2) of the Act, a permitted sign must—

- (a) be no more than 210mm x 148mm in size; and
- (b) display only the following words in the following sequence—

‘Smoking products sold here’.

‘(2) The words stated in subsection (1)(b) must—

- (a) be no more than 17mm in height; and
- (b) be in Arial or Times New Roman typeface; and
- (c) not be in bold or italics; and
- (d) not be underlined; and
- (e) be in black on a white background.

**‘10 Display of mandatory sign by supplier**

‘A supplier must display a mandatory sign under section 26HC(1) of the Act, so that the sign is easily visible to a person purchasing a smoking product at the supplier’s relevant point of sale.



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s 26IF..... 2’.

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ENDNOTES

- 1 Made by the Governor in Council on 17 November 2011.
- 2 Notified in the gazette on 18 November 2011.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Health.

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