



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

Contents

| | | Page |
|---------------|--|------|
| Part 1 | Preliminary | |
| 1 | Short title | 3 |
| 2 | Commencement | 3 |
| Part 2 | Amendment of Tobacco and Other Smoking Products Regulation 2010 | |
| 3 | Regulation amended | 3 |
| 4 | Insertion of new s 1A | 3 |
| | 1A Definitions | 3 |
| 5 | Amendment of s 3 (Price ticket for other than a tobacco product vending machine—Act, s 26H) | 4 |
| 6 | Amendment of s 4 (Price ticket for tobacco product vending machine—Act, s 26ID) | 4 |
| 7 | Omission of pt 2, div 3 (Price boards) | 5 |
| 8 | Omission of pt 3, div 1 (Signs for humidified containers and humidified rooms) | 5 |
| 9 | Replacement of pt 3, div 2 (Prohibition and quit smoking signs) . | 5 |
| | Division 1 Mandatory and permitted signs | |
| 8 | Form of mandatory sign—Act, ss 26HC and 26IF . . . | 5 |
| 9 | Form of permitted sign—Act, s 26HC | 6 |

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(No. 1) 2011

Contents

| | | | |
|---------------|----|---|---|
| | 10 | Display of mandatory sign by supplier | 6 |
| | 11 | Attachment of mandatory sign for tobacco product vending machine—Act, s 261F | 7 |
| 10 | | Renumbering of pt 3, div 3 (No smoking signs) | 7 |
| Part 3 | | Amendment of State Penalties Enforcement Regulation 2000 | |
| 11 | | Regulation amended | 7 |
| 12 | | Amendment of sch 5 (Other legislation) | 7 |

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.

‘11 Attachment of mandatory sign for tobacco product vending machine—Act, s 26IF

‘For section 26IF of the Act, a person in charge of a tobacco product vending machine must attach a mandatory sign to the front of the machine or near the machine, so that the sign is easily visible to a person obtaining a tobacco product from the machine.’.

10 Renumbering of pt 3, div 3 (No smoking signs)

Part 3, division 3—

renumber as part 3, division 2.

Part 3 Amendment of State Penalties Enforcement Regulation 2000

11 Regulation amended

This part amends the *State Penalties Enforcement Regulation 2000*.

12 Amendment of sch 5 (Other legislation)

(1) Schedule 5, entry for the *Tobacco and Other Smoking Products Act 1998*, entries for sections 20(1) and 21—

omit.

(2) Schedule 5, entry for the *Tobacco and Other Smoking Products Act 1998*—

insert—

| | |
|----------------|---|
| ‘s 13B..... | 4 |
| s 26A(3)..... | 4 |
| s 26HC(1)..... | 2 |

s 26IF 2’.

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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