

LEGISLATIVE ASSEMBLY

Public Health (Tobacco) Amendment (E-cigarettes) Bill 2015

First print

Proposed amendments

No. 1 **E-cigarette vending machines**

Page 3, Schedule 1. Insert after line 25:

e-cigarette vending machine means a machine, device or contrivance from which e-cigarettes or e-cigarette accessories can be obtained by an operation that involves inserting money, or a token or object, into the machine, device or contrivance, whether or not some other action is required to activate the machine.

[3] Section 4 (1)

Omit the definition of *tobacco vending machine token*. Insert in alphabetical order:

vending machine token means:

- (a) in relation to a tobacco vending machine—a tobacco vending machine token, or
- (b) in relation to an e-cigarette vending machine—a token that is designed to be inserted into an e-cigarette vending machine to enable the purchase or supply of e-cigarettes or e-cigarette accessories from the vending machine.

[4] Part 2, Division 3, heading

Insert “and e-cigarette vending machines” after “machines”.

[5] Section 12 Places where tobacco or e-cigarette vending machines may be placed

Omit “tobacco vending machine” wherever occurring in section 12 (1) and (2).

Insert instead “tobacco or e-cigarette vending machine”.

[6] Section 13 Operation of tobacco or e-cigarette vending machines to be controlled by staff

Omit “tobacco vending machine” where firstly occurring, “tobacco products or non-tobacco smoking products” and “tobacco vending machine token”.

Insert instead “tobacco or e-cigarette vending machine”, “tobacco products, non-tobacco smoking products, e-cigarettes or e-cigarette accessories” and “vending machine token”, respectively.

[7] Section 14 Regulation of product display on tobacco or e-cigarette vending machines

Omit “tobacco vending machine”, “tobacco products or non-tobacco smoking products” and “form” from section 14 (1).

Insert instead “tobacco or e-cigarette vending machine”, “tobacco products, non-tobacco smoking products, e-cigarettes or e-cigarette accessories” and “form (if any)”, respectively.

[8] Section 15 Responsibilities of occupiers for vending machines

Omit “tobacco vending machine” and “tobacco products or non-tobacco smoking products” wherever occurring.

Insert instead “tobacco or e-cigarette vending machine” and “tobacco products, non-tobacco smoking products, e-cigarettes or e-cigarette accessories”, respectively.

[9] Section 15 (4)

Omit “tobacco products”.

Insert instead “tobacco products, non-tobacco smoking products, e-cigarettes or e-cigarette accessories”.

No. 2 **Purchase of e-cigarettes and e-cigarette accessories in connection with minors and e-cigarette vending machines**

Page 4, Schedule 1. Insert after line 13:

[6] Section 23 Purchasing tobacco, smoking or vaping products on behalf of minors

Omit “tobacco product or non-tobacco smoking product” from section 23 (1).

Insert instead “tobacco, smoking or vaping product”.

[7] Section 23 (3)

Insert after section 23 (2):

(3) In this section:

tobacco, smoking or vaping product means any of the following:

- (a) a tobacco product,
- (b) a non-tobacco smoking product,
- (c) an e-cigarette that is not an authorised product within the meaning of section 22,
- (d) an e-cigarette accessory that is not an authorised product within the meaning of section 22.

[8] Section 24 Supplying vending machine tokens to minors and activating tobacco or e-cigarette vending machines for minors

Omit “tobacco vending machine” where firstly and thirdly occurring in section 24 (1) and wherever occurring in section 24 (2).

Insert instead “tobacco or e-cigarette vending machine”.

[9] Section 24 (1)

Omit “tobacco vending machine token”. Insert instead “vending machine token”.

[10] Section 25 Obtaining vending machine tokens on behalf of minors

Omit “tobacco vending machine token” from section 25 (1).

Insert instead “vending machine token”.

[11] Section 26 Seizure of tobacco products, non-tobacco smoking products or e-cigarettes in possession of minors

Omit “or non-tobacco smoking product” and “or non-tobacco smoking products” wherever occurring.

Insert instead “, non-tobacco smoking product or e-cigarette” and “, non-tobacco smoking products or e-cigarettes”, respectively.

No. 3 **E-cigarette vending machines**

Page 4, Schedule 1. Insert after line 16:

[7] Section 58 Regulations

Omit “tobacco vending machines” from section 58 (1) (d).

Insert instead “tobacco or e-cigarette vending machines”.

No. 4 **Long title**

Insert “; and for related purposes” after “18 years” in the long title.