

# FACT SHEET

## ***Public Health Amendment (Vaping) Bill 2024***

In May 2023, all state and territory Health Ministers and the Federal Minister for Health agreed that e-cigarettes should only be available for potentially therapeutic uses, such as smoking cessation or to treat nicotine use disorder. The aim was to significantly reduce the use and availability of e-cigarette products, particularly by young people.

A staged implementation of the national response has taken place across 2024 with the Australian Government amending customs and therapeutic goods frameworks to restrict the supply of e-cigarette products.

This included a change to prescription requirements.

Currently, e-cigarettes can only be supplied by pharmacies to people 18 years or over with a prescription. From 1 October 2024, across the rest of Australia, therapeutic e-cigarette products containing nicotine or zero-nicotine will become available for supply over the counter in pharmacy settings to people 18 years or over without a prescription, subject to certain conditions.

What will happen in Tasmania will be a different, more stringent approach by retaining the current requirement for e-cigarettes to be supplied by a pharmacist with a prescription. The supply of e-cigarettes for a person under 18 years of age will also continue to be banned.

The *Public Health Amendment (Vaping) Bill 2024* will amend the *Public Health Act 1997* to retain the current prescription only approach from 1 October 2024 as follows:

- Establish a separate smoking product licence for pharmacy businesses with no application fee.
- Insert a head of power to prescribe, by Regulation, standard licence requirements for a smoking product licence such as to require a doctor's prescription when dispensing vaping products.
- Clarify that an e-cigarette supplied by a pharmacy with a doctor's prescription is not an exempt device when used in a smoke free or e-cigarette free area. This is to ensure Tasmanians continue to be protected from potential harms from exposure to second hand vapour and to be consistent with the longstanding approach to not normalise vaping behaviour in shared public places.

- Ensure that the definition of a personal vaporiser product does not unintentionally prohibit other items such as nebulisers, humidifiers or other smoking products.

This is a strong preventive health measure that complements existing and ongoing initiatives to help people who use tobacco or e-cigarettes to quit, whilst continuing to encourage young people to remain smoke free and vape free.

It is broadly consistent with the national approach, however Tasmania is going one step further by ensuring the medical oversight that comes with a prescription for the supply of e-cigarettes continues after 1 October 2024.

The goal is to significantly reduce the use and uptake of e-cigarettes, particularly by children and young people in order to improve and protect the health of Tasmanians.