



9th of June

Ms Jenny Leaman - Committee Secretary
Legislative Council
Sessional Committee Government Administration A
Legislative Council - Parliament House
HOBART TAS 7000

By email: tfq@parliament.tas.gov.au

Australian Newsagents Federation (ANF) TAS - Submission to Legislative Council Sessional Committee Government Administration A on provisions of PUBLIC HEALTH AMENDMENT (TOBACCO-FREE GENERATION) BILL 2014

The Australian Newsagents Federation (ANF) is the peak body representing Newsagents in Tasmania. There are 100+ Newsagency small business retailers in our industry in Tasmania, who combined have an annual turnover in excess of \$100 million dollars. They employ over 500 Tasmanians.

The vast majority of Newsagents in Tasmania are licenced retailers of legal tobacco products as has traditionally been the case in our industry. While our members remain involved in the tobacco supply chain, we continue to take a keen interest in its regulation, and as part of a sensible dialogue on the likely outcomes of proposed major regulatory changes to reduce harm, we appreciate this opportunity to provide our feedback on the provisions in the proposed bill.

Of particular importance to our members are issues that make the day-to-day operation of their businesses more difficult and that expose them to higher levels of risk than they might otherwise need to be.

As you would be aware, our members operate in a strictly regulated and controlled environment in relation to the sale of tobacco products and they comply with a broad range of federal and state tobacco laws. Newsagents incur significant and expensive time and management burdens in their businesses already to ensure tobacco products sold are all in plain packaging, that tobacco products

are kept out of sight behind closed doors, that relevant signage is posted, and, most importantly, that tobacco products are not sold to anyone under the age of 18. The trade-off for these economic burdens born by small businesses like Newsagents should be a societal outcome that demonstrably reduces the harmful effects of smoking in our community.

The ANF and our members are supportive of practical evidence-based measures to reduce the harm of smoking in our community. However, we are opposed to impractical and not fit for purpose legislation like this Bill, which we see as unworkable in reality, and that will clearly not deliver its desired outcome of a smoke free generation.

The provisions of the proposed Bill would create further uncertainty and onerous difficult new obligations for our members and their staff to navigate. It will increase risk for them and inequitably impact member small businesses without any certain pathway to reducing harm. It comes with significant responsibilities for our members, while consumers take little or no responsibility. It is very unclear in some provisions what would be expected of our members and where their responsibilities might start and finish. For example, provision 67(J) (4), *"taken reasonable steps to prevent the supply of tobacco products to members of the tobacco-free generation"*, could entail a whole range of things? If someone was purchasing tobacco for a member of the tobacco-free generation in our store, could our members be breached if they cannot ensure that this doesn't occur in their retail outlet?

The legislation appears very poorly targeted and out of step with the generation it is aimed at. It appears to target our members who wear all the risk, while it very poorly targets the tobacco-free generation it aims to create who wear none. In fact, as long as they don't buy tobacco from our members, they are free to smoke in Tasmania and to purchase Tobacco from interstate and online which this generation are quite likely to feel comfortable doing. The only thing restricting the sale of tobacco from one demographic group of consumers in our community will achieve, is unfairly targeting Tasmanian retailers and pushing business away from legitimate taxpaying and regulated local businesses to sellers from interstate or to unregulated criminals who will use this opportunity to sell tobacco products illegally to excluded individuals. We question why law makers in this state would put in place regulations that will make this a reality and question what local benefit this is ultimately likely to achieve.



Newsagents and their staff have enough to deal with as it is with recent changes like tobacco plain packaging that have increased operational burdens and a weak economy generally to contend with, without this added impractical burden.

If the intention is to further restrict the overall availability of Tobacco products then restricting sales to only licenced small businesses rather than the major retailers who sell the majority of Tobacco products would likely have more of an impact and hurt less businesses in Tasmania.

We urge the committee to take into account the impact this legislation will have on legitimate, hardworking small business owners, their families and employees who would be detrimentally impacted, and who would have to manage the implications of this impractical bill and to please balance this with the likely real outcome, which is only to encourage a generation to shop online for tobacco products.

On behalf of Australian Newsagents' Federation Ltd Tasmania

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