
The Parliament of the Commonwealth of Australia

Advisory Report on the Tobacco
Plain Packaging Bill 2011
and the Trade Marks Amendment
(Tobacco Plain Packaging)
Bill 2011

House of Representatives
Standing Committee on Health and Ageing

August 2011
Canberra ACT

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Foreword

This advisory report marks the culmination of consideration of the Tobacco Plain Packaging Bill 2011 and the Trade Marks Amendment (Tobacco Plain Packaging) Bill 2011 by the House of Representatives Standing Committee on Health and Ageing.


The decision of the House of Representatives Selection Committee to refer these bills to the Health and Ageing Committee provided an opportunity to consider the potential health impacts of the legislation separately and in detail. However, much of the debate surrounding these bills relates to economic or legal issues, and their impact on the tobacco industry. While these issues are noted in the report, the Committee considers them to be beyond its remit. For this reason, commentary in the report is largely confined to the health-related aspects of the proposed legislation.

With the focus on the health-related aspects, the main issue for the Committee to consider was whether there is sufficient evidence to indicate that tobacco plain packaging will improve health outcomes by further reducing tobacco use. While noting disagreement from those representing the tobacco industry, overwhelmingly public health advocates and preventive health experts expressed the view that the evidence to support plain packaging as an effective tobacco control measure is sufficiently robust to proceed with the legislation. Importantly, submitters and witnesses emphasised that tobacco plain packaging should not be considered in isolation. Rather it should be considered as one measure with the potential to contribute to a suite of tobacco control measures already in place such as increased excise, indoor and outdoor smoking bans, increased access to nicotine replacement therapies and continued education about the harmful effects of tobacco.

Tragically, smoking accounts for over 15,000 premature deaths in Australia each year. It is the single largest cause of preventable morbidity and mortality. Although Australia has made significant progress in reducing tobacco use over the

last two decades, and has shown itself to be a world leader in this regard, this is no room for complacency. Australia needs to continue to innovate if it is to maintain the momentum and decrease tobacco use further. By supporting passage of the proposed tobacco plain packaging legislation, Australia will once again be in a position to take the lead in the implementation of progressive tobacco control measures, a role it has willingly taken in the past. As Chair of the Health and Ageing Committee, and with a focus on health outcomes for the population, I provide my complete support for the proposed tobacco plain packaging legislation.

Steve Georganas MP
Chair



Membership of the Committee

Chair	Mr Steve Georganas MP	
Deputy Chair	Mr Steve Irons MP	
Members	Mr Mark Coulton MP	Ms Deb O'Neill MP
	Ms Jill Hall MP	Mr Ken Wyatt MP
	Mr Geoff Lyons MP	

Committee Secretariat

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Terms of Reference

On 7 July 2011, the Tobacco Plain Packaging Bill 2011 and the Trade Marks Amendment (Tobacco Plain Packaging) Bill 2011 were referred to the House of Representatives Standing Committee on Health and Ageing by the House of Representatives Selection Committee.

The Bill and explanatory memorandum are available at:

<http://www.aph.gov.au/house/committee/haa/billtobaccopackage/index.htm>



List of Abbreviations

COAG	Council of Australian Governments
DoHA	Department of Health and Ageing
OECD	Organisation for Economic Co-operation and Development
TBT	Agreement on Technical Barriers to Trade
TRIPS	World Trade Organisation Agreement on Trade-Related Aspects of International Property Rights
WHO FCTC	World Health Organisation Framework Convention on Tobacco Control



List of Recommendations

Recommendation 1

The Committee recommends that the House of Representatives pass the *Tobacco Plain Packaging Bill 2011. (Para 1.61)*

Recommendatio 2

The Committee recommends that the House of Representatives pass the *Trade Marks Amendment (Tobacco Plain Packaging) Bill 2011. (Para 1.62)*