

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH AND AGEING PORTFOLIO

Budget Estimates 2012-2013, 30 & 31 May and 1 June 2012

Question: E12-392

OUTCOME 1: Population Health

Topic: Implementation of tobacco plain packaging

Type of Question: Written Question on Notice

Number of pages: 1

Senator: Senator Bushby

Question:

Under the relevant legislation, licensed tobacco retailers caught selling non-mandated plain packaged tobacco products after the 1st of December 2012 will be liable for a fine of up to \$220,000 despite the Christmas period being the busiest period for retailers. Can the Department please advise whether:

- The Department will be enforcing fines for breaches by retailers?
- Will any exemption period be provided to small retailers who sell tobacco, given that some retailers who are smaller and are located in regional areas will experience a lower turnover and would be able to use the Christmas period as a time to remove the old stock?
- Has the Department provided any advice to the minister on this issue?
- What was the date of that advice?

Answer:

The Government is aware of the concerns of small business retailers and is working to ensure that the tobacco plain packaging legislation is effectively implemented whilst minimising the impact on retailers and small businesses.

Compliance and enforcement activities will commence on 1 October 2012 for manufacturers and on 1 December 2012 for retailers. Enforcement action will be proportionate to the seriousness of the breach. The Act does not permit a staggered approach to compliance.

The Government has already extended the lead time for the implementation of the legislation and is not proposing to change the legislation or the timeframes for implementation.

The Department of Health and Ageing has provided advice to the Minister for Health, the Hon Tanya Plibersek MP on the implementation arrangements for plain packaging on a number of occasions.