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Auditor-General for Australia



17 March 2026

Senator Leah Blyth
Chair
Legal and Constitutional Affairs References Committee
By email: legcon.sen@aph.gov.au

Dear Senator Blyth

ANAO submission to the inquiry into the illegal tobacco crisis in Australia.

The Australian National Audit Office (ANAO) presented the following performance audits to the Parliament that you may find relevant to the above inquiry:

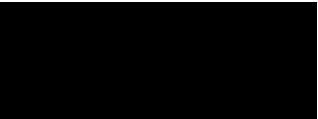
- Auditor-General Report No. 39 2022–23, [Implementation of the Government Response to the Black Economy Taskforce Report](#).
- Auditor-General Report No. 5 2023–24, [Trade Measurement Compliance Activities](#).



I suggest that Auditor-General Report No. 5 2023–24 is relevant to the third part of the Committee's Terms of Reference. The objective of this audit was to assess whether the Department of Industry, Science and Resources (through its National Measurement Institute) was effectively administering compliance with trade measurement in Australia. Under a Memorandum of Understanding with the Department of Health and Aged Care, trade measurement inspectors may be appointed as authorised officers under the *Tobacco Plain Packaging Act 2011* to undertake tobacco plain packaging information, compliance and enforcement activities. The audit report discusses tobacco plain packaging regulation activities at paragraphs 3.21–3.26. Recommendation 4 in the audit report sought to address audit findings made in relation to this work, including that the scope of the compliance checks being undertaken had extended beyond plain packaging to include illicit tobacco allegations and related illegal activity.

Information about what the audits assessed, concluded, and recommended is attached. The full audit reports are available online at www.anao.gov.au.

Should the Committee require further information in relation to these matters, my office would be pleased to provide you with a briefing at a time convenient to you or appear as a witness at a hearing. To arrange a briefing, please contact our External Relations team at external.relations@anao.gov.au.

Yours sincerely


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Auditor-General

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