

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

Additional Estimates 2016 - 2017, 1 March 2017

Ref No: SQ17-000158

OUTCOME: 5 - Regulation, Safety and Protection

Topic: e-Cigarettes

Type of Question: Written Question on Notice

Senator: Leyonhjelm, David

Question:

What, if any, amendment to Commonwealth law, beyond changes to the Poisons Standard, would be required to make e cigarettes available for commercial sale in Australia?

Answer:

There are various laws at the Commonwealth level that may affect the commercial sale of e-cigarettes, such the *Therapeutic Goods Act 1989* and the *Competition and Consumer Act 2010*. Therefore, any amendments to Commonwealth law to adjust the regulatory settings governing the commercial sale of e-cigarettes would depend on the policy intent.

More generally, the regulatory settings that may affect the commercial sale of e-cigarettes are a shared responsibility between the Commonwealth, state and territory governments.