

House of Representatives

Supplementary Order Paper

Tuesday, 4 August 2020

Smokefree Environments and Regulated Products (Vaping) Amendment Bill

Proposed amendments to Supplementary Order Paper 567

Hon Jenny Salesa, in Committee, to move the following amendments:

Clause 5

In *clause 5(2)* (page 7), delete the definition of **heated tobacco device**.

In *clause 5(2)* (page 7), replace the definition of **heated tobacco product** with:

heated tobacco product means a smokeless tobacco product that has a device that uses or facilitates the use of heat to aerosolise nicotine from tobacco leaf directly

In *clause 5(2)* (page 8), definition of **of the same kind**, paragraph (b), replace “, heated tobacco products, and heated tobacco devices,” with “and heated tobacco products”.

In *clause 5(2)* (page 8), definition of **regulated product**, delete “heated tobacco device,”.

In *clause 5(2)* (page 9), definition of **to vape**, replace “device, and” with “product, and”.

In *clause 5(2)* (page 9), definition of **toy regulated product**, paragraph (b)(i), replace “device” with “product”.

In *clause 5(2)* (page 10), definition of **vaping substance**, paragraph (b), after “1975”, add “and”.

In *clause 5(2)* (page 10), definition of **vaping substance**, after paragraph (b), add:

(c) does not include a heated tobacco product

In *clause 5(2)* (page 10), definition of **vaping device**, paragraph (b), delete “; but”.

In *clause 5(2)* (page 10), definition of **vaping device**, delete paragraph (c).

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In *clause 5(2)* (page 10), definition of **variant**, paragraph (d), delete “; or”.

In *clause 5(2)* (page 10), definition of **variant**, delete paragraph (e).

In *clause 5(3B)*, *new subsection (2A)* (page 11), delete “heated tobacco devices, ”.

In *clause 5(3B)*, *new subsection (2A)* (page 11), delete “ or devices”.

In *clause 5(4)(b)* (page 11), delete “or a heated tobacco device”.

Clause 6

In *clause 6*, *new section 3A(1)(d)* (page 12), delete “, heated tobacco devices,”.

Clause 26

In *clause 26*, *new section 23(5)* (page 18), delete “, heated tobacco device,” in each place.

In *clause 26*, *new section 24(1)(j)* (page 20), delete “heated tobacco devices,”.

In *clause 26*, *new section 24(1)(l)* (page 20), delete “, heated tobacco devices,”.

In *clause 26*, *new section 26A(2)* (page 22), delete “, heated tobacco device,” in each place.

In *clause 26*, *new section 28(2)* (page 24), delete “, heated tobacco device,” in each place.

In *clause 26*, *new section 29(5)* (pages 24 and 25), delete “, heated tobacco device,” in each place.

In *clause 26*, *new section 30(5)* (page 26), delete “, heated tobacco device,” in each place.

In *clause 26*, *new section 32(5)* (page 27), delete “, heated tobacco device,” in each place.

In *clause 26*, *new section 50(2)* (page 38), delete “, heated tobacco device,” in each place.

In *clause 26*, *new section 58* (page 42), definition of **notifiable product**, paragraph (b), delete “; or”.

In *clause 26*, *new section 58* (page 42), definition of **notifiable product**, delete paragraph (c).

In *clause 26*, *new section 75(cb)(i)* (page 50), delete “, heated tobacco devices,”.

In *clause 26*, *new section 75(ra)* (page 52), delete “, heated tobacco devices,”.

In *clause 26*, *new section 75(ra)* (page 52), delete “or devices,”.

Schedule 1

In *Schedule 1*, *new Part 2 of the Schedule*, *clause 9(1)* (page 69), delete “, heated tobacco devices,”.

Schedule 3

In *Schedule 3, Part 1*, proposed amendment to Civil Aviation Act 1990 (page 71), definition of **to vape**, replace “device, and” with “product, and”.

In *Schedule 3, Part 1*, proposed amendments to Corrections Act 2004 (page 71), delete “, heated tobacco device,”.

Explanatory note

This Supplementary Order Paper amends the Supplementary Order Paper 567, which amends the Smokefree Environments and Regulated Products (Vaping) Amendment Bill. Supplementary Order Paper 567 is amended by removing all references to heated tobacco device, which instead falls within the definition of vaping device. As a consequence, the parts of the explanatory note in Supplementary Order Paper 567 that discuss or refer to heated tobacco devices are no longer relevant.