

House of Representatives

Supplementary Order Paper

Thursday, 2 July 2020

Smokefree Environments and Regulated Products (Vaping) Amendment Bill

Proposed amendments

Hon Nicky Wagner, in Committee, to move the following amendments:

Clause 21

In *clause 21*, replace *new section 14A(2)(b)* (page 14, lines 17 and 18) with:

- (b) at least—
 - (i) 70% of the person’s total sales from the retail premises are or will be from the sale of vaping products; or
 - (ii) 50% of the person’s total sales from the retail premises are or will be from the sale of vaping products and the person is a responsible retailer of vaping products, having regard to the matters in **subsection (2A)**; and

In *clause 21*, after *new section 14A(2)* (page 14, after line 19) insert:

- (2A) For the purposes of **subsection (2)(b)(ii)**, the matters to which the Director-General must have regard in determining whether a person is a responsible retailer of vaping products are—
 - (a) the nature and duration of the person’s experience as a retailer of vaping products; and
 - (b) the policies and processes the person has in place to ensure that they comply with the requirements of this Act; and
 - (c) the nature of the other products sold by the retailer; and
 - (d) any other matters the Director-General considers to be relevant.

**Proposed amendments to
Smokefree Environments and Regulated Products
(Vaping) Amendment Bill**

Schedule 1

In *Schedule 1*, delete *new clause 5B* (page 62, line 25 to page 63, line 22).

Explanatory note

This Supplementary Order Paper amends the bill to allow an exemption for businesses that receive at least 50%, but not 70%, of their turnover from vaping products to be designated as a specialist retailer of vape products if they are a responsible retailer. A series of conditions apply and the Director General of Health will make the final determination.