

**1992-1993**

**AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY**

**TOBACCO (AMENDMENT ) BILL 1993**

**EXPLANATORY MEMORANDUM**

**Circulated by the authority of  
the Deputy Chief Minister  
Wayne Berry MLA**

## **Tobacco (Amendment) Bill 1993**

### **Overview**

The *Tobacco (Amendment) Bill 1993* provides a number of amendments to the *Tobacco Act 1927* which will affect the manner in which tobacco advertising is managed in the Australian Capital Territory.

The amendments will:

- reduce the time period by which illegal advertising must be removed;
- allow the Minister for Health to set conditions on exempted advertising and sponsorship; and
- provide a power to appoint authorised officers under section 11 of the *Tobacco Act 1927*.

### **Financial implications**

The Bill will be implemented without cost. Authorised officers will be appointed from within existing ACT Health staff.

## **Tobacco (Amendment) Bill 1993**

### **Short Title**

Clause 1: provides that the Act can be cited as the *Tobacco (Amendment) Act 1993*.

### **Commencement**

Clause 2: provides that the Act will commence on the date of gazettal.

### **Principal Act**

Clause 3: refers to the Principal Act being amended, being the *Tobacco Act 1927*.

### **Certain advertising prohibited**

Clause 4: amends the Principal Act (section 10) by providing a power for the Minister to set conditions on an exemption from a prohibition on tobacco advertising under sub-sections 10 (1) - (2) of the Principal Act. Both the exemption and the conditions must be published in the *Gazette* and are disallowable instruments under section 10 of the *Subordinate Laws Act 1989*.

### **Removal of tobacco advertisements**

Clause 5 (a) - (b): amends the Principal Act (sub-sections 11 (1) -(2)) to decrease the time permitted to remove advertising prohibited under the Principal Act, from 30 days to a specified period (not exceeding 2 days).

Clause 5 (c): amends the Principal Act (sub-sections 11 (5)) to permit the Minister, by instrument, to appoint officers for the purposes of section 11.

### **Prohibition of sponsorships**

Clause 6: amends the Principal Act (section 12) by providing a power for the Minister to set conditions on an exemption from a prohibition on sponsorship under sub-sections 12 (1) - (2) of the Principal Act. Both the exemption and the conditions must be published in the *Gazette* and are disallowable instruments under section 10 of the *Subordinate Laws Act 1989*.

The purpose of the conditions would be to limit the exposure of advertising, particularly with regard to young people.