

Tobacco and Other Smoking Products Act 1998 – Legislative Amendments

Assent	Amending Act	Nature of amendments to TOSPA
27/6/2012	Hospital and Hospitals Network Act 2011	Amendments largely concerned with point of sale requirements (like restrictions on display and advertising), signage etc
21/9/2012	Fiscal Repair Amendment Act 2012	Minor, technical amendments relating to gaming machine definition in schedule
24/11/2011	Health Legislation Amendment Act 2011	Amendments to certain provisions re: - Outdoor areas and no smoking signs - Designating an outdoor smoking area - Supply of food or toys resembling tobacco products New sections / offences: - Sale of confectionary flavoured or fruit flavoured cigarettes Forfeiture of smoking products seized under s40
23/9/2013	Treasury and Trade and Other Legislation Amendment Act 2013	New schedule 2 – omission of provisions about subordinate legislation amended by an Act – TOSPA s55. Appears to be a technical, minor amendment.
29/10/2013	Director's Liability Reform Amendment Act 2013	Omission of section 51B (executive officers must ensure corporation complies with Act)
7/11/2014	Major Events Act 2014	Amendments to certain TOSP Act provisions re major sports facilities
5/12/2014	Health and Other Legislation Amendment Act 2014	- New provisions inserted into TOSP Act dealing with personal vaporisers and related products (which appear to be precursors to vapes). - Prohibitions on use of vending machines to supply herbal cigarettes and loose smoking blends. - New provisions regulating smoking activities on health facility land and school land (including prohibitions and new offences). - New provisions for appointment of authorised persons to investigate, monitor and enforce certain provisions.
4/3/2016	Tobacco and Other Smoking Products (Smoke-free Places) Amendment Act 2016	Significant amendments. - Introduced new sale restrictions.

		- Expanded smoke free facilities (re major event facilities, schools, early childhood education and care facilities, outdoor eating and drinking places, certain government precincts etc). - Introduced mandatory compliance and direction powers - Enhanced signature requirements - Enabled councils to introduce local smoke free laws in outdoor areas not covered by state legislation.
5/6/2017	Transport and Other Legislation (Personalised Transport Reform) Amendment Act 2017	Minor amendment to TOSP Act – definition of public passenger vehicle amended to include a booked hire vehicle.
25/8/2017	Education (Accreditation of Non-State Schools) Act 2017	Minor amendment to TOSP Act – definition of non-state school and school facility
25/8/2017	Transport and Other Legislation Amendment Act 2017	Minor amendment to TOSP Act – new definition of proof of age card
12/9/2019	Personalised Transport Ombudsman Act 2019	Minor amendment to TOSP Act section 26ZKB
21/7/2020	Transport and Other Legislation (Road Safety, Technology and Other Matters) Amendment Act 2020	Minor amendments to TOSP Act to add notes to section 38 and 39. Insert new section 40AC – Restriction of seizure powers (not allowed to seize digital devices)
2/6/2023	Tobacco and Other Smoking Products Amendment Act 2023	Substantial amendments to TOSP Act including: - New licensing framework for retail and wholesale outlets - New offences for failing to comply with licensing requirements - Inclusion of new no smoking areas - New offence of supplying illicit tobacco - New provisions regarding entry of places by authorised persons and forfeiture - New regulation making powers
5/12/2024	Public Records Act 2023	Minor amendment to TOSP Act re authority given to the archivist under the Public Records Act

19/9/2024	Tobacco and Other Smoking Products (Vaping) and Other Legislation Amendment Act 2024	Substantial amendments to the TOSP Act. - Enhanced regulation of vaping and illicit nicotine products to restrict supply and strengthen enforcement. - Tightened licensing requirements (re fit and proper person criteria). - Enhanced enforcement powers - Stronger advertising restrictions.
16/6/2025	Health Legislation Amendment Act 2025	Minor and technical amendments to s37 and 38 Insertion of new Part 11, div 4, subdivision 1-6 / amendments to existing provisions – regarding powers of seizure and forfeiture of illicit nicotine and illicit tobacco

Queensland Legislative Assembly

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By Leave ☐

MP: MR KELLY

Clerk's Signature: 