



Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation Amendment Bill 2025



Queensland

Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation Amendment Bill 2025

Contents

		Page
Part 1	Preliminary	
1	Short title	6
Part 2	Amendment of State Penalties Enforcement Regulation 2014	
2	Regulation amended	6
3	Amendment of sch 1 (Infringement notice offences and fines for nominated laws)	6
Part 3	Amendment of Tobacco and Other Smoking Products Act 1998	
4	Act amended	7
5	Amendment of s 18 (Requirements for application)	7
6	Amendment of s 47 (Notification of particular events)	8
7	Amendment of s 49 (Invoices for supply to retailers)	8
8	Amendment of s 91 (Location of smoking products at retail outlet)	8
9	Amendment of s 134 (Smoking area at outdoor eating or drinking place)	9
10	Amendment of s 158 (Sale, supply and display of ice pipes) ...	9
11	Amendment of s 159 (Sale, supply and display of bongs)	9
12	Amendment of s 160 (Display of hookahs)	10
13	Amendment of s 170 (Appointment)	10
14	Amendment of s 181 (Entry of places by authorised persons) ..	10
15	Insertion of new s 194A	10
	194A Definition for division	10
16	Amendment of s 195, hdg (Application of div 4)	11
17	Amendment of s 197 (Seizing evidence at a place that may be entered without consent or a warrant)	11
18	Amendment of s 198 (Seizing evidence at a place that may only be	

Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation
Amendment Bill 2025

Contents

	entered with consent or a warrant)	11
19	Amendment of s 205 (Forfeiture of relevant product)	12
20	Amendment of s 205A (Forfeiture of bongs and ice pipes)	12
21	Insertion of new s 205BA	12
	205BA Forfeiture of compromised goods	13
22	Insertion of new pt 11, div 4AA	13
	Division 4AA Controlled purchase operations	
	208 Definitions for division	13
	208A Authorisation of controlled purchase officer	14
	208B Authorisation of controlled purchase operation	14
	208C Supervision by authorised person	15
	208D Form of authority	15
	208E Variation or cancellation of authority	17
	208F Effect of authority	17
	208G Protection from criminal responsibility	17
	208H Effect of being unaware of variation or cancellation of authority	18
	208I Notification requirements	19
	208J Admissibility of evidence	20
23	Amendment of pt 11, div 4A, hdg (Closure orders)	20
24	Replacement of ss 209A and 209B	20
	Subdivision 1 Preliminary	
	209 Application of division	21
	Subdivision 2 Making of orders	
	209A Definitions for subdivision	21
	209B Short-term closure of premises by chief executive	22
	209BA Long-term closure of premises by magistrate	23
25	Amendment of s 209C (Smoking products not to be supplied at closed premises)	24
26	Insertion of new pt 11, div 4A, sdiv 3	25
	Subdivision 3 Relevant lessors	
	209CA Definitions for subdivision	25
	209CB Chief executive must give relevant lessor copy of closure order and notice	26
	209CC Relevant lessor may terminate lease of premises subject to closure order	27
	209CD Ending of closure order if lease ends	29

	209CE	Offence of permitting premises to be used to supply or possess illicit tobacco or illicit nicotine products	30
	209CF	Civil penalty for contravention by relevant lessor . . .	30
	209CG	Civil proceeding stayed during criminal proceeding .	32
	209CH	No criminal proceeding after successful civil proceeding	33
	209CI	Evidence given by individual in civil proceeding not admissible in criminal proceeding	33
27		Amendment of s 212 (Power to require production of written acknowledgement)	34
28		Amendment of s 213 (Failure to produce acknowledgement) . . .	35
29		Amendment of s 214 (Failure to certify copy of acknowledgement)	35
30		Amendment of s 215 (Power to require information)	35
31		Insertion of new s 215A	36
	215A	Power to require information relevant to monitoring or enforcement of particular provisions	36
32		Amendment of s 219 (Compensation)	37
33		Amendment of s 224 (Definition for division)	37
34		Insertion of new s 229A	37
	229A	Evidentiary provisions	37
35		Replacement of s 230A (Liability of executive officer—offence committed by corporation against executive liability provision)	39
	230A	Liability of executive officer—offence committed by corporation against executive liability (evidential burden) provision	40
36		Amendment of s 231 (Act does not create or preserve right to smoke)	41
37		Amendment of s 242B (Application of amended s 208)	42
38		Insertion of new pt 13, div 4	42
	Division 4	Transitional provisions for Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation Amendment Act 2025	
	243	Definition for division	42
	244	Notification of particular events	42
	245	Proceedings for particular offences	43
	246	Application for long-term closure order made before commencement	43
	247	New provisions applying to relevant lessors	44
	248	New evidentiary provisions	44
39		Amendment of sch 1 (Dictionary)	44

2025

A Bill

for

An Act to amend the *State Penalties Enforcement Regulation 2014* and the *Tobacco and Other Smoking Products Act 1998* for particular purposes

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1	Short title	3
	This Act may be cited as the <i>Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation Amendment Act 2025</i> .	4 5 6

Part 2 Amendment of State Penalties Enforcement Regulation 2014 7
8

Clause 2	Regulation amended	9
	This part amends the <i>State Penalties Enforcement Regulation 2014</i> .	10 11

Clause 3	Amendment of sch 1 (Infringement notice offences and fines for nominated laws)	12 13
	Schedule 1, entry for <i>Tobacco and Other Smoking Products Act 1998</i> —	14 15
	<i>insert—</i>	16

s 49(3)	Individual	10
	Corporation	50
s 49(4)	Individual	10
	Corporation	50
s 209C(1)	Individual	20
	Corporation	100

Part 3	Amendment of Tobacco and Other Smoking Products Act 1998	1
		2
		3
Clause 4	Act amended	4
	This part amends the <i>Tobacco and Other Smoking Products Act 1998</i> .	5
		6
Clause 5	Amendment of s 18 (Requirements for application)	7
	(1) Section 18(1)—	8
	<i>insert—</i>	9
	(ba) if the applicant is an entity that holds an ABN—state the ABN; and	10
		11
	(2) Section 18(1)(d)—	12
	<i>omit, insert—</i>	13
	(d) if the application relates to a retail or wholesale outlet—	14
		15
	(i) identify the location of the outlet; and	16
	(ii) be accompanied by sufficient evidence to demonstrate the applicant's entitlement to occupy the outlet, including, for example, as an owner or lessee of the outlet; and	17
		18
		19
		20
		21
	(iii) if the applicant leases, or holds an entitlement to occupy, the outlet from another person (the <i>lessor</i>)—state the name, address and contact details of the lessor; and	22
		23
		24
		25
		26
	(3) Section 18(1)(ba) to (h)—	27
	<i>renumber</i> as section 18(1)(c) to (i).	28

Clause 6	Amendment of s 47 (Notification of particular events)	1
	(1) Section 47(1)(g)—	2
	<i>omit, insert—</i>	3
	(g) if the licence relates to a retail or wholesale outlet—	4
	(i) the location of the outlet changes; or	5
	(ii) the licensee’s entitlement to occupy the outlet, including, for example, as an owner or lessee of the outlet, ceases or changes; or	6
	(iii) if the licensee leases, or holds an entitlement to occupy, the outlet from another person (the <i>lessor</i>)—the name, address or contact details of the lessor change;	7
		8
		9
		10
	(2) Section 47(1)(h), ‘or business name,’—	11
	<i>omit, insert—</i>	12
	business name or ABN	13
		14
		15
		16
		17
		18
Clause 7	Amendment of s 49 (Invoices for supply to retailers)	19
	(1) Section 49—	20
	<i>insert—</i>	21
	(2A) The licensee must keep a copy of the invoice for at least 2 years after giving the retailer the invoice.	22
	Maximum penalty—140 penalty units.	23
		24
	(2) Section 49(2A) and (3)—	25
	<i>renumber</i> as section 49(3) and (4).	26
		27
		28
Clause 8	Amendment of s 91 (Location of smoking products at retail outlet)	29
	Section 91, ‘or in’—	30

omit. 1

Clause 9 Amendment of s 134 (Smoking area at outdoor eating or drinking place) 2
3

Section 134(6)— 4

omit. 5

Clause 10 Amendment of s 158 (Sale, supply and display of ice pipes) 6
7

(1) Section 158, heading— 8

omit, insert— 9

158 Supply or possession of ice pipes as part of business activities 10
11

(2) Section 158(1)— 12

omit, insert— 13

(1) A person must not, as part of a business activity, 14
supply, display, store or otherwise be in 15
possession of an ice pipe or a component of an ice 16
pipe. 17

Maximum penalty—140 penalty units. 18

Clause 11 Amendment of s 159 (Sale, supply and display of bongs) 19

(1) Section 159, heading— 20

omit, insert— 21

159 Supply or possession of bongs as part of business activities 22
23

(2) Section 159(1)— 24

omit, insert— 25

(1) A person must not, as part of a business activity, 26
supply, display, store or otherwise be in 27
possession of a bong or a component of a bong. 28

Maximum penalty—140 penalty units. 1

Clause 12 Amendment of s 160 (Display of hookahs) 2

Section 160(2)(a) and (c) and (3), ‘part’— 3

omit, insert— 4

component 5

Clause 13 Amendment of s 170 (Appointment) 6

Section 170(1)(a), ‘officer or’— 7

omit. 8

**Clause 14 Amendment of s 181 (Entry of places by authorised persons) 9
10**

(1) Section 181(2)— 11

insert— 12

(ba) a wholesale outlet when the outlet is open 13

for carrying on business; or 14

(2) Section 181(2)(c), after ‘retail’— 15

insert— 16

or wholesale 17

(3) Section 181(2)(ba) to (e)— 18

renumber as section 181(2)(c) to (f). 19

Clause 15 Insertion of new s 194A 20

Before section 195— 21

insert— 22

194A Definition for division 23

In this division— 24

compromised goods means either of the 25

	following things present in a place in which illicit tobacco or an illicit nicotine product is seized under section 197(1) or 198(1), (2), (3) or (4)—	1 2 3
	(a) a smoking product;	4
	(b) a hookah, or a component of a hookah.	5
Clause 16	Amendment of s 195, hdg (Application of div 4)	6
	Section 195, heading, ‘div 4’—	7
	<i>omit, insert—</i>	8
	division	9
Clause 17	Amendment of s 197 (Seizing evidence at a place that may be entered without consent or a warrant)	10 11
	Section 197—	12
	<i>insert—</i>	13
	(2) Also, the authorised person may seize a thing in the place if the authorised person reasonably believes the thing is compromised goods.	14 15 16
Clause 18	Amendment of s 198 (Seizing evidence at a place that may only be entered with consent or a warrant)	17 18
	(1) Section 198, heading, ‘only be entered’—	19
	<i>omit, insert—</i>	20
	be entered only	21
	(2) Section 198(1), (3) and (4), ‘in the place’—	22
	<i>omit, insert—</i>	23
	at the place	24
	(3) Section 198—	25
	<i>insert—</i>	26
	(5) In addition, the authorised person may seize a	27

	thing at the place if the authorised person reasonably believes the thing is compromised goods.	1 2 3
	(6) To remove any doubt, it is declared that subsection (5) applies to an authorised person who enters a place with a warrant even if the warrant does not state under section 184(5)(c) that the thing that is compromised goods may be seized under the warrant.	4 5 6 7 8 9
Clause 19	Amendment of s 205 (Forfeiture of relevant product)	10
	Section 205(6), definition <i>seized thing</i> —	11
	<i>omit.</i>	12
Clause 20	Amendment of s 205A (Forfeiture of bongs and ice pipes)	13
	(1) Section 205A(1)(a), after ‘pipe’—	14
	<i>insert</i> —	15
	, or a component of a bong or ice pipe	16
	(2) Section 205A(2)(a)—	17
	<i>omit, insert</i> —	18
	(a) the chief executive believes—	19
	(i) the seized thing is a bong or ice pipe, or a component of a bong or ice pipe; and	20 21
	(ii) it is necessary to keep the seized thing to prevent it being used to commit the offence for which it was seized; and	22 23 24
	(3) Section 205A(6)—	25
	<i>omit.</i>	26
Clause 21	Insertion of new s 205BA	27
	After section 205B—	28

insert—

205BA Forfeiture of compromised goods

- (1) The chief executive may decide a seized thing is forfeited to the State if the chief executive is satisfied—
 - (a) the thing is compromised goods; and
 - (b) either—
 - (i) a relevant product under section 205(6) was present at the place in which the thing was seized and has been forfeited under section 205; or
 - (ii) vaping goods were present at the place in which the thing was seized and have been forfeited under section 205B.
- (2) The chief executive is not required to provide procedural fairness in making the decision.

Clause 22 Insertion of new pt 11, div 4AA

After part 11, division 4—

insert—

Division 4AA Controlled purchase operations

208 Definitions for division

In this division—

controlled purchase officer means a person authorised to be a controlled purchase officer under section 208A.

controlled purchase operation see section 208B(1).

prescribed offence means an offence against

section 65, 161 or 161A. 1

208A Authorisation of controlled purchase officer 2

- (1) The chief executive may, by notice in writing, 3
authorise either of the following persons to be a 4
controlled purchase officer if the person is an 5
adult— 6
- (a) a public service employee; 7
- (b) a health service employee. 8
- (2) However, the chief executive may not authorise 9
the person to be a controlled purchase officer 10
unless the chief executive is satisfied the person is 11
appropriately qualified. 12
- (3) A controlled purchase officer may, for the 13
purposes of a controlled purchase operation, make 14
or attempt to make the purchases authorised under 15
section 208D(2)(e) for the operation. 16

**208B Authorisation of controlled purchase 17
operation 18**

- (1) The chief executive may, by notice in writing, 19
authorise an operation (a ***controlled purchase*** 20
operation) the intended purpose of which is to 21
provide a person with an opportunity to commit or 22
to attempt to commit a prescribed offence. 23
- (2) However, the chief executive may not authorise a 24
controlled purchase operation unless the chief 25
executive is satisfied— 26
- (a) a prescribed offence has been, is being, or is 27
likely to be committed; and 28
- (b) the nature and extent of the prescribed 29
offence mentioned in paragraph (a) justifies 30
the operation; and 31

-
- (c) the operation will not be conducted in a way that makes it likely for a person to be induced to commit a prescribed offence, or any other offence, that the person would not otherwise have intended to commit; and
- (d) any conduct involved in the operation will not seriously endanger the health or safety of any person; and
- (e) the operation will be conducted in a way that will ensure the chief executive is immediately notified if a controlled purchase officer engages in—
- (i) conduct that may seriously endanger the health or safety of any person; or
- (ii) conduct that may not be authorised under the authority to conduct the operation; and
- (f) each controlled purchase officer proposed to participate in the operation has received appropriate training for the purpose.

208C Supervision by authorised person

- (1) The controlled purchase operation must be supervised by an authorised person chosen by the chief executive to supervise the operation.
- (2) The authorised person supervising the operation is not authorised to make or attempt to make the purchases authorised under section 208D(2)(e) for the operation.

208D Form of authority

- (1) An authority to conduct a controlled purchase operation must be in writing.
- (2) The authority must state—

- | | | |
|-----|--|----------------------------|
| (a) | an identifying name or number for the operation; and | 1
2 |
| (b) | the identity of the authorised person responsible for supervising the operation; and | 3
4
5 |
| (c) | the identity of each controlled purchase officer who may make or attempt to make purchases for the operation; and | 6
7
8 |
| (d) | the prescribed offences in relation to which the operation is to be conducted; and | 9
10 |
| (e) | a description of the type of purchases the controlled purchase officers may make or attempt to make for the operation; and | 11
12
13 |
| (f) | the places, if any, the controlled purchase officers may enter for the operation; and | 14
15 |
| (g) | the websites, online shops or other online accounts or platforms, if any, the controlled purchase officers may access or engage with for the operation; and | 16
17
18
19 |
| (h) | the period, of not more than 3 months, for which the authority is in effect; and | 20
21 |
| (i) | the conditions, if any, to which the conduct of the operation is subject; and | 22
23 |
| (j) | the date and time when the authority is granted. | 24
25 |
| (3) | A controlled purchase officer is sufficiently identified for subsection (2)(c) if the person is identified by either of the following that can be matched to the person's identity by the chief executive— | 26
27
28
29
30 |
| (a) | an assumed name; | 31 |
| (b) | a code name or code number. | 32 |
| (4) | A place may be stated under subsection (2)(f) only if the place is a place mentioned in section | 33
34 |

181(2). 1

208E Variation or cancellation of authority 2

- (1) The chief executive may vary or cancel an authority to conduct a controlled purchase operation during the period, stated under section 208D(2)(h), for which the authority is in effect. 3 4 5 6
- (2) If the chief executive varies or cancels an authority, the chief executive must tell the following persons about the variation or cancellation immediately after the variation or cancellation is made— 7 8 9 10 11
 - (a) the authorised person responsible for supervising the operation; 12 13
 - (b) each controlled purchase officer authorised to make or attempt to make purchases for the operation. 14 15 16

208F Effect of authority 17

- (1) An authority to conduct a controlled purchase operation, while the authority is in effect, authorises each controlled purchase officer stated in the authority under section 208D(2)(c) to make or attempt to make the purchases authorised under section 208D(2)(e) for the operation. 18 19 20 21 22 23
- (2) The authority given to a controlled purchase officer to engage in conduct mentioned in subsection (1) can not be delegated to any other person. 24 25 26 27

208G Protection from criminal responsibility 28

- (1) Despite any other Act or law, a person (the *participant*) who engages in conduct in a controlled purchase operation in the course of, 29 30 31

- and for the purposes of, the operation, is not, if
engaging in that conduct is an offence, criminally
responsible for the offence, if—
- (a) either—
- (i) the conduct is authorised by, and is
engaged in, in accordance with, the
authority for the operation; or
- (ii) the conduct is ancillary to conduct
mentioned in subparagraph (i),
including, for example, aiding or
enabling the conduct mentioned in
subparagraph (i); and
- (b) the conduct does not involve the participant
intentionally inducing a person to commit
an offence that the person would not
otherwise have intended to commit.
- (2) To remove any doubt, it is declared that
subsection (1) does not apply if the participant
engages in conduct that seriously endangers the
health or safety of any person.

208H Effect of being unaware of variation or cancellation of authority

- (1) If an authority to conduct a controlled purchase
operation is varied in a way that limits its scope,
this division continues to apply to a person
authorised to engage in conduct for the purposes
of the operation as if the authority had not been
varied in that way, for as long as the person—
- (a) is unaware of the variation; and
- (b) is not reckless about the existence of the
variation.
- (2) If an authority to conduct a controlled purchase
operation is cancelled, this division continues to
apply to a person authorised to engage in conduct

-
- for the purposes of the operation as if the authority
had not been cancelled, for as long as the
person—
- (a) is unaware of the cancellation; and
- (b) is not reckless about the existence of the
cancellation.
- (3) For this section, a person is reckless about the
existence of the variation or cancellation of an
authority if—
- (a) the person is aware of a substantial risk that
the variation or cancellation has happened;
and
- (b) having regard to the circumstances known to
the person, it is unjustifiable to continue to
engage in conduct that was, but may no
longer be, authorised by the authority
because of the variation or cancellation.

208I Notification requirements

- (1) If any loss of or serious damage to property
happens in the course of or as a direct result of a
controlled purchase operation, the authorised
person supervising the operation must report the
loss or damage to the chief executive as soon as
practicable.
- (2) The chief executive must take all reasonable steps
to notify the owner of the property of the loss or
damage.
- (3) The chief executive is not required to notify the
owner of property under this section until the
chief executive is satisfied that notification would
not—
- (a) compromise or hinder the operation; or

- (b) compromise the identity of an authorised person or controlled purchase officer; or 1
2
- (c) endanger the life or safety of any person; or 3
- (d) prejudice any legal proceeding; or 4
- (e) otherwise be contrary to the public interest. 5
- (4) Subsection (1) does not apply to property of the department. 6
7
- (5) If any personal injury happens in the course of or as a direct result of a controlled purchase operation, the authorised person supervising the operation must report the injury to the chief executive as soon as possible. 8
9
10
11
12

208J Admissibility of evidence 13

Evidence gathered because of a controlled purchase operation is not inadmissible only because the evidence was obtained by a person while engaging in an unlawful act if the unlawful act was authorised under this division. 14
15
16
17
18

Clause 23 Amendment of pt 11, div 4A, hdg (Closure orders) 19

Part 11, division 4A, heading, after 'orders'— 20

insert— 21

and relevant lessors 22

Clause 24 Replacement of ss 209A and 209B 23

Sections 209A and 209B— 24

omit, insert— 25

Subdivision 1 Preliminary 26

209 Application of division	1
This division does not apply to residential premises.	2 3
 Subdivision 2 Making of orders	 4
 209A Definitions for subdivision	 5
In this subdivision—	6
<i>infringement notice</i> means an infringement notice under the <i>State Penalties Enforcement Act 1999</i> .	7 8 9
<i>mobile premises</i> means premises that are a vehicle, building or other structure ordinarily moved from place to place.	10 11 12
<i>previous enforcement action</i> , taken in relation to premises, means any of the following actions relating to the premises—	13 14 15
(a) the issue of a closure order;	16
(b) the issue of an infringement notice for an offence against section 65, 161 or 161A;	17 18
(c) the seizure of evidence under part 11, division 4 in relation to an offence against section 65, 161 or 161A;	19 20 21
(d) the start of a proceeding for an offence against section 65, 161 or 161A;	22 23
(e) the giving of an improvement notice under section 211 in relation to a contravention or likely contravention of section 65, 161 or 161A.	24 25 26 27

209B Short-term closure of premises by chief executive	1 2
(1) The chief executive may make an order that stated premises be closed (a <i>short-term closure order</i>) if the chief executive is satisfied that—	3 4 5
(a) illicit tobacco or illicit nicotine products are being supplied or possessed at the premises as part of a business activity; or	6 7 8
(b) a business is being carried on at the premises in a way that involves a contravention of section 65.	9 10 11
(2) In deciding whether to make a short-term closure order the chief executive may have regard to—	12 13
(a) previous enforcement action taken in relation to the premises; and	14 15
(b) whether the order will impact the ability of the community to access essential goods and services; and	16 17 18
(c) any other matter the chief executive considers appropriate.	19 20
(3) The short-term closure order must be—	21
(a) served on the person apparently in charge of the premises, if any; and	22 23
(b) posted in a conspicuous place—	24
(i) for premises that are fixed premises—at the entrance to the premises; or	25 26 27
(ii) for premises that are mobile premises—	28 29
(A) on the mobile premises; or	30
(B) at the entrance to fixed premises that are connected to the business carried on at the mobile premises.	31 32 33

-
- (4) The short-term closure order— 1
- (a) takes effect from the earlier of the following 2
to happen— 3
- (i) the service of the order under 4
subsection (3)(a); 5
- (ii) the posting of the order under 6
subsection (3)(b); and 7
- (b) continues until the first of the following to 8
happen— 9
- (i) the chief executive revokes the order; 10
- (ii) the end of 90 days after the order takes 11
effect. 12

**209BA Long-term closure of premises by 13
magistrate 14**

- (1) A magistrate may, on the application of the chief 15
executive, make an order that stated premises be 16
closed for a stated period of not more than 1 year 17
(a *long-term closure order*) if the magistrate is 18
satisfied that— 19
- (a) illicit tobacco or illicit nicotine products 20
have been, or are likely to be, supplied or 21
possessed at the premises as part of a 22
business activity; or 23
- (b) a business is being carried on at the 24
premises in a way that involves a 25
contravention of section 65. 26
- (2) In deciding whether to make a long-term closure 27
order the magistrate may have regard to— 28
- (a) previous enforcement action taken in 29
relation to the premises; and 30
- (b) whether the order will impact the ability of 31
the community to access essential goods and 32
services; and 33

	(c) any other matter the magistrate considers appropriate.	1 2
	(3) The application may be made regardless of whether a short-term closure order is, or has been, in effect in relation to the premises under section 209B.	3 4 5 6
	(4) The application must be served on—	7
	(a) the person apparently in charge of the premises, if any; and	8 9
	(b) the lessor of the premises, if any.	10
	(5) The long-term closure order must be—	11
	(a) served on the person apparently in charge of the premises, if any; and	12 13
	(b) posted in a conspicuous place—	14
	(i) for premises that are fixed premises—at the entrance to the premises; or	15 16 17
	(ii) for premises that are mobile premises—	18 19
	(A) on the mobile premises; or	20
	(B) at the entrance to fixed premises that are connected to the business carried on at the mobile premises.	21 22 23
	(6) Subsections (4) and (5)(a) do not apply if the chief executive is satisfied it is not reasonably practicable to serve the document mentioned in the subsection.	24 25 26 27
Clause 25	Amendment of s 209C (Smoking products not to be supplied at closed premises)	28 29
	(1) Section 209C, heading, ‘Smoking products not’—	30
	<i>omit, insert—</i>	31

	No products or services	1
(2)	Section 209C(1)—	2
	<i>insert—</i>	3
	(c) supply any other product or service at the premises; or	4
	(d) work in a business involving the supply of any other product or service at the premises; or	6
	(e) open the premises to the public.	9
(3)	Section 209C(3)—	10
	<i>omit, insert—</i>	11
	(3) Also, a person is not required to comply with subsection (1)(c) or (d) if the person has a reasonable excuse.	12
Clause 26	Insertion of new pt 11, div 4A, sdiv 3	15
	After section 209C—	16
	<i>insert—</i>	17
	Subdivision 3 Relevant lessors	18
	209CA Definitions for subdivision	19
	In this subdivision—	20
	<i>lease</i> , in relation to premises, includes any right to occupy the premises.	21
	<i>premises</i> means any of the following—	23
	(a) a retail outlet;	24
	(b) a wholesale outlet;	25
	(c) premises at which illicit tobacco or illicit nicotine products are available for sale by retail or wholesale.	26

<i>relevant lessor</i> , of premises—	1
(a) means the person who—	2
(i) leases the premises directly to a person	3
conducting a tobacco business at the	4
premises; or	5
(ii) otherwise directly allows a person	6
conducting a tobacco business at the	7
premises to occupy the premises; and	8
(b) does not include a person, including, for	9
example, a head lessor, who leases the	10
premises to a person who is not occupying	11
the premises for the purpose of conducting a	12
tobacco business at the premises.	13
<i>tobacco business</i> means a business that involves	14
supplying or possessing illicit tobacco, illicit	15
nicotine products or smoking products.	16

209CB Chief executive must give relevant lessor	17
copy of closure order and notice	18
(1) This section applies if—	19
(a) a closure order is made in relation to	20
premises; and	21
(b) the premises are subject to a lease.	22
(2) The chief executive must give the relevant lessor	23
of the premises the following documents within 7	24
days after the closure order is made—	25
(a) a copy of the order;	26
(b) a notice stating the following information—	27
(i) the reason for the making of the order;	28
(ii) that the order may allow the relevant	29
lessor to terminate the lease of the	30
premises under section 209CC;	31

-
- (iii) that the relevant lessor may be liable 1
for an offence under section 209CE or 2
a civil penalty under section 209CF. 3
- (3) Subsection (2) does not apply if the chief 4
executive is satisfied it is not reasonably 5
practicable to give the documents. 6

**209CC Relevant lessor may terminate lease of 7
premises subject to closure order 8**

- (1) This section applies if— 9
- (a) a closure order is made in relation to 10
premises; and 11
- (b) the premises are subject to a lease. 12
- (2) The relevant lessor of the premises may terminate 13
the lease of the premises by giving the lessee a 14
notice (the *termination notice*) stating that the 15
lease is terminated on a stated day (the 16
termination day). 17
- (3) The termination day must be at least 14 days after 18
the day the relevant lessor gives the lessee the 19
termination notice. 20
- (4) The termination notice must— 21
- (a) be in the approved form; and 22
- (b) be given before the end of the closure order. 23
- (5) Subsection (2) applies— 24
- (a) despite any other Act or anything to the 25
contrary in the lease or another agreement or 26
arrangement; and 27
- (b) even if the closure order is subsequently 28
revoked, found to have been wrongfully 29
made or found by a court to be invalid. 30
- (6) The termination is taken— 31

- (a) to be a termination of the lease for a repudiation of the lease by the lessee; and
 - (b) to preserve the rights and powers of the relevant lessor in relation to a repudiation of the lease by the lessee, including, for example, the right to claim damages or a rental bond.
- (7) The relevant lessor—
 - (a) is not liable for damages or compensation, on any ground, to any person in relation to the termination of the lease under this section; and
 - (b) may enter, and take possession of, the premises after the termination of the lease under this section.
- (8) The lessee is not entitled to bring a proceeding against either of the following persons, on any ground, in relation to the termination of the lease under this section—
 - (a) the relevant lessor;
 - (b) a person, including, for example, a head lessor, who leases the premises to a person who is not occupying the premises for the purpose of conducting a tobacco business at the premises.
- (9) Without limiting subsection (8), the following provisions do not apply in relation to the termination—
 - (a) the *Property Law Act 2023*, part 9, division 5;
 - (b) the *Retail Shop Leases Act 1994*, part 8;
 - (c) the *Small Business Commissioner Act 2022*, part 3.
- (10) Subsection (8) does not prevent a lessee from

-
- bringing a proceeding against the relevant lessor 1
on a ground unrelated to the termination of the 2
lease under this section, including, for example, a 3
proceeding in relation to a breach of the lease by 4
the relevant lessor before the termination of the 5
lease under this section. 6
- (11) If a lease is terminated under this section and the 7
lessee has not removed the lessee's property from 8
the premises under the lease, the relevant lessor 9
may deal with the property as the relevant lessor 10
considers appropriate, including, for example, by 11
disposing of the property. 12
- (12) This section does not limit or affect any other 13
power of the relevant lessor to terminate the lease 14
or deal with property not removed from the 15
premises. 16

209CD Ending of closure order if lease ends 17

- (1) If a lease of premises subject to a closure order 18
ends— 19
- (a) the order ends when the lease ends; and 20
- (b) if the relevant lessor of the premises has 21
been given a copy of the order under section 22
209CB(2)—the relevant lessor must give the 23
chief executive a notice stating the lease of 24
the premises has ended within 7 days after 25
the end of the lease. 26
- (2) However, if the premises are leased to the same 27
lessee in the period stated in the closure order, the 28
order is reinstated and ends on the last day of the 29
period stated in the order. 30
- (3) A person must comply with a requirement to give 31
a notice under subsection (1)(b) unless the person 32
has a reasonable excuse. 33
- Maximum penalty—10 penalty units. 34

209CE Offence of permitting premises to be used to supply or possess illicit tobacco or illicit nicotine products	1
	2
	3
(1) A relevant lessor of premises must not permit another person to use the premises for the supply or possession of illicit tobacco or illicit nicotine products as part of a business activity.	4
	5
	6
	7
Maximum penalty—1,000 penalty units or 1 year’s imprisonment, or both.	8
	9
(2) A person commits an offence under subsection (1) only if the person knowingly permits another person to use the premises for the supply or possession of illicit tobacco or illicit nicotine products as part of a business activity.	10
	11
	12
	13
	14
<i>Note—</i>	15
Civil proceedings may be taken under section 209CF in relation to a contravention of subsection (1).	16
	17
(3) It is a defence to a charge under subsection (1) if the relevant lessor has a reasonable excuse for permitting the person to use the premises for the supply or possession of illicit tobacco or illicit nicotine products as part of a business activity.	18
	19
	20
	21
	22
(4) The relevant lessor bears an evidential burden in relation to the matter mentioned in subsection (3).	23
	24
209CF Civil penalty for contravention by relevant lessor	25
	26
(1) The chief executive may apply to the court for an order under this section if the chief executive is reasonably satisfied a relevant lessor has contravened section 209CE(1).	27
	28
	29
	30
(2) If the court is satisfied the relevant lessor has contravened section 209CE(1), the court may make—	31
	32
	33

-
- (a) an order that the relevant lessor pay the State as a civil penalty—
- (i) if the relevant lessor is an individual—an amount of not more than the amount that is equivalent to 1,000 penalty units; or
- (ii) if the relevant lessor is a corporation—an amount of not more than the amount that is equivalent to 5,000 penalty units; and
- (b) any other order the court considers appropriate.
- (3) In deciding whether a relevant lessor has contravened section 209CE(1), the court may have regard to the following—
- (a) whether there is a pattern of supply or possession of illicit tobacco or illicit nicotine products at the premises;
- (b) whether the chief executive has notified the relevant lessor that 1 or more closure orders have been made in relation to the premises;
- (c) whether the relevant lessor and the person using the premises have an arm's length relationship;
- (d) whether the rent for the premises is significantly above market value or paid well in advance;
- (e) whether the lease is in writing;
- (f) whether the relevant lessor has taken steps to terminate the lease of the premises or otherwise prevent the supply or possession of illicit tobacco or illicit nicotine products at the premises.
- (4) However, the court must not make an order under subsection (2) against the relevant lessor if the
-

- | | |
|---|----|
| relevant lessor has a reasonable excuse for | 1 |
| permitting the person to use the premises for the | 2 |
| supply or possession of illicit tobacco or illicit | 3 |
| nicotine products as part of a business activity. | 4 |
| (5) The relevant lessor bears an evidential burden in | 5 |
| relation to the matter mentioned in subsection (4). | 6 |
| (6) The court must apply the rules of evidence and | 7 |
| procedure for civil proceedings when hearing a | 8 |
| proceeding under this section. | 9 |
| (7) Evidence or information acquired under this Act | 10 |
| in relation to an offence against section 209CE, | 11 |
| including, for example, under a warrant issued | 12 |
| under section 184 or under section 215A, is | 13 |
| admissible in a proceeding under this section. | 14 |
| (8) A contravention of section 209CE(1) found under | 15 |
| this section is not an offence. | 16 |
| (9) An application for an order in relation to a | 17 |
| contravention of section 209CE(1) must be made | 18 |
| within 2 years after the contravention or alleged | 19 |
| contravention first comes to the notice of the chief | 20 |
| executive. | 21 |

209CG Civil proceeding stayed during criminal proceeding

- | | |
|---|----|
| (1) A proceeding against a person for a contravention | 24 |
| of section 209CE(1) is stayed if— | 25 |
| (a) a criminal proceeding is or has commenced | 26 |
| against the person for an offence against | 27 |
| section 209CE; and | 28 |
| (b) the offence against section 209CE is | 29 |
| constituted by conduct that is substantially | 30 |
| the same as the conduct alleged to constitute | 31 |
| the contravention of section 209CE(1). | 32 |
| (2) The proceeding for a contravention of section | 33 |
| 209CE(1) may be resumed if the person is not | 34 |

convicted of the offence against section 209CE.	1
(3) Otherwise, the proceeding for the contravention of section 209CE(1) is dismissed.	2 3
(4) In this section—	4
<i>convicted</i> , of an offence, includes a plea of guilty or a finding of guilt by a court even though a conviction is not recorded.	5 6 7
209CH No criminal proceeding after successful civil proceeding	8 9
A criminal proceeding for an offence against section 209CE may not be commenced against a person for conduct that is substantially the same as conduct in relation to which an order has been made against the person under section 209CF(2).	10 11 12 13 14
209CI Evidence given by individual in civil proceeding not admissible in criminal proceeding	15 16 17
(1) Evidence of information given, or evidence of production of documents, by an individual is not admissible in a criminal proceeding for an offence against the individual if the individual previously gave the information or produced the documents in a civil proceeding against the individual for a contravention of section 209CE(1) (whether or not an order under section 209CF(2) was made).	18 19 20 21 22 23 24 25
(2) However, subsection (1) does not apply to a criminal proceeding in relation to the falsity of evidence given by an individual in a civil proceeding for a contravention of section 209CE(1).	26 27 28 29 30

Clause 27	Amendment of s 212 (Power to require production of written acknowledgement)	1 2
(1)	Section 212, heading, ‘written’— <i>omit.</i>	3 4
(2)	Section 212(2) to (6)— <i>omit, insert—</i>	5 6
(2)	A written acknowledgement may be an electronic document but only if the acknowledgement contains a unique identifier for the person giving the acknowledgement.	7 8 9 10
(3)	If a written acknowledgment is in hard copy form, an authorised person—	11 12
(a)	may keep the acknowledgement to copy the acknowledgement; and	13 14
(b)	may require the supplier or person in charge of the tobacco product vending machine to certify the copy as a true copy of the acknowledgement; and	15 16 17 18
(c)	must return the acknowledgement as soon as practicable after copying the acknowledgement.	19 20 21
(4)	Despite subsection (3)(c), if a requirement is made of a person under subsection (3)(b), the authorised person may keep the acknowledgement until the person complies with the requirement.	22 23 24 25 26
(3)	Section 212(7)— <i>insert—</i>	27 28
	<i>digital signature</i> means encrypted electronic or computer data intended for the exclusive use of a particular person as a means of identifying the person as the signer of an electronic document.	29 30 31 32
	<i>unique identifier</i> , for a person, includes the	33

	following—	1
	(a) a digital signature of the person;	2
	(b) an identifying number for the person.	3
(4)	Section 212(7)—	4
	<i>renumber</i> as section 212(5).	5
Clause 28	Amendment of s 213 (Failure to produce acknowledgement)	6
	Section 213—	7
	<i>insert</i> —	8
	(3) In this section—	9
	<i>acknowledgement production requirement</i>	10
	means a requirement made under section 212(1).	11
		12
Clause 29	Amendment of s 214 (Failure to certify copy of acknowledgement)	13
	Section 214—	14
	<i>insert</i> —	15
	(2) In this section—	16
	<i>acknowledgement certification requirement</i>	17
	means a requirement made under section	18
	212(3)(b).	19
		20
Clause 30	Amendment of s 215 (Power to require information)	21
(1)	Section 215, heading, after ‘information’—	22
	<i>insert</i> —	23
	about offence	24
(2)	Section 215(2), from ‘at a’—	25
	<i>omit, insert</i> —	26

	within a stated reasonable period.	1
(3)	Section 215—	2
	<i>insert—</i>	3
(5)	In this section—	4
	<i>information</i> includes a document.	5

Clause 31 Insertion of new s 215A 6

After section 215— 7
insert— 8

215A Power to require information relevant to 9
monitoring or enforcement of particular 10
provisions 11

- | | | |
|-----|--|----------------------------|
| (1) | This section applies if an authorised person reasonably believes a person may be able to give information relevant to the monitoring or enforcement of section 65, 66, 67, 161, 161A or 209CE. | 12
13
14
15
16 |
| (2) | The authorised person may, by written notice given to the person, require the person to give the authorised person information relevant to the monitoring or enforcement of the provision within a stated reasonable period. | 17
18
19
20
21 |
| (3) | The person must comply with a requirement under subsection (2), unless the person has a reasonable excuse. | 22
23
24 |
| | Maximum penalty—100 penalty units. | 25 |
| (4) | It is a reasonable excuse for an individual to fail to give information if giving the information might tend to incriminate the individual. | 26
27
28 |
| (5) | To remove any doubt, it is declared that this section is not limited by, and does not limit, section 215. | 29
30
31 |
| (6) | In this section— | 32 |

information includes a document.

Clause 32 Amendment of s 219 (Compensation)

(1) Section 219—

insert—

(2A) Despite subsection (1), a person may claim compensation for loss or expense incurred because of the exercise or purported exercise of a power to make a closure order only if—

(a) the order is revoked; or

(b) the order is found to have been wrongfully made; or

(c) the order is found by a court to be invalid.

(2) Section 219(2A) to (4)—

renumber as section 219(3) to (5).

Clause 33 Amendment of s 224 (Definition for division)

Section 224, definition *forfeiture decision*, paragraph (b), after ‘pipe’—

insert—

, or a component of a bong or ice pipe,

Clause 34 Insertion of new s 229A

After section 229—

insert—

229A Evidentiary provisions

(1) In a proceeding under or in relation to this Act, a certificate purporting to be signed by the chief executive and stating any of the following matters is evidence of the matter—

-
- | | |
|--|----|
| (a) a stated document is any of the following— | 1 |
| (i) a retail licence; | 2 |
| (ii) a retail licence (liquor); | 3 |
| (iii) a wholesale licence; | 4 |
| (iv) a notice, direction, order or other | 5 |
| document given by the chief executive | 6 |
| or another entity under this Act; | 7 |
| (v) an approved form; | 8 |
| (vi) an identity card; | 9 |
| (vii) a document given to the chief executive | 10 |
| under this Act; | 11 |
| (b) a stated document is a copy of, or an extract | 12 |
| from or part of, a document mentioned in | 13 |
| paragraph (a); | 14 |
| (c) on a stated day, or during a stated period, a | 15 |
| person's appointment as an authorised | 16 |
| person, a controlled purchase officer or a | 17 |
| chief executive officer was, or was not, in | 18 |
| effect; | 19 |
| (d) on a stated day, or during a stated period, an | 20 |
| authorisation under section 208B of a | 21 |
| controlled purchase operation was, or was | 22 |
| not, in effect; | 23 |
| (e) on a stated day, or during a stated period, a | 24 |
| variation under section 208E of an | 25 |
| authorisation of a controlled purchase | 26 |
| operation was, or was not, in effect; | 27 |
| (f) on a stated day, or during a stated period, an | 28 |
| authorised person was authorised to | 29 |
| supervise a controlled purchase operation; | 30 |
| (g) on a stated day, or during a stated period, a | 31 |
| retail licence, retail licence (liquor) or | 32 |
| wholesale licence— | 33 |
-

- (i) was or was not in effect; or 1
- (ii) was or was not subject to a stated 2
condition; 3
- (h) on a stated day, a retail licence, retail licence 4
(liquor) or wholesale licence was suspended 5
for a stated period or cancelled; 6
- (i) on a stated day, a stated person was given a 7
stated notice, direction, order or other 8
document under this Act; 9
- (j) on a stated day, a stated requirement was 10
made of a stated person; 11
- (k) on a stated day, a stated amount was payable 12
under this Act by a stated person and has not 13
been paid; 14
- (l) that a stated method of storage, 15
preservation, handling or transportation of a 16
thing, or a sample of or from a thing, taken 17
under this Act has not materially affected 18
the attributes of the thing or sample. 19
- (2) In a proceeding for an offence in which an 20
application is made under section 223A to recover 21
costs incurred by the State because of the offence, 22
a certificate purporting to be signed by the chief 23
executive stating that stated costs were incurred 24
and the way in which, and purpose for which, the 25
stated costs were incurred is evidence of the 26
matters stated. 27

Clause 35 Replacement of s 230A (Liability of executive 28
officer—offence committed by corporation against 29
executive liability provision) 30

Section 230A— 31

omit, insert— 32

230A Liability of executive officer—offence committed by corporation against executive liability (evidential burden) provision	1 2 3
(1) If a corporation commits an offence against an executive liability (evidential burden) provision, each executive officer of the corporation is taken to have also committed an offence against the provision.	4 5 6 7 8
Maximum penalty—the penalty for a contravention of the executive liability (evidential burden) provision by an individual.	9 10 11
(2) However, the executive officer is not taken to have also committed an offence against the executive liability (evidential burden) provision if—	12 13 14 15
(a) firstly, the officer satisfies the evidential burden of showing that—	16 17
(i) the officer did not know, and could not reasonably have been expected to have known, of the corporation’s conduct constituting its offence against the executive liability (evidential burden) provision; or	18 19 20 21 22 23
(ii) the officer took all reasonable steps to ensure the corporation did not engage in the conduct constituting its offence against the executive liability (evidential burden) provision; and	24 25 26 27 28
(b) secondly, the officer having complied with paragraph (a), the prosecution does not prove the contrary beyond reasonable doubt.	29 30 31
(3) In deciding whether things done or omitted to be done by the executive officer constitute reasonable steps for subsection (2)(a)(ii), a court must have regard to whether the officer was in a position to influence the corporation’s conduct in	32 33 34 35 36

	relation to its offence against the executive liability (evidential burden) provision.	1 2
	(4) The executive officer may be proceeded against for, and convicted of, an offence against the executive liability (evidential burden) provision whether or not the corporation has been proceeded against for, or convicted of, its offence against the executive liability (evidential burden) provision.	3 4 5 6 7 8 9
	(5) This section does not affect either of the following—	10 11
	(a) the liability of the corporation for its offence against the executive liability (evidential burden) provision;	12 13 14
	(b) the liability, under the Criminal Code, chapter 2, of any person, whether or not the person is an executive officer of the corporation, for the corporation's offence against the executive liability (evidential burden) provision.	15 16 17 18 19 20
	(6) In this subsection—	21
	<i>executive liability (evidential burden) provision</i> means any of the following provisions—	22 23
	(a) section 65;	24
	(b) section 66;	25
	(c) section 67;	26
	(d) section 161;	27
	(e) section 161A.	28
Clause 36	Amendment of s 231 (Act does not create or preserve right to smoke)	29 30
	Section 231(1), 'in or'—	31
	<i>omit.</i>	32

Clause 37	Amendment of s 242B (Application of amended s 208)	1
	Section 242B—	2
	<i>insert—</i>	3
	<i>Note—</i>	4
	Section 208 was relocated and renumbered as section 202B by the <i>Health Legislation Amendment Act 2025</i> .	5
		6
 Clause 38	 Insertion of new pt 13, div 4	 7
	Part 13—	8
	<i>insert—</i>	9
	Division 4	Transitional provisions for 10
		Tobacco and Other 11
		Smoking Products 12
		(Dismantling Illegal Trade) 13
		and Other Legislation 14
		Amendment Act 2025 15
	 243 Definition for division	 16
	In this division—	17
	<i>new</i> , in relation to a provision of this Act, means the provision as in force from the commencement.	18
		19
	 244 Notification of particular events	 20
	(1) New section 47 applies in relation to a licensee only if the licensee’s licence was issued after the commencement.	21
		22
		23
	(2) Despite the amendment of section 47 by the <i>Tobacco and Other Smoking Products (Dismantling Illegal Trade) and Other Legislation Amendment Act 2025</i> , former section 47 continues to apply in relation to a licensee	24
		25
		26
		27
		28

whose licence was issued before the
commencement. 1 2

(3) In this section— 3

former section 47 means section 47 as in force
immediately before the commencement. 4 5

245 Proceedings for particular offences 6

(1) This section applies in relation to an offence
against former section 158, 159, 209C or 230A
committed by a person before the
commencement. 7 8 9 10

(2) Without limiting the *Acts Interpretation Act 1954*,
section 20, a proceeding for the offence may be
continued or started, and the person may be
convicted of and punished for the offence, as if
new section 158, 159, 209C or 230A had not
commenced. 11 12 13 14 15 16

(3) Subsection (2) applies despite the Criminal Code,
section 11. 17 18

(4) In this section— 19

former section 158, 159, 209C or 230A means
section 158, 159, 209C or 230A of this Act as in
force from time to time before the
commencement. 20 21 22 23

246 Application for long-term closure order made before commencement 24 25

(1) A long-term closure order made after the
commencement on an application under former
section 209B made before the commencement is
taken to be a long-term closure order under this
Act. 26 27 28 29 30

(2) In this section— 31

former section 209B means section 209B of this 32

	Act as in force from time to time before the commencement.	1 2
	247 New provisions applying to relevant lessors	3
	(1) New part 11, division 4A, subdivision 3 applies in relation to a lease under new section 209CA whether the lease was entered into before or after the commencement.	4 5 6 7
	(2) However, new part 11, division 4A, subdivision 3 applies in relation to a closure order only if the order is made after the commencement.	8 9 10
	248 New evidentiary provisions	11
	New section 229A applies in relation to a proceeding—	12 13
	(a) whether the proceeding was started before or after the commencement; and	14 15
	(b) whether the offence or contravention, if any, relating to the proceeding was committed before or after the commencement.	16 17 18
Clause 39	Amendment of sch 1 (Dictionary)	19
	(1) Schedule 1, definitions <i>acknowledgement certification requirement</i> , <i>acknowledgement production requirement</i> and <i>premises</i> —	20 21 22
	<i>omit.</i>	23
	(2) Schedule 1—	24
	<i>insert—</i>	25
	<i>ABN</i> means the ABN under the <i>A New Tax System (Australian Business Number) Act 1999</i> (Cwlth), section 41.	26 27 28
	<i>at</i> , a place, includes in or on the place.	29

<i>closure order</i> means—	1
(a) a short-term closure order; or	2
(b) a long-term closure order.	3
<i>component</i> —	4
(a) of a bong, see section 159(4); or	5
(b) of an ice pipe, see section 158(4); or	6
(c) of a hookah, includes a base, bowl, diffuser, grommet, hose, mouthpiece, stem, tray and valve.	7 8 9
<i>compromised goods</i> , for part 11, division 4, see section 194A.	10 11
<i>controlled purchase officer</i> see section 208.	12
<i>controlled purchase operation</i> see section 208B(1).	13 14
<i>identity card</i> means an identity card issued to an authorised person under section 173.	15 16
<i>infringement notice</i> , for part 11, division 4A, subdivision 2, see section 209A.	17 18
<i>lease</i> , for part 11, division 4A, subdivision 3, see section 209CA.	19 20
<i>long-term closure order</i> see section 209BA(1).	21
<i>mobile premises</i> , for part 11, division 4A, subdivision 2, see section 209A.	22 23
<i>premises</i> —	24
(a) generally, includes—	25
(i) a building or other structure; and	26
(ii) a part of a building or other structure; and	27 28
(iii) land where a building or other structure is situated; and	29 30
(iv) a vehicle; or	31

(b) for part 11, division 4A, subdivision 3, see	1
section 209CA.	2
<i>prescribed offence</i> , for part 11, division 4AA, see	3
section 208.	4
<i>previous enforcement action</i> , for part 11,	5
division 4A, subdivision 2, see section 209A.	6
<i>relevant lessor</i> , for part 11, division 4A,	7
subdivision 3, see section 209CA.	8
<i>seized thing</i> means a thing seized under section	9
197 or 198.	10
<i>short-term closure order</i> see section 209B(1).	11
<i>tobacco business</i> , for part 11, division 4A,	12
subdivision 3, see section 209CA.	13