



strokefoundation

3 October

Mr Trevor Ruthenberg MP  
Chair  
Health and Community Services Committee  
Parliament House  
Brisbane, Queensland, 4000

By email: [hcsc@parliament.qld.gov.au](mailto:hcsc@parliament.qld.gov.au)

Dear Mr Ruthenberg,

**Re: Health Legislation Amendment Bill 2014**

Thank you for the opportunity to make a submission in response to the *Health Legislation Amendment Bill 2014* (the Bill).

The National Stroke Foundation welcomes and supports the proposed amendments to the *Tobacco and Other Smoking Products Act 1998*. In particular, the NSF welcomes the extension of smoking bans around schools, health facilities and prisons.

The NSF also welcomes the application of tobacco laws to e-cigarettes and other personal vaporising devices. It is important from the NSF's perspective to ensure that non-nicotine e-cigarettes and single use devices are included in the restrictions of use which mirror tobacco cigarettes. The NSF believes that non-nicotine e-cigarettes which are currently available for legal sale in Australia in a variety of 'flavours' such as strawberry or watermelon pose a particular risk familiarising and conditioning children and young adults to smoking-like activities. Therefore, the NSF recommends the Committee ensure the definition of 'personal vaporiser' and 'personal vaporiser related products' as proposed in the Bill be reviewed to ensure to non-nicotine e-cigarettes and single use devices are covered by the proposed legislation.

Recent findings by the World Health Organisation (WHO) show that there is enough evidence to warn against the use of e-cigarettes by children and pregnant women.<sup>1</sup> The WHO has also called for strong regulation in relation to the devices, calling for them to be banned indoors. It said legal steps need to be taken to end the use of e-cigarettes indoors - both in public spaces and in work - because of fears over second-hand smoke. WHO experts warned the products may pose a threat to youngsters and the foetuses of pregnant women.

Among other conclusions, the document found there was currently insufficient evidence to conclude that e-cigarettes help users quit smoking or not. WHO recommends that smokers should first be encouraged to quit smoking and nicotine

addiction by using a combination of already-approved treatments. The NSF supports this approach.

The NSF also supports the move to prevent young people and non-smokers from being exposed to the promotion of e-cigarettes. The uptake of e-cigarettes has been high in recent years. The WHO estimates that since 2005, the e-cigarette industry has grown from one manufacturer in China to an estimated US\$3 billion global business with 466 brands. The tobacco industry is now well entrenched in this market and making many unsubstantiated health claims about e-cigarettes.

The latest Queensland Chief Health Officer report – ***The health of Queenslanders 2012: advancing good health*** – shows that smoking rates in Queensland have been declining. In 2012, 14.3% of adult Queenslanders were daily smokers, 2.9% were smokers but not daily, 28% were ex-smokers and 55% had never smoked.<sup>ii</sup>

The majority of people in Queensland do not smoke and support anti-smoking measures such as smoke free areas. The NSF supports any measures that will reduce the level of smoking in and around public places, particularly those frequented by young people and children. Passive smoking is known to increase the chances of a non-smoker developing lung cancer.<sup>iii</sup>

The NSF supports these new amendments to strengthen the *Tobacco and Other Smoking Products Act 1998* and improve the health of Queenslanders.

For further information please feel free to contact me on 3218 7303

Yours Sincerely

*Libby Dunstan*

Executive Officer, Queensland  
National Stroke Foundation

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<sup>i</sup> Electronic nicotine delivery systems – Report by WHO  
[http://apps.who.int/gb/ctc/PDF/cop6/FCTC\\_COP6\\_10Rev1-en.pdf](http://apps.who.int/gb/ctc/PDF/cop6/FCTC_COP6_10Rev1-en.pdf)

<sup>ii</sup> The Health of Queenslanders 2012: advancing good health.  
[http://www.health.qld.gov.au/cho\\_report/2012/documents/2012-cho-report-all.pdf](http://www.health.qld.gov.au/cho_report/2012/documents/2012-cho-report-all.pdf)

<sup>iii</sup> National Heart Foundation. Second-hand smoking and your health.  
<http://www.heartfoundation.org.au/SiteCollectionDocuments/SecondhandSmoking-ISC.pdf>