

Submission: Public Health Amendment (Prohibited Tobacco and Other Products) Bill 2026

1. About COTA Tasmania

The Council on the Ageing (Tas) Inc (COTA Tasmania) is the state peak body representing older Tasmanians. We are an independent, not-for-profit organisation working with and for older people, and with the wide range of organisations that support them.

For more than 60 years, we have been the leading voice for older Tasmanians, promoting positive attitudes to ageing, advancing social inclusion, and championing the rights, interests and value of people as they age.

We listen to the experiences of older Tasmanians, analyse emerging issues, and provide independent advice to Government, service providers and the broader community.

COTA Tasmania works across three main areas:

- policy and advocacy
- information and education, and
- community programs and partnerships.

2. Summary of recommendations

In order to maximise public health benefits for older Tasmanians and minimise unintended impacts, COTA Tasmania recommends a number of measures, which are detailed further in Section 5.

- Commit to strengthened and targeted cessation supports that reach older smokers alongside the Bill (5.1 below)
- Public reporting should include not only enforcement outputs but also cessation support activity and outcomes (5.1)
- Ensure closure powers are accompanied by clear safeguards (5.2)
- Implement safeguards to ensure publication of details of closed premises is accurate, timely, and proportionate, and does not inadvertently mislead or stigmatise unrelated parties (5.2)
- Include an implementation plan that addresses disadvantage and equity metrics (5.3)
- Provide clear, accessible public communication tools (5.4)

3. Why this matters

Tasmania has the oldest age profile of any Australian jurisdiction, which makes tobacco harm reduction and effective cessation support especially important. Around 21% of Tasmanians were aged 65 years and over in 2023ⁱ, and Tasmania's median age was 42 years at the 2021 Census ⁱⁱ (around four years older than the national median).

Ageing is also unevenly distributed across the state. ABS regional estimates show that Greater Hobart has a younger age profile than the rest of Tasmania, with the rest of the state having a notably higher median age (44-45 years)ⁱⁱⁱ and a higher share of older residents.

This matters because older people are more likely to live with chronic health conditions worsened by smoking, are more likely to be on fixed incomes, and can face barriers to accessing cessation supports—particularly in regional areas.

Illicit tobacco and nicotine markets also disproportionately affect communities where cost pressures are high and service access is limited. A balanced approach which includes strong enforcement plus accessible quitting support and clear public information will deliver the greatest health benefit, while minimising unintended impacts on regional communities.

4. Overall position and expectations

COTA Tasmania:

- Supports stronger action to reduce the sale and supply of illicit tobacco, vapes, and related nicotine products,
- Recognises the Government’s stated aim of protecting health and reducing smoking rates,
- Recommends the Bill be implemented as part of a balanced public health package, including targeted cessation supports and clear public communications, and
- Seeks strong safeguards to ensure new enforcement tools are proportionate, subject to timely review, and do not unintentionally harm community access to essential local retail in regional areas.

Tasmania has a strong public interest in reducing the harms caused by tobacco and other nicotine products. Illicit supply undermines public health efforts, increases community risk, and makes it harder to prevent uptake by young people and support people to quit.

For older Tasmanians, the stakes are immediate: many live with chronic conditions that smoking worsens, and effective regulation can reduce preventable illness and pressure on health services. But enforcement alone isn’t enough. The measures in this Bill must be implemented fairly and proportionately, with strong safeguards and accessible cessation support, so the response reduces harm without creating unintended impacts for regional communities and people experiencing disadvantage.

This is particularly important for prescribed premises. Media reporting indicates the possibility of powers enabling an initial 90-day closure order for premises reasonably suspected or proven to be selling prohibited products, with longer closures possible via an appeal/tribunal pathway, and publication of closed premises online.

Accordingly, COTA Tasmania expects the Government to:

- Keep the Bill as part of a balanced public health package: enforcement plus support for cessation.

- Build in clear criteria, procedural fairness, and fast review/appeal pathways for closure powers.
- Include an implementation plan addressing regional access and equity impacts.
- Commit to evaluation, including annual reporting on both enforcement activity and cessation engagement/reach.
- Provide accessible public information and regular public reporting on outcomes (not just enforcement activity).

5. Detailed comments

5.1 Pair enforcement with accessible cessation support

Issue:

Enforcement measures alone can displace rather than resolve demand, particularly for long-term smokers who need structured support to quit.

Recommendations:

- Commit to strengthened and targeted cessation supports that reach older smokers alongside the Bill, including:
 - proactive referral pathways through GPs and community pharmacies,
 - tailored Quitline support for long-term nicotine dependence, and
 - outreach in regional areas and communities with higher smoking prevalence
- Public reporting should include not only enforcement outputs (e.g., seizures, closures) but also cessation support activity and outcomes (e.g., referrals, service reach).

5.2 Proportionality and safeguards for premises closure powers

Issue:

ABC reporting indicates the Bill would allow closure orders for premises “reasonably suspected or proven” to be selling prohibited products, with an initial period described as 90 days, and longer closures possible via an appeal/tribunal pathway, plus publication of closed premises online.

These are significant powers that can affect workers, neighbouring businesses, and communities, especially where retail choice is limited.

Recommendations:

- Ensure closure powers are accompanied by clear safeguards, including:
 - published criteria for when a closure order is appropriate (and when lesser measures apply),
 - procedural fairness and timely internal review,
 - clear timeframes and accessible appeal information, and
 - guidance that considers community access impacts in regional areas
- If details of closed premises are published online (as reported), implement safeguards to ensure publication is accurate, timely, and proportionate, and does not inadvertently mislead or stigmatise unrelated parties.

5.3 Regional and equity impacts

Issue:

Older Tasmanians in regional areas can be disproportionately affected by reduced local retail availability and by barriers to cessation services.

Recommendation:

- Include an implementation plan that explicitly addresses:
 - regional access (service reach, transport barriers, digital accessibility),
 - equity impacts for low-income older people and those with disability or complex health needs, and
 - culturally safe support and communications where relevant.

5.4 Clear, accessible public communication

Issue:

Changes to product legality and enforcement can cause confusion. Clear communication helps consumers, carers, and legitimate businesses “doing the right thing,” which the Government has highlighted as part of the intent.

Recommendation:

- Provide plain-language public information (in accessible formats) covering:
 - what products are prohibited and why,
 - what consumers should do if they are trying to quit,
 - how to report concerns safely, and
 - where to get help (Quitline, GP/pharmacy pathways)

6. Suggested improvements to the consultation materials

COTA Tasmania attempted to access the Department’s online publication page directly but encountered access restrictions during drafting.

If the Bill text and supporting materials are available in multiple formats (PDF + accessible HTML), we recommend ensuring:

- accessibility compliance (screen-reader compatibility, logical headings, searchable text),
- a short “what’s changing” explainer for the public, and
- a stakeholder factsheet for community service organisations supporting older people.

7. Conclusion

COTA Tasmania supports strong action to reduce the harms associated with tobacco and other nicotine products and recognises the Government’s stated intention to strengthen offences, penalties and enforcement powers against illegal trade.

To maximise public health benefits for older Tasmanians and avoid unintended consequences, COTA recommends that the Bill be implemented with:

- robust, accessible cessation supports,
- proportionality and safeguards around closure powers,
- explicit attention to regional and equity impacts, and
- clear public communication in accessible formats.

ⁱ https://www.stategrowth.tas.gov.au/policies_and_strategies/population-strategy/tasmanian_population_policy/accordions/how_has_our_population_changed

ⁱⁱ <https://www.abs.gov.au/articles/snapshot-tas-2021>

ⁱⁱⁱ <https://www.abs.gov.au/statistics/people/population/regional-population-age-and-sex/latest-release#tasmania>