

Tobacco Plain Packaging Amendment Act 2018

No. 120, 2018

An Act to amend the *Tobacco Plain Packaging Act 2011*, and for related purposes

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An Act to amend the *Tobacco Plain Packaging Act 2011*, and for related purposes

[*Assented to 3 October 2018*]

The Parliament of Australia enacts:

1 Short title

 This Act is the *Tobacco Plain Packaging Amendment Act 2018*.

2 Commencement

 (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this Act | The day after this Act receives the Royal Assent. | 4 October 2018 |

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

 (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

 Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Tobacco Plain Packaging Act 2011

1 After paragraph 81(1)(a)

Insert:

 (aa) a person who is appointed or engaged otherwise than under the *Public Service Act 1999*, by the Commonwealth or by a Commonwealth entity within the meaning of the *Public Governance, Performance and Accountability Act 2013*;

2 At the end of subsection 81(1)

Add:

 ; (c) a person:

 (i) who is appointed or employed by a State or Territory, or by a local governing body established by or under a law of a State or Territory; and

 (ii) who has responsibilities in relation to health matters or in relation to compliance and enforcement in tobacco control matters;

 (d) a member of the police force or police service of a State or Territory.

3 After subsection 81(2)

Insert:

 (2A) The Secretary may appoint a person mentioned in paragraph (1)(c) or (d) as an authorised officer only with the agreement of the State or Territory concerned.

[*Minister’s second reading speech made in—*

*House of Representatives on 15 August 2018*

*Senate on 12 September 2018*]

(151/18)