



Victoria Government Gazette

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Tobacco Act 1987

ORDER UNDER SECTION 15N(1) OF THE TOBACCO ACT 1987 BANNING THE SALE OF CERTAIN PRODUCTS

I, David Davis, Minister for Health, pursuant to the power conferred on me by section 15N(1) of the **Tobacco Act 1987** ('the Act'), hereby make an order banning the following classes of products on the stated basis:

1. All brands or types of cigarette papers, by whosoever manufactured, that possess a distinctive fruity, sweet or confectionery-like flavour or scent on the basis that this class of products has been prohibited or restricted by Tasmania in accordance with section 68A(e) of the **Public Health Act 1997** (Tas.) on the grounds that this class of products is of a nature or advertised in a way that may encourage children or young people to smoke thereby satisfying the requirements of section 15N(1)(b) of the Act; and
2. All brands or types of cigar and cigarillo wraps, by whosoever manufactured, that possess a distinctive fruity, sweet or confectionery-like flavour or scent on the basis that this class of products has been prohibited or restricted by Tasmania in accordance with section 68A(d) of the **Public Health Act 1997** (Tas.) and by New South Wales in accordance with the Notice made under section 29 of the **Public Health (Tobacco) Act 2008** (NSW) as published in New South Wales Government Gazette No. 135 on 17 December 2010 on the grounds that this class of products:
 - a. is a tobacco product that possesses a distinctive fruity, sweet or confectionery-like character; and
 - b. is of a nature or advertised in a way that may encourage children or young people to smokethereby satisfying the requirements of section 15N(1)(b) of the Act; and
3. All brands or types of cigarillos, by whosoever manufactured, that possess a distinctive fruity, sweet or confectionery-like flavour or scent on the basis that this class of products has been prohibited or restricted by Tasmania in accordance with section 68A(d) of the **Public Health Act 1997** (Tas.) and by New South Wales in accordance with the Notice made under section 29 of the **Public Health (Tobacco) Act 2008** (NSW) as published in New South Wales Government Gazette No. 135 on 17 December 2010 on the grounds that this class of products:
 - a. is a tobacco product that possesses a distinctive fruity, sweet or confectionery-like character; and
 - b. is of a nature or advertised in a way that may encourage children or young people to smokethereby satisfying the requirements of section 15N(1)(b) of the Act.

This order will commence operation on 18 November 2011.

Dated 21 October 2011

HON DAVID DAVIS MP
Minister for Health

SPECIAL

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