

Let's talk shop.

Submission to the Health, Environment and Innovation Committee - Health Legislation Amendment Bill 2026

July 2026

The Australian Retail Council (ARC) welcomes the opportunity to provide a brief submission to the Health, Environment and Innovation Committee's inquiry into the *Health Legislation Amendment Bill 2026*.

ARC represents the Australian retail sector. Valued at \$444 billion, retail supports more than 1.5 million jobs, including employing more young Australians than any other industry. Retail is embedded throughout the economy and plays a critical role in the supply chain of Australian businesses. ARC advocates for policies and reforms that drive growth, resilience and long-term prosperity for Australian retail and the millions who rely on it.

This submission is focused specifically on the proposed amendments to the Tobacco and Other Smoking Products Act 1998 relating to the forfeiture of seized illicit tobacco and illicit nicotine products.

ARC supports the proposed amendments.

Illicit tobacco is a growing and serious challenge for legitimate retailers, enforcement agencies and the broader community. Retailers that comply with Queensland's tobacco laws invest significant time and resources to meet their legal obligations, including licensing, age restrictions, product controls, staff training and compliance processes. Those businesses should not be placed at a commercial disadvantage by operators who deliberately trade in illegal product and avoid the regulatory obligations imposed on lawful retailers.

The illicit tobacco market undermines the integrity of the regulated retail environment. It creates unfair competition, weakens public health objectives, and can contribute to broader criminal activity and unsafe trading environments. For legitimate retailers, the continued growth of illicit tobacco erodes confidence that the rules are being applied consistently and that those doing the right thing are being properly supported.

ARC supports practical measures that strengthen enforcement and reduce unnecessary administrative burden. The proposed amendments will streamline the forfeiture process for seized illicit tobacco and illicit nicotine products by enabling these products to be forfeited and destroyed more efficiently. This is a sensible and proportionate reform.

Where products have been seized as illicit tobacco or illicit nicotine products, there is limited public benefit in requiring those products to be stored for extended periods while administrative processes are exhausted. Extended storage imposes unnecessary costs and practical burdens on enforcement agencies, particularly as the volume of illicit product being seized continues to increase. Reducing these burdens will allow resources to be more effectively directed towards investigation, compliance activity and disruption of unlawful supply.

ARC also supports the alignment of the forfeiture process for illicit tobacco and illicit nicotine products with the existing approach for vaping goods. A consistent approach will assist enforcement agencies and reduce unnecessary complexity in the regulatory framework.

The proposed amendments should be seen as one part of a broader enforcement response. Continued action is needed to address the full illicit tobacco supply chain, including importation, distribution, wholesale supply and retail sale. ARC encourages the Queensland Government to continue prioritising enforcement, intelligence sharing



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and cooperation between Queensland Health, police, border agencies, local government and other relevant regulators.

ARC encourages the Committee to recommend the adoption of these amendments. These changes will help support compliant retailers, strengthen the integrity of Queensland's tobacco control framework and improve the practical ability of enforcement agencies to respond to the illicit tobacco market.

Any queries in relation to this submission can be directed to policy@retail.org.au.

