

# Ban on the sale of tobacco products from temporary outlets

1 January 2010

## Q1 What does this ban mean?

A person must not sell tobacco products from a point-of-sale that is located in a temporary or mobile structure or enclosure, whether or not a part of that structure is permanent. This includes, but is not limited to, the following:

- display stand
- booth
- tent/marquee
- mobile van

A person must not sell tobacco products from a point of sale that is in a retail outlet established in an area or premises for the duration of a specific sports, music or arts-related event, such as the Australian Grand Prix or Big Day Out.

## Q2 What if a tobacco company is responsible for selling tobacco products from a temporary point-of-sale?

A tobacco company is guilty of an offence if the tobacco company intentionally or recklessly contravenes this section or causes another to contravene this section.

## Q3 Why is this new law being introduced?

Tobacco companies market their products to young people by using temporary stands offering cigarettes for sale at major events such as the Big Day Out (Carter, 2003). It is important to prevent advertising to this age group as the majority of smokers make the transition from experimental to regular smoking during their early twenties (Backinger et al., 2003).

## Q4 What is the penalty?

The maximum penalty for an individual breaching this law will be 60 penalty units<sup>1</sup>, with an infringement penalty of 3 penalty units.

The maximum penalty for a body corporate breaching this law will be 300 penalty units, with an infringement penalty of 30 penalty units.

The maximum penalty for a tobacco company breaching this law will be 5000 penalty units.

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<sup>1</sup> A penalty unit for 2009/10 is \$116.82 (indexed annually).

For updated penalty unit values visit the Office of the Chief Parliamentary Counsel [website](#).

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