



Cabinet Legislation Committee

LEG Min (13) 28/7

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Minute of Decision

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Smoke-free Environments (Tobacco Plain Packaging) Amendment Bill: Approval for Introduction

Portfolio: Associate Health (Hon Tariana Turia)

On 11 December 2013, the Cabinet Legislation Committee, having been authorised by Cabinet to have Power to Act [CAB Min (13) 43/36]:

- 1 **noted** that Smoke-free Environments Amendment Bill (the Bill) holds a category 5 priority on the 2013 Legislation Programme (to be referred to a select committee in 2013);
- 2 **noted** that the Associate Minister of Health (Hon Tariana Turia) has announced the government's intention that the Bill be introduced in 2013;
- 3 **noted** that in February 2013, Cabinet agreed to introduce a plain packaging regime for tobacco products and packaging in New Zealand which is in alignment with Australia [CAB Min (13) 4/16];
- 4 **noted** that the Bill gives effect to the above decision by:
 - 4.1 setting out the purpose of the legislation;
 - 4.2 establishing the core plain packaging requirements;
 - 4.3 creating offences and penalties;
 - 4.4 clarifying that the impacts on intellectual property rights are limited to those that occur as a result of achieving the public health objectives;
- 5 **approved** the introduction of the Smoke-free Environments (Tobacco Plain Packaging) Amendment Bill [PCO 17769/9.0], subject to the final approval of the government caucus and sufficient support in the House of Representatives;
- 6 **noted** that the Bill will be introduced as soon as practicable;
- 7 **agreed** that the government propose that the Bill be:
 - 7.1 referred to the Health Committee for consideration;
 - 7.2 enacted by 31 August 2014;

- 8 **noted** that decisions on when to enact the legislation or when the regulations should come into force will need to take into account the progress of legal proceedings at the World Trade Organisation.

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