



Cabinet Business Committee

Minute of Decision

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Smokefree Environments and Regulated Products Act 1990: Public Consultation on Proposals for Regulations

Portfolio **Associate Health (Hon Dr Ayesha Verrall)**

On 16 December 2020, the Cabinet Business Committee, having been authorised by Cabinet to have Power to Act [CAB-20-MIN-0536]:

- 1 **noted** that vaping products are now regulated under the Smokefree Environments and Regulated Products Act 1990 and that the amended Act has a number of regulation-making powers;
- 2 **noted** that the Ministry of Health intends to publicly consult on regulatory proposals to bring the new provisions of the Smokefree Environments and Regulated Products Act 1990 fully into effect;
- 3 **noted** that the consultation document, attached under CBC-20-SUB-0134, seeks feedback on the proposed requirements including:
 - 3.1 defining an internal area;
 - 3.2 specialist vape retailer approvals;
 - 3.3 promotion, information and advice;
 - 3.4 packaging;
 - 3.5 product notification and safety;
 - 3.6 annual reporting and returns;
 - 3.7 fees;
- 4 **agreed** to the public release of the consultation document in late-January 2021;
- 5 **agreed** that the Associate Minister of Health (Hon Dr Ayesha Verrall) can approve minor technical and editorial amendments to the consultation document prior to its public release;
- 6 **noted** that following assessment of the consultation feedback, the Associate Minister of Health (Hon Dr Ayesha Verrall) will report back to Cabinet in April 2021 with final recommendations for requirements of the regulatory proposals in April 2021 and seek approval to invite the Parliamentary Counsel Office to draft regulations;

7 **noted** that the regulations must be made by August 2021.

Gerrard Carter
Committee Secretary

Present:

Rt Hon Jacinda Ardern (Chair)
Hon Grant Robertson
Hon Kelvin Davis
Hon Dr Megan Woods
Hon Chris Hipkins
Hon Andrew Little
Hon David Parker
Hon Nanaia Mahuta
Hon Poto Williams
Hon Damien O'Connor
Hon Stuart Nash
Hon Kris Faafoi
Hon Dr David Clark
Hon Dr Ayesha Verrall

Officials present from:

Office of the Prime Minister
Department of the Prime Minister and Cabinet