I certify that this is a copy of the authorised version of this Statutory Rule as at 15 October 2026, and that it incorporates all amendments, if any, made before and in force as at that date and any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 15 October 2026.

K Woodward
Chief Parliamentary Counsel
Dated 20 October 2026

TASMANIA

PUBLIC HEALTH (TOBACCO AND OTHER SMOKING PRODUCTS) REGULATIONS 2019

STATUTORY RULES 2019, No. 66

CONTENTS

1. Short title
2. Commencement
3. Interpretation
4. Conditions of smoking product licences for sale of personal vaporiser products
5. Smoking product licence fees
6. Reporting requirements

PUBLIC HEALTH (TOBACCO AND OTHER SMOKING PRODUCTS) REGULATIONS 2019

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Public Health Act 1997*.

Dated 28 October 2019.

C. WARNER
Governor

By Her Excellency's Command,

S. COURTNEY
Minister for Health

1. Short title

These regulations may be cited as the *Public Health (Tobacco and Other Smoking Products) Regulations 2019*.

2. Commencement

These regulations take effect on 25 November 2019.

3. Interpretation

In these regulations –

Act means the *Public Health Act 1997*.

4. Conditions of smoking product licences for sale of personal vaporiser products

(1) For section 74C(4A) of the Act, the following conditions apply to all smoking product licences relating to personal vaporiser products:

(a) a person may only supply a personal vaporiser product that is a vaping substance to another person (the ***patient***) in accordance with a prescription for the supply of the substance to the patient issued by either of the following in accordance with the *Poisons Act 1971* (a ***valid prescription***):

(i) a medical practitioner;

(ii) an authorised health professional who is a nurse practitioner;

(b) a person may only sell a personal vaporiser product other than a vaping substance to a patient if satisfied that the patient –

(i) has a valid prescription for the supply of a vaping substance to be used in connection with the personal vaporiser product; or

(ii) has in the last 12 months been supplied, in accordance with a valid prescription, a vaping substance to be used in connection with the personal vaporiser product;

(c) a person must comply with the Act and the *Poisons Act 1971* in supplying a personal vaporiser product in accordance with a valid prescription;

(d) a person may only, under the authority of the licence, dispose of a personal vaporiser product other than by supply with the prior approval of the Director;

(e) the holder of the licence must keep any invoice for the sale of a personal vaporiser product for at least 2 years after the sale;

(f) the holder of the licence must provide any information or documentation held in respect of the licence and the personal vaporiser products in the possession of, or sold or otherwise disposed of by, the holder of the licence if requested to do so by a person appointed or authorised under –

(i) section 23 of the *Poisons Act 1971*; or

(ii) section 27 of the *Therapeutic Goods Act 2001*.

(2) Unless a contrary intention appears, a term used in this regulation has the same meaning as in the *Poisons Act 1971*.

(3) In this regulation –

vaping substance means a substance referred to in paragraph (c) of the definition of *personal vaporiser product* in section 3 of the Act, whether or not that substance is a scheduled substance.

5. Smoking product licence fees

For sections 74B(3)(c) and 74F(2)(b) of the Act, the prescribed fee for an application for a smoking product licence, or the renewal of a smoking product licence, is –

(a) if the application relates to a tobacco product – 717 fee units for each premises specified in the application; or

(b) if the application relates to a personal vaporiser product – 0 fee units.

6. Reporting requirements

(1) The Secretary is to ensure that a record is kept, in respect of each financial year, of the number of –

(a) short-term premises closure orders made under section 74LG(1) of the Act; and

(b) complaints or other notifications of suspected non-compliance with Part 4 of the Act received by the Secretary, the Director or the Department; and

(c) infringement notices served by authorised officers in relation to offences under Part 4 of the Act; and

(d) other compliance and enforcement actions taken by or on behalf of the Secretary, the Director or the Department in relation to a provision of Part 4 of the Act.

(2) The record is to be –

(a) published on a website maintained by or on behalf of the Department; and

(b) tabled in both Houses of Parliament as soon as practicable after the end of the financial year.

(3) In this regulation –

financial year means the 12-month period ending on 30 June in any year.

Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 6 November 2019.

These regulations are administered in the Department of Health.

NOTES

The foregoing text of the *Public Health (Tobacco and Other Smoking Products) Regulations 2019* comprises those instruments as indicated in the following table. Any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 15 October 2026 are not specifically referred to in the following table of amendments.

Citation	Serial Number	Date of commencement
[1]*Public Health (Smoking Product Licence) Regulations 2019*	S.R. 2019, No. 66	25.11.2019
Public Health (Smoking Product Licence) Amendment Regulations 2026	S.R. 2026, No. 10	11.3.2026
Public Health (Smoking Product Licence) Amendment Regulations (No. 2) 2026	S.R. 2026, No. 84	15.10.2026

[1]Expires 6 November 2029 - Subordinate Legislation Act 1992

TABLE OF AMENDMENTS

Provision affected	How affected
Regulation 1	Amended by S.R. 2026, No. 84
Regulation 4	Substituted by S.R. 2026, No. 10
Regulation 5	Inserted by S.R. 2026, No. 10
Regulation 6	Inserted by S.R. 2026, No. 84