

## LEGISLATIVE COUNCIL

## CONSUMER LEGISLATION AMENDMENT BILL 2026

(Amendments to be proposed in Committee by MELINA BATH)

1. Clause 115, line 5, omit "In" and insert "(1) In".
2. Clause 115, after line 27 insert—
  - "(2) In section 3 of the **Tobacco Act 1987**, in the definition of *reviewable decision*, after paragraph (l) insert—
    - "(m) issue a written notice under section 36V;
    - (n) issue a written notice under section 36W;"
3. Clause 116, line 33, omit 'offence.'" and insert "offence.".
4. Clause 116, after line 33 insert—
  - "(5) A landlord does not commit an offence against—
    - (a) subsection (1), if the landlord takes reasonable steps to stop the other person having illicit tobacco in the other person's possession or under the other person's control at the premises; or
    - (b) subsection (2), if the landlord takes reasonable steps to stop the other person using the premises to sell or otherwise supply illicit tobacco.
  - (6) For the purposes of subsection (5), taking reasonable steps includes—
    - (a) requesting the other person to stop having illicit tobacco in the other person's possession or under the other person's control at the premises or to stop using the premises to sell or otherwise supply illicit tobacco (as the case may be); or
    - (b) reporting the possession or control, or sale, of illicit tobacco to the Regulator or to Victoria Police; or
    - (c) pursuing the lawful termination of the commercial lease; or
    - (d) if permitted under the commercial lease, preventing re-entry to the property."
5. Clause 120, page 123, lines 4 to 7, omit all words and expressions on these lines and insert—
  - "(3) The Regulator or the Chief Commissioner of Police must—
    - (a) give a person notice or an opportunity to be heard before issuing a short-term closure notice; and
    - (b) advise the person that the decision to issue the notice is a reviewable decision under this Act."

6. Clause 120, page 125, lines 9 to 13, omit all words and expressions on these lines and insert—
  - "(2) The Regulator or the Chief Commissioner of Police must—
    - (a) give a person notice or an opportunity to be heard before issuing a short-term closure notice; and
    - (b) advise the person that the decision to issue the notice is a reviewable decision under this Act."
7. Clause 120, page 134, line 22, after "the landlord" insert ", having regard to the safety of persons entering the property,".