

LEGISLATIVE ASSEMBLY

TOBACCO (AMENDMENT) BILL

(Amendments and New Clauses to be moved by Ms Pike)

1. Clause 2, line 20, omit "27" and insert "28".
2. Clause 2, line 22, omit "27" and insert "28".
3. Clause 3, page 6, lines 6 to 8, omit paragraphs (b) and (c).
4. Clause 3, page 7, lines 6 and 7, omit ", "room" and "TAB area"" and insert "and "room"".
5. Clause 5, omit this clause.
6. Clause 6, lines 1 and 2, omit "**5I substituted, sections 5J and 5K repealed**" and insert "**5H substituted**".
7. Clause 6, lines 3 and 4, omit "5G, 5H, 5I, 5J and 5K" and insert "5G and 5H".
8. Clause 6, line 19, omit "a declared smoking area of".
9. Clause 6, page 16, line 14, omit "centre." and insert "centre.".".
10. Clause 6, page 16, lines 15 to 27, omit all words and expressions on these lines.
11. Clause 20, after line 20 insert—
  - "9A. An offence against section 5J(1) 1 penalty unit
  - 9B. An offence against section 5K(1) 1 penalty unit".
12. Heading to Part 3, after "**PREMISES**" insert ", **CASINOS**".
13. Clause 21, after line 4 insert—
  - "() in section 3—
    - (i) the definition of "bar area" is **repealed**;
    - (ii) in the definition of "declared smoking area", for "section 5I(4)" **substitute** "section 3E";".
14. Clause 21, line 6, omit "and "dining area"" and insert ", "dining area" and "TAB area"".
15. Clause 22, line 9, omit "**exemption**" and insert "**and casino exemptions**".
16. Clause 22, line 10, before "Section" insert "(1)".
17. Clause 22, after line 11 insert—

"() For section 5A(2)(d) of the **Tobacco Act 1987 substitute**—

"(d) a declared smoking area of a casino;".

18. Clause 24, line 23, after "**regarding**" insert "**casinos and**".
19. Clause 24, line 26, after "sections" insert "5I, 5J,".
20. Clause 24, page 36, line 7, after "items" insert "9, 9A,".

#### NEW CLAUSES

21. Insert the following New Clause to follow clause 6—

**"AA. New section 5K substituted**

For section 5K of the **Tobacco Act 1987 substitute**—

**"5K. Casinos: no smoking signs**

- (1) The occupier of an area of a casino, other than a declared smoking area, is guilty of an offence, and liable to a penalty not exceeding 5 penalty units, if, without reasonable excuse, acceptable no smoking signs are not displayed in accordance with sub-section (2).

Note: Section 3 defines an acceptable no smoking sign.

- (2) The signs must be displayed in a manner that ensures that a person is reasonably likely to see one or more of them either on entering the area or from within the area."."

22. Insert the following New Clause to follow clause 21—

**"BB. New section 3E inserted**

Before section 4 of the **Tobacco Act 1987 insert**—

**"3E. Declared smoking areas in casinos**

- (1) For the purposes of this Act, the Minister, by notice published in the Government Gazette, may declare an area in a casino that, in the Minister's opinion, is a high roller room, to be a declared smoking area.
- (2) The Minister, by notice published in the Government Gazette, may revoke or vary a declaration under sub-section (1).
- (3) The Minister must consult the Minister administering Part 2 of the **Casino Control Act 1991** before making, revoking or varying a declaration under this section."."