



Australian Government

Department of Health and Aged Care

Deputy Secretary

Mr Jason Lange
Executive Director
Office of Impact Analysis
Department of the Prime Minister and Cabinet
1 National Circuit
BARTON ACT 2600
Email: Helpdesk-OBPR@pmc.gov.au

Dear Mr Lange

**Impact Analysis – Review of Tobacco Control Legislative Framework – Second Pass
Final Assessment**

I am writing in relation to the attached Impact Analysis (IA) prepared for the Thematic Review of Tobacco Control Legislative Framework (Review) (OIA ID: 22-02938) at **Attachment A**.

The *Tobacco Advertising Prohibition Regulation 1993* and *Tobacco Plain Packaging Regulations 2011* are due to sunset on 1 April 2024. In accordance with the *Legislation Act 2003* the Department of Health and Aged Care (the department) has undertaken a Review of relevant Commonwealth tobacco control legislation to ensure the regulation remains fit-for-purpose and up to date.

I am satisfied that the IA addresses the feedback raised in your letter of 5 September 2023. Specifically, I confirm the analysis includes:

- Deeper discussion regarding the relationship between Option 3 and the Government's efforts to meet the objectives under the *National Tobacco Strategy 2023-2030* to reduce smoking rates among First Nations,
- Additional information regarding the outcome of consultation processes informing the IA,
- Discussion on barriers and risks that could prevent the Government from meeting its objectives, and strategies to mitigate these barriers and risks, and
- The status of the IA at each major decision point in the proposal's development.

Regulatory Burden Estimates have been reviewed . The regulatory costs are \$21.77 million per year. Due to the high cost imposed by tobacco use, it would require just 73 people to permanently quit smoking each year to cover the \$21.77 million estimate for the regulatory burden of Option 3. At 0.0028 per cent of the Australian smoking population, this means that the social benefits of lower smoking rates are likely to offset the \$21.77 million regulatory burden estimate if the policies encourage 1 out of every 37,420 people who smoke to quit smoking.

Accordingly, I am satisfied that the IA is now consistent with the six principles for Australian Government policy makers as specified in the *Australian Government Guide to Policy Impact Analysis*.

I submit the IA to the Office of Impact Analysis for formal final assessment. I acknowledge OIA will publish this letter for transparency purposes.

I would like to thank the Office of Impact Analysis again for your assistance in the completion of the IA throughout the development of these important reforms.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tania Rishniw', with a long horizontal line extending to the right.

Tania Rishniw

Deputy Secretary
Primary and Community Care Group
11 September 2023

Attachments:

A: Final Impact Analysis