

Comparison of States and Territories Penalties

Activity:	Commonwealth	NSW	VIC	QLD	SA	TAS	ACT	WA	NT
Minimum age at which tobacco can be sold.		18 years.	18 years.	18 years.	18 years.	18 years.	18 years.	18 years.	18 years.
Penalties for selling to minors.		It is an offence to sell to minor, or to purchase on behalf of a minor.	It is an offence to sell to minor, or to purchase on behalf of a minor. 50 penalty units. Tobacco retailers risk losing the ability to sell tobacco for a set period of time.	140 penalty units for first offence, 280 penalty units for 2 nd offence, 420 penalty units for 3 rd or later offence. Employee of supplier: maximum of 40 penalty units An adult (except for an adult responsible for the child) must not supply a smoking product to a child.	Max penalty of \$5000.	50 penalty units for first offence, 100 penalty units for subsequent offences. Supply to a minor (even as a gift or a loan) prohibited with same penalties.	Maximum penalty 50 penalty units. Penalties also apply to persons purchasing on behalf of a minor (50 penalty units)	Individual 1 st offence \$10,000, subsequent offence \$20,000. Body Corporate 1 st offence \$40,000, subsequent offence \$80,000.	200 penalty units, or 1000 penalty units if incorporated. Supply to minor (even as a gift or purchased on behalf of the minor) prohibited.
Penalties for minors purchasing		No penalty. However, tobacco products or herbal cigarettes may be seized by police officers from the minor.	Nil.	Maximum 20 penalty units if falsely representing age as 18+.	\$200 if providing false ID or false statement or refuse to produce ID at purchase.	No penalty applies. Policy is to prosecute suppliers.	Maximum penalty 10 penalty units (\$1000) for providing false ID.	\$100 if providing false ID.	20 penalty units if using false ID.

Comparison of States and Territories Penalties

Activity:	Commonwealth	NSW	VIC	QLD	SA	TAS	ACT	WA	NT
Free supply		Prohibited by legislation.	Prohibited by legislation – if a sample.	Prohibited if the supply promotes the sale of a smoking product. Penalty: \$10,500.00	Free samples prohibited. Maximum penalty \$5000	Prohibited if the supply promotes the sale of any smoking product for value.	Prohibited if the supply promotes the sale of any smoking product for value.	An offence if the purpose is to promote a tobacco product or smoking generally.	
Products resembling tobacco products		It is an offence to sell any confectionery or other food, or any toy, amusement or other product that resembles a tobacco product.		Sale of food or toys resembling tobacco products prohibited. Penalty: \$10,500.00	Retail sale prohibited of any product (other than a tobacco product) that is designed to resemble a tobacco product.	Possession or supply of any confectionery or toy that resembles or is intended to represent any tobacco product prohibited. Penalty for first offence : 50 penalty units, for subsequent offence 200 penalty units.	Importation or sale of food or toys that resemble either a smoking product or a smoking product package is prohibited. Also food/toys that publicise or promote a smoking brand or trademark.	Sale prohibited of non-tobacco products designed to resemble a tobacco product or in packaging designed to resemble tobacco packaging/tobacco product.	Products designed or marketed for consumption or use by children prohibited if resembles a tobacco product or is likely to encourage children to smoke.
Minimum Pack Size		Regulated by legislation (minimum pack size 20).	Regulated by legislation (minimum pack size 20).	Regulated by legislation (minimum pack size 20). Penalty: up to \$10,500.00	Regulated by legislation (minimum pack size 20).	Regulated by legislation (minimum pack size 20).	Regulated by legislation (minimum pack size 20).	[to be proclaimed]	Regulated by legislation (minimum pack size 20).