



WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL

REPORTING INSTRUMENT OF THE WHO FRAMEWORK CONVENTION ON TOBACCO CONTROL

In order to use the interactive features of the reporting instrument, please follow the instructions below. **It is essential to complete the reporting instrument by providing information/data in the required format to ensure consistency and for ease of data processing and analysis.**

If you use a version of Microsoft Word of before 2010:

1. Save the Microsoft Word-based document (WHO FCTC reporting instrument) to a folder on the computer that will be used to complete the questionnaire.
2. Ensure your Microsoft Word security settings allow you to run macros in this document:
 - (i) Under the "Tools" menu, select "Macro".
 - (ii) In the "Macro" menu, select "Security".
 - (iii) In the "Security" pop up menu, please ensure that you have selected "Medium".
3. Close and re-open the WHO FCTC reporting instrument (Microsoft Word-based document which you saved to your computer under step 1).
4. As the document is opening, a box will appear asking if you want to enable macros. The answer is yes. Click "Enable macros".
5. Once you have clicked "Enable macros", the buttons indicating that you can add new rows or new categories to the tables provided will be functional.

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1. When receiving the security warning "Some active content has been disabled", click "Enable content".
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I confirm that I read the note and followed the instructions therein

1. ORIGIN OF THE REPORT

1.1	NAME OF CONTRACTING PARTY	Australia
1.2	Information on national contact responsible for preparation of the report:	
	Name and title of contact officer	Ms Sharon Appleyard, Assistant Secretary, Tobacco Control Taskforce
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1.3	Signature of government official submitting the report:	
	Name and title of officer	Mr Nathan Smyth, First Assistant Secretary, Population Health Division
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1.4	Period of reporting	April 2012 – April 2014
1.5	Date the report was submitted	15 April 2014

2. TOBACCO CONSUMPTION AND RELATED HEALTH, SOCIAL AND ECONOMIC INDICATORS

(with reference to Articles 19.2(a), 20.2, 20.3(a), 20.4(c) as well as Articles 6.2(a), 6.2(b), 6.3, 15.4, 15.5 and 17 as referred to in the respective subsections)

2.1	PREVALENCE OF TOBACCO USE		
2.1.1	Smoking prevalence in the adult population (all) <i>(Please provide prevalence data for total adult population, and identify the age considered, e.g. 15 years old and over, 18-64 years; see 2.1.1.2)</i>		
		Prevalence (%) <i>(please include all smoking tobacco products in prevalence data)</i>	Average number of the most-consumed smoking tobacco product used per day
	MALES		
	Current smokers	19.5%	
	Daily smokers	17.6%	
	Occasional smokers	1.9%	
	Former smokers	33.8%	
	Never smokers	46.7%	
	FEMALES		
	Current smokers	15.3%	
	Daily smokers	13.6%	
	Occasional smokers	1.7%	
	Former smokers	25.7%	
	Never smokers	59.0%	
	TOTAL (males and females)		
	Current smokers	17.4%	
	Daily smokers	15.6%	
	Occasional smokers	1.8%	
	Former smokers	29.7%	
	Never smokers	52.9%	

2.1.1.1	Please indicate the smoking tobacco products included in calculating prevalence for question 2.1.1:
	Manufactured (packet) cigarettes, roll-your-own cigarettes, cigars and pipes.
2.1.1.2	Please indicate the age range to which the data used to answer question 2.1.1 refer:
	15 years old and over (15+)
2.1.1.3	Please indicate the year and source of the data used to answer question 2.1.1:
	<p>Australian Bureau of Statistics, Australian Health Survey: Updated Results, 2011-12, released on 30 July 2013. Available from: http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/4364.0.55.0032011-2012?OpenDocument</p> <p>This is the most recent national survey data available. The data for 15+ is not age-standardised</p>
2.1.1.4	Please provide the definitions of “current smoker”, “daily smoker”, “occasional smoker”, “former smoker” and “never smoker” used in this report.
	<p>"Daily smoker": Smoked at least once a day.</p> <p>"Occasional smoker": Smoked less than weekly.</p> <p>"Former smoker": Smoked at least 100 cigarettes (manufactured and/or roll-your-own) or the equivalent amount of tobacco in their life, and reports no longer smoking.</p> <p>"Never smoker": Never smoked 100 cigarettes (manufactured and/or roll-your-own) or the equivalent amount of tobacco.</p>
2.1.1.5	Please provide a brief explanation of the trend in smoking prevalence in the adult population in the past two years or since submission of your last report.
	Adult daily smoking rates in Australia have continued to decline over the past decade, from 22.3% in 2001, 21.3% in 2004-05 and 19.1% in 2007-08, to 16.3% in 2011-12 (age-standardised).

2.1.2	Smoking prevalence in the adult population (by age groups) <i>(If data are available, please provide prevalence data by age group, and identify the age group considered, preferably by 10-year categories, e.g. 25-34, 35-44 years)</i>		
		Age group (adults)	Prevalence (%) <i>(please include all smoking tobacco products in prevalence data)</i>
MALES			
	Current smokers ¹	15-17 years	5.7%
		18-24 years	21.5%
	Add age group	25-34 years	25.8%
		35-44 years	23.8%
		45-54 years	24.0%
		55-64 years	16.6%
		65-74 years	11.3%
		75 years & over	4.3%
FEMALES			
	Current smokers ¹	15-17 years	6.2%
		18-24 years	17.6%
	Add age group	25-34 years	20.2%
		35-44 years	17.9%
		45-44 years	18.9%
		55-64 years	13.9%
		65-74 years	7.4%
		75 years & over	3.9%
TOTAL (males and females)			

¹ Please provide here data on either all current smokers or daily smokers only, whichever is available.

	Current smokers ¹	15-17 years	5.9%
		18-24 years	19.6%
	Add age group	25-34 years	23.0%
		35-44 years	20.7%
		45-44 years	21.4%
		55-64 years	15.2%
		65-74 years	9.3%
		75 years and over	4.1%
2.1.2.1	Please indicate the smoking tobacco products included in calculating prevalence for question 2.1.2:		
	Manufactured (packet) cigarettes, roll-your-own cigarettes, cigars and pipes.		
2.1.2.2	Please indicate the year and source of the data used to answer question 2.1.2:		
	Source: Australian Health Survey: Updated Results, 2011-12, released 30 July 2013, Table 2.1. Available from: http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/4364.0.55.0032011-2012?OpenDocument		
2.1.2.3	Please provide a brief explanation of the trend in current smoking prevalence by age group in the past two years or since submission of your last report, if data are available.		
	<p>Smoking rates are down across all age groups, particularly for people aged under 45 years. Men are still more likely to smoke than women – the rate is about one in five men compared to one in seven women. Just over 16% of Australian adults (aged 18 years and over) smoke daily, a fall of nearly three percentage points since 2007-08 (19.1%)</p> <p>Although smoking statistics from a different survey were used in the previous report, and cannot be compared with this survey, there has still been a decline in Australia's smoking rate by age.</p> <p>Different surveys with differing surveying methods were used to report prevalence in questions 2.1.2 and 2.1.6. Question 2.1.6 has a sample size drawn only from secondary school students, where question 2.1.2 samples a section from the whole population, then reports prevalence by age (15-17 years).</p>		

2.1.3	Prevalence of smokeless tobacco use in the adult population (all) <i>(Please provide prevalence data for total adult population, and identify the age considered in 2.1.3.2, e.g. 15 years old and over, 18–64 years; see 2.1.3.2)</i>	
		Prevalence (%) <i>(please include all smokeless tobacco products in prevalence data)</i>
	MALES	
	Current users	%
	Daily users	%
	Occasional users	%
	Former users	%
	Never users	%
	FEMALES	
	Current users	%
	Daily users	%
	Occasional users	%
	Former users	%
	Never users	%
	TOTAL (males and females)	
	Current users	%
	Daily users	%
	Occasional users	%
	Former users	%
	Never users	%

2.1.3.1	Please indicate the smokeless tobacco products included in calculating prevalence for question 2.1.3:
2.1.3.2	Please indicate the age range to which the data used to answer question 2.1.3 refer:
2.1.3.3	Please indicate the year and source of the data used to answer question 2.1.3:
2.1.3.4	Please provide the definitions of “current user”, “daily user”, “occasional user”, “former user” and “never user” (of smokeless tobacco products) used in this report in the space below.
2.1.3.5	<p>Please provide a brief explanation of the trend in smokeless tobacco use in the adult population in the past two years or since submission of your last report.</p> <p>Smokeless tobacco (chewing tobacco and oral snuff) is not legally available for sale in Australia. Data on the prevalence of smokeless tobacco use is not available. Prevalence is believed to be very low.</p>

2.1.4	Prevalence of smokeless tobacco use in the adult population (current users) by age group <i>(If data are available, please provide prevalence data by age group, and identify the age group considered, preferably by 10-year categories, e.g. 25-34, 35-44 years)</i>	
	Age group (adults)	Prevalence (%) <i>(please include all smokeless tobacco products in prevalence data)</i>
MALES		
Current users ²		%
Add age group		%
		%
		%
		%
FEMALES		
Current users ²		%
Add age group		%
		%
		%
		%
TOTAL (males and females)		
Current users ²		%
Add age group		%
		%
		%
		%

² Please provide data on either all current users or daily users only, whichever is available.

2.1.4.1	Please indicate the smokeless tobacco products included in the answer to question 2.1.4:
2.1.4.2	Please indicate the year and source of the data used to answer question 2.1.4:
2.1.4.3	Please provide a brief explanation of the trend in current use of smokeless tobacco by adult age groups in the past two years or since submission of your last report.
	Smokeless tobacco (chewing tobacco and oral snuff) is not legally available for sale in Australia. However, importation for personal use is permissible for amounts up to 1.5kgs of chewing tobacco and oral snuff without a permit; amounts above require a permit. Data on the prevalence of smokeless tobacco use is not available, but prevalence is believed to be very low.

2.1.5		Tobacco use by ethnic group(s)			
	Ethnic group(s)	Prevalence (%) <i>(please include all smoking or smokeless tobacco products in prevalence data)</i>			
		Males	Females	Total (males and females)	
Current users ³	Aboriginal and/or Torres Strait Islander	44.6%	41.4%	43.0 %	
Add ethnic group	Other Oceania	No data available	No data available	20.2 %	
	United Kingdom	No data available	No data available	14.8 %	
	Other North-West Europe	No data available	No data available	12.6 %	
	Southern and Eastern Europe	No data available	No data available	14.1 %	
	North Africa and the Middle East	No data available	No data available	24.7 %	
	South East Asia	No data available	No data available	8.3 %	
	North east Asia	No data available	No data available	11.8 %	
	Southern and	No data	No data	8.7 %	

³ Please provide data on either all current users or daily users only, whichever is available.

		Central Asia	available	available	
		Americas	No data available	No data available	10.0%
		Sub-Saharan Africa	No data available	No data available	9.8%
2.1.5.1	Please indicate the tobacco products included in the answer to question 2.1.5:				
	Manufactured cigarettes, roll-your-own, and cigars/pipes.				
2.1.5.2	Please indicate the age range to which the data used to answer question 2.1.5 refer:				
	15 years and over for Aboriginal and Torres Strait Islander people; and 18 years and over for other ethnic groups.				
2.1.5.3	Please indicate the year and source of the data used to answer question 2.1.5:				
	<p>ABS, Aboriginal and Torres Strait Islander Health Survey: First Results, 2012-13 – Australia, released 27 November 2013. Table 10.3 Health Risk Factors. (NB: non age-standardised data has been used.)</p> <p>ABS, Smoking Status by Ethnic Group: First Results, 2012-13 – Australia, released 27 November 2013. Table 4.3 Health Risk Factors.</p>				

2.1.6	Tobacco use by young persons				
		Age range	Prevalence (%) <i>(please include all smoking or smokeless tobacco products in prevalence data)</i>		
		Smoking tobacco	Smokeless tobacco	Other tobacco (e.g. water pipe)	
	Boys				
	Current users ⁴	12	1.4%	%	%
	Add youth group	13	2.6%	%	%
		14	5.5 %	%	%
		15	8.1%	%	%
		16	11.7%	%	%
		17	15.8%	%	%
	Girls				
	Current users ⁴	12	1.2%	%	%
	Add youth group	13	2.8%	%	%
		14	4.6%	%	%
		15	6.7%	%	%
		16	11.6%	%	%
		17	13.3%	%	%
	TOTAL (boys and girls)				
	Current users ⁴	12	1.3%	%	%
	Add youth group	13	2.7%	%	%
		14	5.1%	%	%
		15	7.4%	%	%
		16	11.6%	%	%
		17	14.5%	%	%
	2.1.6.1	Please indicate the tobacco products included in calculating prevalence for question 2.1.6:			
	Manufactured cigarettes, roll-your-own, and cigars/pipes.				

⁴ Please provide data on either all current users or daily users only, whichever is available.

2.1.6.2	<p>Please indicate the year and source of the data used to answer question 2.1.6:</p> <p>White V and Smith G, Australian secondary school students' use of tobacco, alcohol, and over-the-counter and illicit substances in 2011 (December 2012) (Report prepared for Drug Strategy Branch, Australian Government Department of Health and Ageing), available online at: http://www.nationaldrugstrategy.gov.au/internet/drugstrategy/Publishing.nsf/content/school1 Data for current smokers.</p>
2.1.6.3	<p>Please provide the definition of “current smoking/tobacco use” used to answer question 2.1.6 in the space below.</p> <p>"Current smoking": smoked in past week.</p>
2.1.6.4	<p>Please provide a brief explanation of the trend in tobacco use by young persons in the past two years or since submission of your last report.</p> <p>In 2011, 93 per cent of 12 year-olds had no experience with smoking, which decreased to 58 per cent among 17 year-olds. Only four per cent of all students had smoked more than 100 cigarettes in their lifetime, with a peak of 10 per cent among 17 year-old males. The proportion of 12 to 15 year-old students who were current smokers in 2011 was the lowest since the survey series began.</p> <p>Different surveys with differing surveying methods were used to report prevalence in questions 2.1.2 and 2.1.6. Question 2.1.6 has a sample size drawn only from secondary school students, where question 2.1.2 samples a section from the whole population, then reports prevalence by age (15-17 years).</p>

2.2	EXPOSURE TO TOBACCO SMOKE
2.2.1	<p>Do you have any data on exposure to tobacco smoke in your population?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
2.2.2	<p>If you answered “Yes” to question 2.2.1, please provide details in the space below (e.g. exposure by gender, at home, in the workplace, on public transport).</p> <p>As part of the Australian Health Survey in 2011-12, the Biomedical Results for Chronic Disease included a test for cotinine as an objective measure of smoking status. The body produces cotinine in the process of breaking down, or metabolising, nicotine from tobacco smoke. Levels of cotinine are generally proportionate to the amount of tobacco exposure a person receives through smoking, or in some cases, through exposure to second hand smoke. However, cotinine levels only remain elevated for around 20 hours after exposure to tobacco smoke; therefore it can only provide a measure of short-term exposure. Overall, 87.0% of current smokers aged 18 years and over had exposure to tobacco smoke, compared with only 5.7% of those who were ex-smokers and 0.3% of those who had never smoked.</p>
2.2.3	<p>Please indicate the year and source of the data used to answer question 2.2.1:</p> <p>Australian Bureau of Statistics – 2011-12 Australian Health Survey: Biomedical Results for Chronic Diseases http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4364.0.55.005Chapter6002011-12.</p>

2.3	TOBACCO-RELATED MORTALITY
2.3.1	Do you have information on tobacco-related mortality in your population? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2.3.2	If you answered “Yes” to question 2.3.1, what is the estimated total number of deaths attributable to tobacco use in your population? Based on the most recent estimates (for the year 2004-2005), 15,000 deaths each year in Australia are attributable to tobacco use and exposure to tobacco smoke. In 2004-2005, tobacco is estimated to have killed 9,814 men and 5,236 women in Australia.
2.3.3	If available, please provide any additional information on mortality attributable to tobacco use (e.g. lung cancer, cardiovascular diseases) in your jurisdiction. For men, the largest number of tobacco-related deaths is caused by cancer, which is responsible for around 43% of all male tobacco-related deaths. These cancer deaths are dominated by lung cancer, which accounts for 77% of male tobacco-related cancer deaths. The remaining tobacco-related male cancer deaths are caused by several different types of cancer—including oesophageal cancer (6%), oropharyngeal cancer (4%), bladder cancer (4%) and pancreatic cancer (3%). The second and third largest causes of male tobacco-related deaths are ischaemic heart disease and chronic obstructive pulmonary disease, which account for 22% and 19% of male tobacco-related deaths respectively. The ‘other direct smoking’ category accounts for 15% of male tobacco-related deaths. This category comprises a variety of causes, the largest contributors being stroke (43% of the ‘other’ category), atherosclerosis (29%) and pneumonia (19%). For women the pattern is a little different. As with men, the largest number of tobacco related deaths for women are caused by cancer, which is responsible for around 32% of all female tobacco-related deaths. This category is also dominated by lung cancer, which accounts for 75% of female tobacco-related cancer deaths. The remaining tobacco-related female cancer deaths are caused by several different types of cancer—including oesophageal cancer (7%), pancreatic cancer (7%), bladder cancer (4%) and oropharyngeal cancer (3%). Chronic obstructive pulmonary disease accounts for a larger proportion of female tobacco related deaths (22%) than does ischaemic heart disease (20%). However, the ‘other direct smoking’ category is larger than either of these, accounting for 25% of female tobacco related deaths. Again, this category comprises a variety of causes, the largest contributors being stroke (46% of the ‘other’ category), atherosclerosis (23%) and pneumonia (17%).
2.3.4	Please indicate the year and source of the data used to answer questions 2.3.2 and 2.3.3, and please submit a copy of the study you refer to: Collins D and Lapsley H (2008) The Costs of Tobacco, Alcohol and Illicit Drug Abuse to Australian Society in 2004/05 (Report prepared for Australian

	Government), available online at http://www.nationaldrugstrategy.gov.au/internet/drugstrategy/publishing.nsf/Content/34F55AF632F67B70CA2573F60005D42B/\$File/mono64.pdf
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2.4	TOBACCO-RELATED COSTS
2.4.1	Do you have information on the economic burden of tobacco use in your population, e.g. the overall cost of tobacco use imposed on your society? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2.4.2	If you answered “Yes” to question 2.4.1, please provide details (e.g. direct (health care-related) and indirect costs and, if possible, the method used to estimate these costs). The most recent estimate of the costs of tobacco use to Australian society is for the year 2004-2005. In that year, the total cost of smoking was estimated at \$AUD31.5 billion. \$AUD12 billion (38%) were tangible costs and about \$AUD19.5 billion (62%) were intangible costs.
2.4.3	Please indicate the year and source of the data used to answer question 2.4.2, and please submit a copy of the study you refer to: Collins D and Lapsley H, (2008) The Costs of Tobacco, Alcohol and Illicit Drug Abuse to Australian Society in 2004/05 (Report prepared for Australian Government), available online at: http://www.nationaldrugstrategy.gov.au/internet/drugstrategy/publishing.nsf/Content/34F55AF632F67B70CA2573F60005D42B/\$File/mono64.pdf .

2.5	SUPPLY OF TOBACCO AND TOBACCO PRODUCTS <i>(with reference to Articles 6.2(b), 20.4(c), and 15.5)</i>					
2.5.1	Licit supply of tobacco products					
	Product	Unit (e.g. pieces, tonnes)	Domestic production	Retail sales	Exports	Imports
Smoking tobacco products <input type="button" value="Add product"/>	Cigarettes	million sticks	*			
	Tobacco	kilograms	*			
Smokeless tobacco products <input type="button" value="Add product"/>						
Other tobacco products <input type="button" value="Add product"/>						
Tobacco						

2.5.2	<p>Please provide information on the volumes of duty-free sales (e.g. product, unit, quantity), if available.</p>
	<p>Australia applies quantity restrictions to sales of tobacco products and imports of tobacco products by international travellers. On 1 September 2012, Australia reduced the duty free allowance for tobacco products from 250 cigarettes or 250g of cigars or tobacco products to 50 cigarettes or 50g of cigars or tobacco products per person, for persons 18 years and over.</p>
2.5.3	<p>Please indicate the year and source of the data used to answer questions 2.5.1 and 2.5.2:</p>
	<p>2.5.1 - *For confidentiality reasons, the Australian Government cannot release current clearance figures for domestically manufactured tobacco products.</p> <p>However, in 2008-09 (the last year when figures could be released), 20,622 million cigarette sticks and 647,686 kilograms of tobacco was released for home consumption.</p>

2.6	SEIZURES OF ILLICIT TOBACCO PRODUCTS (with reference to Article 15.5)				
2.6.1		Year	Product	Unit (e.g. millions of pieces)	Quantity seized
	Smoking tobacco products <input type="button" value="Add row"/>	2013-14*	cigarettes	millions of sticks	96
		2013-14*	tobacco (including molasses)	tonnes	112
		2012-13	cigarettes	millions of sticks	200
		2012-13	tobacco (including molasses)	tonnes	183
		2011-12	cigarettes	millions of sticks	141
		2011-12	tobacco (including molasses)	tonnes	177
	Smokeless tobacco products <input type="button" value="Add row"/>				
	Other tobacco products <input type="button" value="Add row"/>				
2.6.2	Do you have any information on the percentage of illicit tobacco products on the national tobacco market? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
2.6.3	If you answered “Yes” to question 2.6.2, what percentage of the national tobacco market do illicit tobacco products constitute? %				
2.6.4	If you answered “Yes” to question 2.6.3 and you have information available, what is the trend over the past two years or since submission of your last report in the percentage of illicit tobacco products in relation to the national tobacco market?				
2.6.5	Please provide any further information on illicit tobacco products. The Australian Government is actively engaged in the deterrence and disruption of illicit trade in tobacco. Existing and ongoing investment in border detection technologies, such as container examination facilities in Melbourne, Sydney, Brisbane, Fremantle and Adelaide makes an important contribution to the detection of illicit tobacco at the border. In 2012-2013 the Australian Customs and Border Protection Service made a total of 76 detections of smuggled cigarettes in sea cargo arriving in Australia, amounting to 183 tonnes of tobacco and 200 million cigarettes. In 2012-2013 approximately \$3.653 million in duty and GST was				

2.6	SEIZURES OF ILLICIT TOBACCO PRODUCTS <i>(with reference to Article 15.5)</i>
	collected with 70,760 cartons of tobacco abandoned by travellers. Recent steps taken by the Australian Government, as part of its ongoing work to reduce illicit trade in tobacco, include increased penalties for tobacco smuggling. On 6 November 2012, the <i>Customs Amendment (Smuggled Tobacco) Act 2012</i> received Royal Assent. The Act created new offences for smuggling tobacco or tobacco products and conveying or possessing smuggled tobacco products, and allows a penalty of up to ten years imprisonment to be imposed, in addition to the existing monetary penalty of up to five times the amount of duty evaded. These changes are intended to more accurately reflect the risks posed to the Australian community and the seriousness of the offences, and to provide a strong deterrent to criminals. *YTD until 31 December 2013
2.6.6	Please indicate the source of the data used to answer questions in section 2.6: Australian Customs and Border Protection Service, Australian Customs and Border Protection Service Annual Report 2012-2013, available online at: http://www.customs.gov.au/webdata/resources/files/ACBPSAnnualReport2012-13.pdf The Australian Customs and Border Protection Service provided 2013-14 figures to date, which were not published at the time of submission of this report.

2.7	TOBACCO-GROWING
2.7.1	Is there any tobacco-growing in your jurisdiction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.7.2	If you answered “Yes” to question 2.7.1, please provide information on the number of workers involved in tobacco-growing. If available, please provide this figure broken down by gender.
2.7.3	Please provide, if available, the share of the value of tobacco leaf production in the national gross domestic product.
2.7.4	Please indicate the year and source of the data used to answer questions in section 2.7:

2.8	TAXATION OF TOBACCO PRODUCTS <i>(with reference to Articles 6.2(a) and 6.3)</i>
2.8.1	What proportion of the retail price of the most popular price category of tobacco product consists of taxes (e.g. sum of excise, sales and import duties (if applicable) and value added tax/goods and services tax (VAT/GST))? Following the 12.5% excise increase on 1 December 2013 and indexation based on Average Weekly Ordinary Time Earnings from 1 March 2014, the sum of all direct taxes (including excise and goods and services tax) on the most popular brand of a pack of 25 cigarettes was \$11.97, which is equivalent to 60.02% of the total retail selling price.

2.8.2	How are the excise taxes levied (what types of taxes are levied)?				
	• Specific tax only		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
	• Ad valorem tax only		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
	• Combination of specific and ad valorem taxes		<input type="checkbox"/> Yes	<input type="checkbox"/> No	
• More complex structure (<i>please explain:</i>)					
2.8.3	If available, please provide details on the rates of taxation for tobacco products at all levels of Government and be as specific as possible (specify the type of tax, e.g. VAT, sales, import duties)				
		Product	Type of tax	Rate or amount	Base of tax ⁵
	Smoking tobacco products <input type="button" value="Add product"/>	Cigarettes & other stick forms of tobacco	Excise	\$AUD0.40639	Stick*
		Loose pouch/roll your own tobacco	Excise	\$AUD508.01	Kilogram
		All manufactured tobacco	Goods and services tax (GST)	10%	Total retail price
	Smokeless tobacco products <input type="button" value="Add product"/>	Snuff**	Excise	\$AUD508.01	Kilogram
Other tobacco products <input type="button" value="Add product"/>					
2.8.4	Please briefly describe the trends in taxation for tobacco products in the past two years or since submission of your last report in your jurisdiction.				
	<p>The first of four staged, 12.5 per cent increases in excise and excise-equivalent customs duty on tobacco and tobacco-related products commenced on 1 December 2013, with further 12.5 per cent increases occurring on 1 September 2014, 1 September 2015 and 1 September 2016. These increases are in addition to the change to bi-annual indexation of tobacco products (from Consumer Price Index to Average Weekly Ordinary Time Earnings), which took effect from 1 March 2014.</p> <p>*not exceeding weight 0.8 grams actual tobacco content. **when imported for personal use.</p>				

⁵ The “base of the tax” should clearly indicate the tax rate or amount the tax is based on. If the tax is expressed as a percentage (e.g. ad valorem tax), the base of the tax is the actual value of the good that is taxed; for example, 45% of the manufacturer’s price, 30% of the retail price. In this case the “base” is the manufacturer’s price or retail price. If the tax is expressed as an amount (e.g. specific tax), the base of the tax is the volume (number of pieces or by weight) of goods that is taxed. For example, if a tax is US\$ 5 per 100 cigarettes, the amount of tax is US\$ 5 and the base of the tax is 100 cigarettes.

2.8.5	<p>Do you earmark any percentage of your taxation income for funding any national plan or strategy on tobacco control in your jurisdiction?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>(In reference to Article 26)</i></p>
2.8.6	<p>If you answered “Yes” to question 2.8.5, please provide details in the space below.</p>
2.8.7	<p>Please indicate the year and source of the data used to answer questions 2.8.1 to 2.8.6:</p> <p>Excise rates current as at 1 March 2014. The new rates are formally notified to the public in March and September each year in the Commonwealth of Australia Government Gazette. Information on excise rates is available at : http://www.ato.gov.au/General/New-legislation/In-detail/Indirect-taxes/Excise/Excise-and-excise-equivalent-customs-duty---index-tobacco-excise-to-average-weekly-ordinary-time-earnings/</p>

2.9	<p>PRICE OF TOBACCO PRODUCTS</p> <p><i>(with reference to Article 6.2(a))</i></p>					
2.9.1	<p>Please provide the retail prices of the three most widely sold brands of domestic and imported tobacco products at the most widely used point of sale in your capital city.</p>					
		Most widely sold brand			Number of units or amount per package	Retail price
		Smoking tobacco products	Smokeless tobacco products	Other tobacco products		
	Domestic	Winfield			25	\$21.40
		Peter Jackson			30	\$23.70
		Longbeach			40	\$30.70
						Champion Ruby RYO tobacco

	Imported					
2.9.2	Please indicate the year and source of the data used to answer question 2.9.1.					
	NSW Retail Tobacconists Association. The Australian Retail Tobacconist, Volume 90, January – February – March 2014.					
2.9.3	Please provide the currency used to complete the “Rate or amount” section of question 2.8.3 and the “Retail price” section of question 2.9.1. If known, please provide the exchange rate of this currency to US dollars as well as the date of this exchange rate.					
	Australian Dollars (AUD) 1 AUD = 0.9395 USD as at 15 April 2014.					
2.9.4	Please briefly describe the trend in the prices of tobacco products in the past two years or since submission of your last report in your jurisdiction.					
	<p>Winfield, Longbeach and Peter Jackson were still the three most popular brands in Australia. While no market-wide data as yet are available for 2013, reports of grocery sales (Retail World 2013) suggest that the market share of each may have reduced somewhat as new value brands in small pack sizes—most notably Choice 25s, JPS 23s and 26s, Pall Mall 20s and 23s and Bond St 20s and 26s—increased in popularity over the last year.</p> <p>Between January 2012 and March 2014 the recommended retail price of a 25 pack of Winfield cigarettes has increased by AUD\$ 4.25 or 24.8 per cent, a 40 pack of Longbeach cigarettes has increased by AUD\$5.90 or 23.8 per cent, and a 30 pack of Peter Jackson cigarettes has increased by AUD\$4.80 or 25.4 per cent. The recommended retail price of Champion Ruby Red, the most popular brand of RYO tobacco in Australia, also increased by \$14.20, or 44.9%.</p> <p>Recommended retail prices increased coinciding with inflation-indexed increases in excise and customs duty on tobacco (and consequent increases in GST liability) in August 2012, February 2013 and August 2013 as well as a 12.5% increase in duty in December 2014, and indexation related to increases in Average Weekly earnings in March 2014.</p>					

	<p>Source: Scollo, M., Chapter 13. The pricing and taxation of tobacco products in Australia, <i>Tobacco in Australia: Facts and Issues</i>, M. Scollo, and Winstanley, M, Editor 2013, Cancer Council Victoria: Melbourne, Australia. Available from www.TobaccoInAustralia.org.au</p>
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3. LEGISLATION, REGULATION AND POLICIES

3.1	<i>Article</i>	GENERAL OBLIGATIONS <i>(with reference to Article 5)</i>		
3.1.1	5	General obligations		
3.1.1.1	5.1	Have you developed and implemented comprehensive multisectoral national tobacco control strategies, plans and programmes in accordance with the Convention?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.1.1.2		If you answered “No” to question 3.1.1.1, have you partially developed and implemented tobacco control strategies by including tobacco control in national health, public health or health promotion strategies, plans and programmes?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.1.1.3		If you answered “No” to question 3.1.1.2, is any aspect of tobacco control that is referred to in the Convention included in any national strategy, plan or programme?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.1.1.4	5.2(a)	Have you established or reinforced and financed		
		• a focal point for tobacco control	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• a tobacco control unit	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• a national coordinating mechanism for tobacco control	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.1.1.5	If you answered “Yes” to any of the questions under 3.1.1.4, please provide details (e.g. the nature of the national coordinating mechanism, the institution to which the focal point for tobacco control or the tobacco control unit belongs).			
	Responsibility for tobacco control in Australia is shared between the Commonwealth Government and state and territory governments. The main focal point for tobacco control is the Tobacco Control Taskforce in the Australian Government Department of Health. Each state and territory government health department also has a tobacco control unit. Australia takes a whole of government approach to tobacco control, and the Department of Health regularly collaborates with other Australian Government agencies, state and territory government departments, and non-government organisations (i.e. national, state and territory Cancer Councils).			
3.1.1.6	Please provide a brief description of the progress made in implementing Article 5.1 and 5.2 (General obligations) in the past two years or since submission of your last report			

The National Tobacco Strategy (NTS) 2012-2018 was endorsed by Commonwealth, state and territory Health Ministers at the 9 November 2012 meeting of the Standing Council on Health, and was published on the National Drug Strategy website on 2 January 2013 (www.nationaldrugstrategy.gov.au).

The NTS 2012-2018 was developed by the Intergovernmental Committee on Drugs, Standing Committee on Tobacco as a sub-strategy under the National Drug Strategy 2010-2015, and sets out a national framework to reduce tobacco related harm in Australia, with the goal “to improve the health of all Australians by reducing the prevalence of smoking and its associated health, social and economic costs, and the inequalities it causes”.

The objectives of the NTS 2012-2018 are to:

1. prevent uptake of smoking;
2. encourage and assist as many smokers as possible to quit as soon as possible, and prevent relapse;
3. reduce smoking among Aboriginal and Torres Strait Islander people, groups at higher risk from smoking, and other populations with a high prevalence of smoking;
4. eliminate harmful exposure to tobacco smoke among non-smokers;
5. reduce harm associated with continuing use of tobacco and nicotine products;
6. ensure that tobacco control in Australia is supported by focused research and evaluation; and
7. ensure that all of the above contribute to the continued denormalisation of smoking.

The NTS 2012-2018 identifies nine priority areas for action, including;

1. Protect public health policy, including tobacco control policies, from tobacco industry interference;
2. Strengthen mass media campaigns to: motivate smokers to quit and recent quitters to remain quit; discourage uptake of smoking; and reshape social norms about smoking;
3. Continue to reduce the affordability of tobacco products;
4. Bolster and build on existing programs and partnerships to reduce smoking rates among Aboriginal and Torres Strait Islander people;
5. Strengthen efforts to reduce smoking among people in populations with a high prevalence of smoking;
6. Eliminate remaining advertising, promotion and sponsorship of tobacco products;
7. Consider further regulation of the contents, product disclosure and supply of tobacco products and alternative nicotine delivery systems;
8. Reduce exceptions to smoke-free workplaces, public places and other settings; and
9. Provide greater access to a range of evidence-based cessation services and supports to help smokers to quit.

The NTS 2012-2018 also recognises the social and health inequalities associated with tobacco use, and emphasises the importance of working in partnership to reduce smoking rates among Aboriginal and Torres Strait Islander people, and other populations with a high prevalence of smoking.

Overall progress under the NTS 2012-2018 will be monitored using targets consistent with the performance benchmark agreed by the Council of Australian Governments (COAG) in the 2008 National Healthcare Agreement and its

	<p>2012 update, and the public health outcome identified in the COAG 2008 National Partnership Agreement on Preventive Health and its 2012 update. These targets are set out in the NTS 2012-2018 (pages 2, 11 and 38) as follows:</p> <p>By 2018:</p> <ol style="list-style-type: none"> 1. Reduce the national adult daily smoking rate to 10 per cent of the population. 2. Halve the Aboriginal and Torres Strait Islander adult daily smoking rate (from 47%) over the 2009 baseline.
3.1.1.7	<p>If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.</p>

3.1.2	5.3	<p>Protection of public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry</p> <p><i>(Please check “Yes” or “No”. For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i></p>		
		<p>Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:</p>		
3.1.2.1		<p>– protecting public health policies with respect to tobacco control from commercial and other vested interests of the tobacco industry?</p>	<p><input checked="" type="checkbox"/> Yes</p>	<p><input type="checkbox"/> No</p>
3.1.2.2		<p>– ensuring that the public has access, in accordance with Article 12(c), to a wide range of information on tobacco industry activities relevant to the objectives of the Convention, such as in a public repository?</p>	<p><input type="checkbox"/> Yes</p>	<p><input checked="" type="checkbox"/> No</p>
3.1.2.3	<p>If you answered “Yes” to any of the questions under 3.1.2.1 or 3.1.2.2, please provide details in the space below.</p>			
		<p>Details of meetings held between the Australian Government Department of Health and the tobacco industry, including recent consultations in relation to Australia's plain packaging measures, are publicly notified on the website of the Department of Health at: http://www.health.gov.au/internet/main/publishing.nsf/Content/tobacco-conv-public.</p> <p>The Australian Government maintains a Register of Lobbyists and a Lobbying Code of Conduct to ensure that contact between lobbyists and Government representatives is conducted in accordance with public expectations of transparency, integrity and honesty. For further information, see http://lobbyists.pmc.gov.au/.</p> <p>Australian Government officials are required to comply with the Australian Public Service Code of Conduct. The Code includes, inter alia, requirements to behave honestly and with integrity; to disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent); and not to make improper use of duties, status, power or authority, or any inside information, to gain or seek to gain a benefit or advantage for any person. For further information, see http://www.apsc.gov.au/conduct/index.html.</p> <p>It is a legal requirement in Australia that any donation to a registered political party to the value of or greater than AUD \$10,000 must be declared to the Australian Electoral Commission. Donor annual returns are posted online at http://fadar.aec.gov.au/. The Australian Government does not accept donations from the tobacco industry.</p> <p>Further to this, the governments of Australian Capital Territory, New South Wales and South Australia have begun divesting their public investment in the tobacco industry. The Australian Government’s Future Fund likewise divested all its funds from the tobacco industry, along with a number of major superannuation funds.</p>		

3.1.2.4	Please provide a brief description of the progress made in implementing Article 5.3 in the past two years or since submission of your last report.
	Please refer to previous response.
3.1.2.5	<p>USE OF THE GUIDELINES ADOPTED BY THE CONFERENCE OF THE PARTIES</p> <p>Please use the space below to provide additional information regarding use of the “Guidelines for implementation of Article 5.3 of the WHO FCTC” in your jurisdiction (please refer to the section on Article 5.3 of the step-by-step instructions document when responding to this question). Alternatively, you may wish to provide detailed information through the additional questionnaire on the use of guidelines. Response to this section or to the additional questionnaire is voluntary.</p>
3.1.2.6	If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

3.2	Article	MEASURES RELATING TO THE REDUCTION OF DEMAND FOR TOBACCO <i>(with reference to Articles 6–14)</i>		
3.2.1	6	Price and tax measures to reduce the demand for tobacco <i>(Please check “Yes” or “No”. For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i>		
		Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:		
3.2.1.1	6.2(a)	– tax policies and, where appropriate, price policies on tobacco products so as to contribute to the health objectives aimed at reducing tobacco consumption?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.1.2	6.2(b)	– prohibiting or restricting, as appropriate, sales to international travellers of tax- and duty-free tobacco products?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.1.3		– prohibiting or restricting, as appropriate, imports by international travellers of tax- and duty-free tobacco products?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.1.4	Please provide a brief description of the progress made in implementing Article 6 (<i>Price and tax measures to reduce the demand for tobacco</i>) in the past two years or since submission of your last report.			
	<p>In Australia, excise and excise equivalent customs duty apply to tobacco with an objective of reducing consumption. As outlined above in section 2.8, the first of four staged, 12.5 per cent increases in excise and excise-equivalent customs duty on tobacco and tobacco-related products commenced on 1 December 2013, with further 12.5 per cent increases to occur on 1 September 2014, 1 September 2015 and 1 September 2016. These increases are in addition to the change to bi-annual indexation of tobacco products (from Consumer Price Index to Average Weekly Ordinary Time Earnings), which took effect from 1 March 2014.</p> <p>Further, Australia applies quantity restrictions to sales of duty free tobacco products to, and imports of duty free tobacco products by, international travellers. In September 2012, a reduction in the duty free allowance for tobacco products from 250 cigarettes or 250g of cigars or tobacco products to 50 cigarettes or 50g of cigars or tobacco products per person was introduced for persons aged 18 years and over.</p>			
3.2.1.5	If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.			

3.2.2	8.2	<p>Protection from exposure to tobacco smoke</p> <p><i>(Please check "Yes" or "No". For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i></p> <p>Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:</p>		
3.2.2.1		<ul style="list-style-type: none"> - banning tobacco smoking in indoor workplaces, public transport, indoor public places and, as appropriate, other public places ? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.2.2		<p>If you answered "Yes" to question 3.2.2.1, what is the type/nature of the measure providing for the ban?</p>		
		<ul style="list-style-type: none"> • national law 	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
		<ul style="list-style-type: none"> • subnational law(s) 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<ul style="list-style-type: none"> • administrative and executive orders 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<ul style="list-style-type: none"> • voluntary agreements 	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
		<ul style="list-style-type: none"> • other measures (<i>please specify:</i>) 	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.2.3		<p>Please provide a brief explanation of the type/nature and content of the measures providing for the ban.</p> <p>In Australia, protection from exposure to tobacco smoke is primarily the responsibility of state and territory governments.</p> <p>Each state and territory government has implemented tobacco control laws which include provisions to protect the public from exposure to tobacco smoke. Please see Annex 1 for further information and Annex 2 for links to the primary tobacco control legislation in each state and territory.</p>		
3.2.2.4		<p>If you answered "Yes" to any options in 3.2.2.2, do any of these measures provide for a mechanism/ infrastructure for enforcement?</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.2.5		<p>If you answered "Yes" to question 3.2.2.4 please provide details of this system.</p> <p>All Australian state and territory tobacco control legislation has penalty and enforcement provisions. Most states and territories provide for enforcement and inspection mechanisms additional to the statutory penalty provisions.</p> <p>The Victorian Government provides funding to local councils to undertake education and enforcement activity in relation to tobacco smoking at</p>		

	<p>workplaces, eating establishments, and licensed premises. This arrangement is specified under a Service Agreement between the Victorian Department of Health and the Municipal Association of Victoria (the peak body representing local government authorities in Victoria).</p> <p>A Memorandum of Understanding between the Victorian Department of Health and WorkSafe Victoria for inspection and enforcement activity exists for workplaces where there have been more than two complaints, and the investigating council has not been able to resolve the matter via standard protocols.</p> <p>Victorian council inspectors are also empowered to enforce the smoking bans at patrolled beaches (from 1 December 2012) and the smoking bans at outdoor children’s playground equipment, skate parks, public swimming pool complexes and sporting venues during organised underage sporting events (from 1 April 2014).</p> <p>Victorian police enforce the ban on smoking in cars with minors.</p> <p>Public Transport Victoria enforce smoking bans at public transport stops and on public transport.</p> <p>In New South Wales, compliance monitoring and investigation is carried out by authorised officers in Public Health Units of the fifteen Local Health Districts across the State. Enforcement activity is also undertaken by the New South Wales Ministry of Health.</p> <p>In South Australia, breaches of the legislation are enforced by South Australian police and monitored by Department of Health authorised officers.</p> <p>In Tasmania, the Department of Health and Human Services employs two Tobacco Control Officers to enforce the tobacco provisions of the <i>Public Health Act 1997</i>. Tasmanian police and Local Council Environmental Health Officers are also authorised under the <i>Public Health Act 1997</i> to enforce these laws.</p> <p>In Western Australia, investigators are gazetted to enforce the legislation. Restricted powers are also given to police and local authorities.</p> <p>In the Australian Capital Territory, powers for the inspection of premises are regulated under the <i>Smoke-Free Public Places Act 2003 (ACT)</i>. Police also have the power to stop vehicles to enforce the ban on smoking in cars with minors.</p> <p>In the Northern Territory, non-compliance with the legislation is subject to on-the-spot fines of AUD \$200-400 or prosecution. Authorised persons employed by the Northern Territory health department are also able to assist with enforcement.</p> <p>In Queensland, compliance monitoring and investigation is undertaken by Environmental Health Officers in the Public Health Units of the seventeen Hospital and Health Services across the State. Police officers also have the power to stop vehicles to enforce the ban on smoking in cars with children aged less than sixteen years and for smoking in a vehicle being used for business purposes if there is anyone else in the vehicle.</p>
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3.2.2.6	If you answered “Yes” to question 3.2.2.1, please specify the settings and extent/comprehensiveness of measures applied in indoor workplaces, public transport, indoor public places and, as appropriate, other public places.	Complete	Partial	None
Indoor workplaces:				
• government buildings		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• health-care facilities		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• educational facilities ¹		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• universities		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• private workplaces		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• other (<i>please specify:</i>)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public transport:				
• airplanes		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• trains		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• ferries		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• ground public transport (buses, trolleybuses, trams)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• motor vehicles used as places of work (taxis, ambulances, delivery vehicles)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• private vehicles		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• other (<i>please specify:</i>)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indoor public places:				
• cultural facilities		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• shopping malls		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• pubs and bars		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• nightclubs		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

¹ except universities

	<ul style="list-style-type: none"> • restaurants 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<ul style="list-style-type: none"> • other (<i>please specify:</i>) 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.2.2.7	Please provide a brief summary of complete and partial measures, with specific details of the partial measures that have been implemented.			
	<ul style="list-style-type: none"> • Banning tobacco smoking in indoor workplaces 			
	Smoking is prohibited in all enclosed public places in Australia, including workplaces, with some limited exceptions varying between the states and territories (including in relation to defined areas of casinos in New South Wales, Western Australia, Queensland and Victoria; and certain other defined locations in Victoria). Please see Annex 1 for further information and Annex 2 for links to the relevant state and territory legislation.			
	<ul style="list-style-type: none"> • Banning tobacco smoking in public transport 			
	Smoking is prohibited in all forms of public transport in Australia. This includes trains, buses, trams, airplanes, taxis, hire cars, ferries, covered areas of railway platforms, and bus shelters. In Queensland, Western Australia, Victoria, the Australian Capital Territory, New South Wales, Tasmania and South Australia, smoking is also banned in private motor vehicles where minors are present, with the Northern Territory planning to table the legislation in May 2014. Further, in Queensland smoking is also banned in vehicles being used for business if anyone else is in the vehicle. Please see Annex 1 for further information and Annex 2 for links to the relevant state and territory legislation.			
	<ul style="list-style-type: none"> • Banning tobacco smoking in indoor public places 			
Smoking is prohibited in all enclosed public places in Australia, with some limited exceptions varying between the states and territories. Please see Annex 1 for further information and Annex 2 for links to the relevant state and territory legislation.				
3.2.2.8	Please provide a brief description of the progress made in implementing Article 8 (<i>Protection from exposure to tobacco smoke</i>) in the past two years or since submission of your last report.			
	The state and territory governments have lead responsibility for smoking restrictions to prevent second-hand smoking in Australia. Smoking is now banned in all indoor public places and transport and most jurisdictions have begun to extend bans on smoking to some outdoor public places. Please see Annex 1 for further information and Annex 2 for links to the relevant state and territory legislation.			
3.2.2.9	<p>USE OF THE GUIDELINES ADOPTED BY THE CONFERENCE OF THE PARTIES</p> <p>Please use the space below to provide additional information regarding use of the “Guidelines for implementation of Article 8 of the WHO FCTC” in your jurisdiction (please refer to the section on Article 8 of the step-by-step instructions document when responding to this question). Alternatively, you may wish to provide detailed information through the additional questionnaire on the use of guidelines. Response to this section or to the additional questionnaire is voluntary.</p>			

3.2.2.10	If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.

3.2.3	9	<p>Regulation of the contents of tobacco products</p> <p><i>(Please check “Yes” or “No”. For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i></p>		
		<p>Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:</p>		
3.2.3.1		– testing and measuring the contents of tobacco products?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3.2.3.2		– testing and measuring the emissions of tobacco products?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3.2.3.3		– regulating the contents of tobacco products?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.3.4		– regulating the emissions of tobacco products?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3.2.3.5	<p>Please provide a brief description of the progress made in implementing Article 9 (<i>Regulation of the contents of tobacco products</i>) in the past two years or since submission of your last report.</p> <p>Tasmanian legislation and Ministerial declarations in the Australian Capital Territory, Northern Territory, South Australia, New South Wales, Western Australia and Victoria have banned the retail sale of fruit and confectionary flavoured cigarettes. Relevant Ministerial declarations are published in the relevant state and territory government Gazette. Please see Annex 1 for links to relevant legislation and further information.</p> <p>The Australian Government Department of Health is developing a regulation impact statement on options for further implementation of the World Health Organization Framework Convention on Tobacco Control (WHO FCTC) Partial Guidelines for Article 9 (relating to regulation of the contents of tobacco products) and Article 10 (relating to regulation of tobacco product disclosures), to reduce the harmful effects of tobacco use.</p>			
3.2.3.6	<p>USE OF THE GUIDELINES ADOPTED BY THE CONFERENCE OF THE PARTIES</p> <p>Please use the space below to provide additional information regarding use of the “Guidelines for implementation of Articles 9 and 10 of the WHO FCTC” in your jurisdiction (please refer to the section on Article 9 of the step-by-step instructions document when responding to this question). Alternatively, you may wish to provide detailed information through the additional questionnaire on the use of guidelines. Response to this section or to the additional questionnaire is voluntary.</p> <p>The regulation impact statement being developed by the Australian Government Department of Health will take into account the guidelines for implementation of Articles 9 and 10 of the WHO FCTC.</p>			
3.2.3.7	<p>If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.</p>			

3.2.4	10	<p>Regulation of tobacco product disclosures</p> <p><i>(Please check “Yes” or “No”. For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i></p>		
		<p>Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:</p>		
3.2.4.1		<p>– requiring manufacturers or importers of tobacco products to disclose to Government authorities information about the:</p>		
		<p>• contents of tobacco products?</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<p>• emissions of tobacco products?</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.4.2		<p>– requiring public disclosure of information about the:</p>		
		<p>• contents of tobacco products?</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<p>• emissions of tobacco products?</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.4.3	<p>Please provide a brief description of the progress made in implementing Article 10 (<i>Regulation of tobacco product disclosures</i>) in the past two years or since submission of your last report.</p>			
		<p>The three main tobacco companies involved in the Australian market (Philip Morris Limited, British American Tobacco Australia Limited and Imperial Tobacco Australia Limited) disclose information about the ingredients of cigarettes pursuant to a voluntary agreement with the Australian Government Department of Health. The data is posted unmodified at http://www.health.gov.au/internet/main/publishing.nsf/Content/health-publth-strateg-drugs-tobacco-ingredients.htm. The three tobacco companies also undertook cigarette emissions testing on a one off basis in 2001. The emissions data were supplied to the Australian Government Department of Health and posted unmodified at http://www.health.gov.au/internet/main/publishing.nsf/Content/tobacco-emis.</p> <p>The Australian Government Department of Health is developing a regulation impact statement on options for further implementation of WHO FCTC Partial Guidelines for Article 9 (relating to regulation of the contents of tobacco products) and Article 10 (relating to regulation of tobacco product disclosures), to reduce the harmful effects of tobacco use.</p>		
3.2.4.4	<p>USE OF THE GUIDELINES ADOPTED BY THE CONFERENCE OF THE PARTIES</p> <p>Please use the space below to provide additional information regarding use of the “Guidelines for implementation of Articles 9 and 10 of the WHO FCTC” in your jurisdiction (please refer to the section on Article 10 of the step-by-step instructions document when responding to this question). Alternatively, you may wish to provide detailed information through the additional questionnaire on the use of</p>			

	<p>guidelines. Response to this section or to the additional questionnaire is voluntary.</p>
	<p>The regulation impact statement mentioned above will take into account the guidelines for implementation of Articles 9 and 10 of the WHO FCTC.</p>
3.2.4.5	<p>If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.</p>

3.2.5	11	Packaging and labelling of tobacco products		
		<i>(Please check "Yes" or "No". For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i>		
		Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:		
3.2.5.1	11	– requiring that packaging, individual cigarettes or other tobacco products do not carry advertising or promotion?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.5.2	11.1(a)	– requiring that packaging and labelling do not promote a product by any means that are false, misleading, deceptive or likely to create an erroneous impression about its characteristics, health effects, hazards or emissions?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.5.3	11.1(b)	– requiring that each unit packet and package of tobacco products and any outside packaging and labelling of such products carry health warnings describing the harmful effects of tobacco use?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.5.4	11.1(b)(i)	– ensuring that the health warnings are approved by the competent national authority?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.5.5	11.1(b)(ii)	– ensuring that the health warnings are rotated?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.5.6	11.1(b)(iii)	– ensuring that the health warnings are clear, visible and legible?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.5.7	11.1(b)(iii)	If you answered "" to question 3.2.5.6, does your law mandate, as a minimum, a style, size and colour of font to render the warning clear, visible and legible?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.5.8	11.1(b)(iv)	– ensuring that the health warnings occupy no less than 30% of the principal display areas?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.5.9		– ensuring that the health warnings occupy 50% or more of the principal display areas?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.5.10	11.1(b)(v)	– ensuring that health warnings are in the form of, or include, pictures or pictograms?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

3.2.5.11		If you answered “Yes” to question 3.2.5.10, does the Government own the copyright to these pictures and pictograms?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.5.12		If you answered “Yes” to question 3.2.5.10, would you grant a non-exclusive and royalty-free licence for the use of health warnings developed in your jurisdiction with other Parties?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.5.13	11.2	<p>– requiring that each unit packet and package of tobacco products and any outside packaging and labelling of such products contain information on relevant:</p> <ul style="list-style-type: none"> • constituents of tobacco products • emissions of tobacco products 	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3.2.5.14	11.3	– requiring that the warnings and other textual information appear on each unit packet and package and on any outside packaging and labelling in the principal language or languages of the country?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.5.15	<p>Please provide a brief description of the progress made in implementing Article 11 (<i>Packaging and labelling of tobacco products</i>) in the past two years or since submission of your last report.</p> <p><u>Tobacco Plain Packaging</u></p> <p>All tobacco products manufactured or packaged in Australia for domestic consumption were required to be in plain packaging, effective 1 October 2012, and all tobacco products were required to be sold in plain packaging effective 1 December 2012.</p> <p>The objectives of the plain packaging measure are to:</p> <ul style="list-style-type: none"> – reduce the appeal of tobacco products to consumers, particularly young people; – increase the effectiveness of mandated health warnings; – reduce the ability of the retail packaging of tobacco products to mislead consumers about the harmful effects of smoking or using tobacco products; and – through the achievement of these aims in the long term, as part of a comprehensive suite of tobacco control measures, contribute to efforts to reduce smoking rates. <p>Tobacco plain packaging is being implemented through the <i>Tobacco Plain Packaging Act 2011</i> and the <i>Trade Marks Amendment (Tobacco Plain Packaging) Act 2011</i>.</p> <p>The legislation prohibits tobacco industry logos, brand imagery, colours and promotional text other than brand and product names in a standard colour,</p>			

	<p>position, font style and size on retail packaging of tobacco products.</p> <p>Tobacco product retail packaging is required to appear in a drab dark brown colour in matt finish. Cigarette packs are required to have standardised shapes and openings. Plain packaging applies not just to cigarette products but to all tobacco products, including loose leaf tobacco, cigars and bidis. Some restrictions also apply to the appearance of tobacco products.</p> <p><u>Graphic Health Warnings</u></p> <p>Graphic health warnings on tobacco products have been updated and expanded in the <i>Competition and Consumer (Tobacco) Information Standard 2011</i> (the Standard) which commenced on 1 January 2012 and took full effect from 1 December 2012. The requirements are as follows:</p> <ul style="list-style-type: none"> – The size of graphic health warnings increased to 75 per cent of the front of the pack for cigarettes and cartons, up from 30 per cent, with the 90 per cent warnings for the back of packs retained. – The size of graphic health warnings for most other smoked tobacco products has increased to 75 per cent of both the front and back of the pack. – Cigars sold singly are also required to have health warnings under the Standard. – The graphic health warnings for cigarettes and most other smoked tobacco products (not including cigars and bidis) rotate in two sets of seven warnings every 12 months. – Information messages about the toxic chemicals in tobacco smoke and their health effects are paired to each of the 14 warnings and are required on the side of cigarette packaging and on other panels of most other smoked tobacco products (not including cigars and bidis). <p>In relation to questions 3.2.5.11 and 3.2.5.12, the Australian Government owns copyright for some but not all of the images used as graphic health warnings on tobacco product packaging in Australia. Australia grants copyright licences to other Parties for use of the images owned by the Australian Government, or where the Australian Government is permitted to sublicense the use of an externally owned image. In the case of some images not owned by the Australian Government, permission may need to be sought from an external copyright owner and may include a fee.</p>
3.2.5.16	<p>USE OF THE GUIDELINES ADOPTED BY THE CONFERENCE OF THE PARTIES</p> <p>Please use the space below to provide additional information regarding use of the “Guidelines for implementation of Article 11 of the WHO FCTC” in your jurisdiction (please refer to the section on Article 11 of the step-by-step instructions document when responding to this question). Alternatively, you may wish to provide detailed information through the additional questionnaire on the use of guidelines. Response to this section or to the additional questionnaire is voluntary.</p>
3.2.5.17	If you have any other relevant information pertaining to or not covered in this

	section, please provide details in the space below.

3.2.6	12	<p>Education, communication, training and public awareness</p> <p><i>(Please check “Yes” or “No”. For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i></p> <p>Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:</p>		
3.2.6.1	12(a)	– educational and public awareness programmes? <i>(Please refer to programmes implemented since submission of your two-year report.)</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.6.2		If you answered “Yes” to question 3.2.6.1, to whom are these programmes targeted?		
		• adults or the general public	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• children and young people	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• men	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• women	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• pregnant women	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• ethnic groups	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• other <i>(please specify: people in socially disadvantaged areas, people with mental illness, prisoners)</i>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.6.3		If you answered “Yes” to question 3.2.6.1, do you reflect the following key differences among targeted population groups in educational and public awareness programmes?		
		• age	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• gender	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• educational background	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• cultural background	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• socioeconomic status	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• other <i>(please specify:)</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

3.2.6.4	12(b)	If you answered “Yes” to question 3.2.6.1, do these educational and public awareness programmes cover:		
		• health risks of tobacco consumption?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• health risks of exposure to tobacco smoke?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• benefits of the cessation of tobacco use and tobacco-free lifestyles?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	12(f)	• adverse economic consequences of		
		- tobacco production?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
		- tobacco consumption?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
• adverse environmental consequences of				
- tobacco production?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
		- tobacco consumption?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3.2.6.5	12(e)	– awareness and participation of the following agencies and organizations in development and implementation of intersectoral programmes and strategies for tobacco control:		
		• public agencies?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• nongovernmental organizations not affiliated with the tobacco industry?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• private organizations?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• other (<i>please specify:</i>)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.6.6	12	Are the elaboration, management and implementation of communication, education, training and public awareness programmes guided by research and do they undergo pre-testing, monitoring and evaluation?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.6.7	12(d)	Are appropriate and special training or sensitization and awareness programmes on tobacco control addressed to:		
		• health workers?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• community workers?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• social workers?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• media professionals?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

	<ul style="list-style-type: none"> educators? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	<ul style="list-style-type: none"> decision-makers? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	<ul style="list-style-type: none"> administrators? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	<ul style="list-style-type: none"> other (<i>please specify:</i>)? 	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.6.8	<p>Please provide a brief description of the progress made in implementing Article 12 (<i>Education, communication, training and public awareness</i>) in the past two years or since submission of your last report.</p> <p>In Australia, tobacco control education, communication, training and public awareness are a joint responsibility of the Commonwealth Government and state and territory governments.</p> <p>The Commonwealth Government has provided funding for national anti-smoking campaigns to contribute to reducing smoking rates in Australia.</p> <p>The National Tobacco Campaign focuses on encouraging a reduction in smoking among all adult smokers by motivating quitting attempts and supporting the quitting process. The primary target audiences for this campaign are daily smokers and recent quitters aged 18-40.</p> <p>The National Tobacco Campaign – More Targeted Approach is implementing targeted measures to reduce harm from tobacco use among high risk and hard to reach groups. The target groups include pregnant women and their partners, people from culturally and linguistically diverse backgrounds, people living in disadvantaged areas, people with mental illness and prisoners.</p> <p>The National Tobacco Campaign features television, radio, print, outdoor and online advertising. Campaign materials are available online at www.quitnow.gov.au.</p> <p>In addition to national social marketing campaigns, the Commonwealth Government provides resources and information on Australia’s tobacco control initiatives on the Department of Health website at www.health.gov.au and the Quitnow website at www.quitnow.gov.au/internet/quitnow/publishing.nsf/Content/home.</p> <p>The Commonwealth Government has also made additional investments in national campaigns to contribute to efforts to reduce smoking rates among Aboriginal and Torres Strait Islander people in the long term, as part of a balanced package of measures and in partnership with Indigenous communities.</p> <p>The implementation of the AUD \$100 million Tackling Smoking measure under the Council of Australian Governments Closing the Gap in Indigenous Health National Partnership continued between 2012 and 2014. The Tackling Smoking measure has established a national network of Regional Tobacco Coordinators and Tobacco Action Workers with 58 teams working across 57 regions around Australia. The workers are engaged through Aboriginal Community Controlled Health Organisations where practicable, and reach out to Indigenous communities across each region to increase awareness of the harms from smoking and facilitate smoking prevention and cessation programs. Full training is being provided, and</p>		

	<p>the tobacco workers have access to funding and materials to conduct local community-based social marketing campaigns and community events.</p> <p>Funding is also being provided to enhance Quitlines for Indigenous people and to train health workers seeing Indigenous patients in the use of brief interventions to support smoking cessation.</p> <p>Education, communication, training and public awareness measures are also in place at state and territory level. For further information, please see Annex 1.</p>
3.2.6.9	<p>USE OF THE GUIDELINES ADOPTED BY THE CONFERENCE OF THE PARTIES</p> <p>Please use the space below to provide additional information regarding use of the “Guidelines for implementation of Article 12 of the WHO FCTC” in your jurisdiction (please refer to the section on Article 12 of the step-by-step instructions document when responding to this question). Alternatively, you may wish to provide detailed information through the additional questionnaire on the use of guidelines. Response to this section or to the additional questionnaire is voluntary.</p>
3.2.6.10	<p>If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.</p>

3.2.7	13	Tobacco advertising, promotion and sponsorship		
		<p><i>(Please check “Yes” or “No”. For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i></p> <p>Have you adopted and implemented, where appropriate, any legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes:</p>		
3.2.7.1	13.2	– instituting a comprehensive ban on all tobacco advertising, promotion and sponsorship?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If you answered “No” to question 3.2.7.1, please proceed to question 3.2.7.3.				
3.2.7.2		If you answered “Yes” to question 3.2.7.1, does your ban cover:		
		• display and visibility of tobacco products at points of sales?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• the domestic Internet?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• the global Internet?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
		• brand stretching and/or brand sharing?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• product placement as a means of advertising or promotion?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• the depiction of tobacco or tobacco use in entertainment media products?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• tobacco sponsorship of international events or activities and/or participants therein?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• contributions from tobacco companies to any other entity for “socially responsible causes” and/or any other activities implemented under the umbrella of “corporate social responsibility” by the tobacco industry?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• cross-border advertising, promotion and sponsorship originating from your territory?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		

	13.7	<ul style="list-style-type: none"> the same forms of cross-border advertising, promotion and sponsorship entering your territory for which domestic regulation apply? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Please proceed to question 3.2.7.12.				
3.2.7.3	13.2	If you answered "No" to question 3.2.7.1. are you precluded by your constitution or constitutional principles from undertaking a comprehensive ban on tobacco advertising, promotion and sponsorship?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.7.4	13.3	– applying restrictions on all tobacco advertising, promotion and sponsorship?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.7.5	13.3	– applying restrictions on cross-border advertising, promotion and sponsorship originating from your territory with cross-border effects?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.7.6	13.4(a)	– prohibiting those forms of tobacco advertising, promotion and sponsorship that promote a tobacco product by any means that are false, misleading, deceptive or likely to create an erroneous impression about its characteristics, health effects, hazards or emissions?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.7.7	13.4(b)	– requiring that health or other appropriate warnings or messages accompany all tobacco advertising, promotion and sponsorship?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.7.8	13.4(c)	– restricting the use of direct or indirect incentives that encourage the purchase of tobacco products by the public?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.7.9	13.4(d)	– requiring the disclosure to relevant Government authorities of expenditures by the tobacco industry on advertising, promotion and sponsorship not yet prohibited?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

3.2.7.10	13.4(e)	– restricting tobacco advertising, promotion and sponsorship on:		
		• radio?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
		• television?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
		• print media?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
		• the domestic Internet?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
		• the global Internet?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
		• other media (<i>please specify:</i>)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.7.11	13.4(f)	– restricting tobacco sponsorship of:		
		• international events and activities?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
		• participants therein?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Whether you answered “Yes” or “No” to question 3.2.7.1, are you:				
3.2.7.12	13.6	– cooperating with other Parties in the development of technologies and other means necessary to facilitate the elimination of cross-border advertising?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3.2.7.13	13.7	– imposing penalties for cross-border advertising equal to those applicable to domestic advertising, promotion and sponsorship originating from your territory in accordance with national law?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.7.14	Please provide a brief description of the progress made in implementing Article 13 (<i>Tobacco advertising, promotion and sponsorship</i>) in the past two years or since submission of your last report.			
	<p>Australia has comprehensive legislation and regulations in place prohibiting tobacco advertising, promotion and sponsorship.</p> <p>Under the <i>Tobacco Advertising Prohibition Act 1992</i>, it is an offence to publish or broadcast a tobacco advertisement, with certain limited exceptions. In 2012, the <i>Tobacco Advertising Prohibition Amendment Act</i> was enacted, extending the ban on tobacco advertising to the internet and other electronic media (for example, mobile phones) in Australia.</p> <p>Compliance and enforcement activities on tobacco advertising related matters are ongoing.</p> <p>The legislation is available online at www.comlaw.gov.au.</p> <p>As detailed at section 3.2.5 above, the Australian Government has also introduced legislation requiring plain packaging of tobacco products sold in Australia.</p>			

	<p>Prohibitions on certain forms of tobacco advertising, promotion and sponsorship including, in particular, point-of-sale advertising and the display of tobacco products in retail locations, are in place at the state and territory level. Please see Annex 1 and Annex 2 for further information.</p>
3.2.7.15	<p>USE OF THE GUIDELINES ADOPTED BY THE CONFERENCE OF THE PARTIES</p> <p>Please use the space below to provide additional information regarding use of the “Guidelines for implementation of Article 13 of the WHO FCTC” in your jurisdiction (please refer to the section on Article 13 of the step-by-step instructions document when responding to this question). Alternatively, you may wish to provide detailed information through the additional questionnaire on the use of guidelines. Response to this section or to the additional questionnaire is voluntary.</p>
3.2.7.16	<p>If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.</p>

3.2.8	14	Demand reduction measures concerning tobacco dependence and cessation		
		<p><i>(Please check “Yes” or “No”. For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i></p> <p>Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:</p>		
3.2.8.1	14.1	– developing and disseminating appropriate, comprehensive and integrated guidelines based on scientific evidence and best practices?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.2.8.2	14.1	– programmes to promote cessation of tobacco use, including:		
		• media campaigns emphasizing the importance of quitting?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• programmes specially designed for:		
		○ underage girls and young women	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		○ women	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		○ pregnant women	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• telephone quitlines	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• local events, such as activities related to World No Tobacco Day or National No Smoking Day, if appropriate?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
• other (<i>please specify: Aboriginal and Torres Strait Islander people</i>)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
3.2.8.3	14.2(a)	– design and implementation of programmes aimed at promoting the cessation of tobacco use, in such locations as:		
		• educational institutions?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• health-care facilities?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• workplaces?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

		<ul style="list-style-type: none"> sporting environments? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> other (<i>please specify</i>: hostels and temporary accommodation)? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
3.2.8.4	14.2(b)	– inclusion of diagnosis and treatment of tobacco dependence and counselling services for cessation of tobacco use in national programmes, plans and strategies for:			
		<ul style="list-style-type: none"> tobacco control? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> health? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> education? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
3.2.8.5		– inclusion of programmes on the diagnosis and treatment of tobacco dependence in your health-care system?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
3.2.8.6	14.2(b)	If you answered “Yes” to question 3.2.8.5, which structures in your health-care system provide programmes for the diagnosis and treatment of tobacco dependence?			
		<ul style="list-style-type: none"> primary health care 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> secondary and tertiary health care 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> specialist health-care systems (<i>please specify</i>:) 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> specialized centres for cessation counselling and treatment of tobacco dependence 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> rehabilitation centres 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> other (<i>please specify</i>:) 	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
3.2.8.7	14.2(b)	If you answered “Yes” to question 3.2.8.5, are the services provided in these settings covered by public funding or reimbursement schemes?			
		<ul style="list-style-type: none"> primary health care 	<input type="checkbox"/> Fully	<input checked="" type="checkbox"/> Partially	<input type="checkbox"/> None
		<ul style="list-style-type: none"> secondary and tertiary health care 	<input type="checkbox"/> Fully	<input checked="" type="checkbox"/> Partially	<input type="checkbox"/> None
		<ul style="list-style-type: none"> specialist health-care systems (<i>please specify</i>:) 	<input type="checkbox"/> Fully	<input checked="" type="checkbox"/> Partially	<input type="checkbox"/> None

		<ul style="list-style-type: none"> specialized centres for cessation counselling and treatment of tobacco dependence 	<input type="checkbox"/> Fully	<input checked="" type="checkbox"/> Partially	<input type="checkbox"/> None
		<ul style="list-style-type: none"> rehabilitation centres 	<input type="checkbox"/> Fully	<input checked="" type="checkbox"/> Partially	<input type="checkbox"/> None
		<ul style="list-style-type: none"> other (<i>please specify:</i>) 	<input type="checkbox"/> Fully	<input type="checkbox"/> Partially	<input type="checkbox"/> None
3.2.8.8	14.2(b)	If you answered “Yes” to question 3.2.8.5, which health and other professionals are involved in programmes offering treatment for tobacco dependence and counselling services?			
		Health professionals including:			
		<ul style="list-style-type: none"> physicians 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> dentists 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> family doctors 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> practitioners of traditional medicine 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> other medical professionals (<i>please specify:</i>) 	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> nurses 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> midwives 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> pharmacists 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		Community workers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		Social workers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		Others (<i>please specify:</i>)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
3.2.8.9	14.2(c)	– training on tobacco dependence treatment incorporated into the curricula of health professional training at pre- and post-qualification levels at the following schools:			
		<ul style="list-style-type: none"> medical? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> dental? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> nursing? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> pharmacy? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

		<ul style="list-style-type: none"> other (<i>please specify</i>: Aboriginal Health Worker, Tobacco Action Worker, Regional Tobacco Coordinator)? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
3.2.8.10	14.2(d)	– facilitating accessibility and/or affordability of pharmaceutical products for the treatment of tobacco dependence?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
3.2.8.11	14.2(d)	<p>If you answered “Yes” to question 3.2.8.10, where and how can these products be legally purchased in your country?</p> <p>Nicotine replacement therapy products are available at most pharmacies and/ or supermarkets with or without a doctors' prescription.</p>			
3.2.8.12	14.2(d)	<p>If you answered “Yes” to question 3.2.8.10, which pharmaceutical products are legally available for the treatment of tobacco dependence in your jurisdiction?</p>			
		<ul style="list-style-type: none"> nicotine replacement therapy 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> bupropion 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> varenicline 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> other (<i>please specify</i>:) 	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
3.2.8.13	14.2(d)	<p>If you answered “Yes” to question 3.2.8.10, are the costs of these products covered by public funding or reimbursement?</p>			
		<ul style="list-style-type: none"> nicotine replacement therapy 	<input type="checkbox"/> Fully	<input checked="" type="checkbox"/> Partially	<input type="checkbox"/> None
		<ul style="list-style-type: none"> bupropion 	<input type="checkbox"/> Fully	<input checked="" type="checkbox"/> Partially	<input type="checkbox"/> None
		<ul style="list-style-type: none"> varenicline 	<input type="checkbox"/> Fully	<input checked="" type="checkbox"/> Partially	<input type="checkbox"/> None
		<ul style="list-style-type: none"> other (<i>please specify</i>:) 	<input type="checkbox"/> Fully	<input type="checkbox"/> Partially	<input type="checkbox"/> None
3.2.8.14	<p>Please provide a brief description of the progress made in implementing Article 14 (<i>Demand reduction measures concerning tobacco dependence and cessation</i>) in the past two years or since submission of your last report.</p> <p>In addition to the extensive education, communication, training and public awareness measures detailed at section 3.2.6 above, the Australian Government promotes cessation of tobacco use and treatment for tobacco dependence through support for Quitline services and subsidies for nicotine replacement products. These initiatives are part of a balanced package of measures which in the long term will contribute to efforts to reduce smoking rates in Australia.</p> <p>The Australian Government has provided funding to support Quitline services, which provide information and advice or counselling for people who want to quit</p>				

	<p>smoking. The Quitlines are the responsibility of the state and territory governments. Quitlines offer a free call-back service, expert help in planning a quit attempt and advice on the use of nicotine replacement products. Quitline services are available in English and other languages. A ‘Quit book’ can be mailed to callers with information and advice or callers can speak to someone with information on the best ways to quit, coping with withdrawal symptoms, guidance on quit courses and details of local organisations which provide individual support and counselling.</p> <p>The Australian Government also provides financial support to help people quit smoking by the listing of nicotine replacement therapies on the Pharmaceutical Benefits Scheme (PBS), which provides access for lower-income Australians and people with a prescription from the GP, and extended listings for the smoking cessation support drugs bupropion (available in two brands) and varenicline (Champix®). All of these products are available at a reduced price for eligible patients through the PBS with a prescription from a general practitioner. Please see Annex 1 for additional information regarding cessation support measures in place in the states of New South Wales and Western Australia.</p>
3.2.8.15	<p>USE OF THE GUIDELINES ADOPTED BY THE CONFERENCE OF THE PARTIES</p> <p>Please use the space below to provide additional information regarding use of the “Guidelines for implementation of Article 14 of the WHO FCTC” in your jurisdiction (please refer to the section on Article 14 of the step-by-step instructions document when responding to this question). Alternatively, you may wish to provide detailed information through the additional questionnaire on the use of guidelines. Response to this section or to the additional questionnaire is voluntary.</p>
3.2.8.16	<p>If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.</p>

3.3	Article	MEASURES RELATING TO THE REDUCTION OF THE SUPPLY OF TOBACCO <i>(with reference to Articles 15–17)</i>		
3.3.1	15	Illicit trade in tobacco products <i>(Please check “Yes” or “No”. For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i>		
		Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:		
3.3.1.1	15.2	– requiring marking of all unit packets and packages of tobacco products and any outside packaging of such products to assist in determining the origin of the product?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.1.2	15.2(a)	– requiring marking of all unit packets and packages of tobacco products and any outside packaging of such products to assist in determining whether the product is legally sold on the domestic market?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.1.3	15.2(a)	– requiring that unit packets and packages of tobacco products for retail and wholesale use that are sold on the domestic market carry the statement: “Sales only allowed in ...” or carry any other effective marking indicating the final destination of the product?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3.3.1.4	15.2(b)	– developing a practical tracking and tracing regime that would further secure the distribution system and assist in the investigation of illicit trade?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3.3.1.5	15.3	– requiring that marking is presented in legible form or appears in the principal language and/or languages of the country?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.1.6	15.4(a)	– requiring the monitoring and collection of data on cross-border trade in tobacco products, including illicit trade?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

3.3.1.7	15.4(a)	– facilitating the exchange of this information among customs, tax and other authorities, as appropriate, and in accordance with national law and applicable bilateral and multilateral agreements?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.1.8	15.4(b)	– enacting or strengthening legislation, with appropriate penalties and remedies, against illicit trade in tobacco products, including counterfeit and contraband cigarettes?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.1.9	15.4(c)	– requiring that confiscated manufacturing equipment, counterfeit and contraband cigarettes and other tobacco products derived from illicit trade are destroyed, using environment-friendly methods where possible, or disposed of in accordance with national law?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.1.10	15.4(d)	– adopting and implementing measures to monitor, document and control the storage and distribution of tobacco products held or moving under suspension of taxes or duties?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.1.11	15.4(e)	– enabling the confiscation of proceeds derived from illicit trade in tobacco products?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.1.12	15.6	– promoting cooperation between national agencies and relevant regional and international intergovernmental organizations in investigations, prosecutions and proceedings, with a view to eliminating illicit trade in tobacco products, with special emphasis on cooperation at regional and subregional levels?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.1.13	15.7	– licensing or other actions to control or regulate production and distribution in order to prevent illicit trade?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.1.14	Please provide a brief description of the progress made in implementing Article 15 (<i>Illicit trade in tobacco products</i>) in the past two years or since submission of your last report.			

	<p>Australia has in place a strong legislative and regulatory framework to combat the illicit trade of tobacco products. The Australian Taxation Office (ATO) and the Australian Customs and Border Protection Service (ACBPS) have an active ongoing role in monitoring and enforcement activity in relation to illicit tobacco production or importation.</p> <p>Current excise law provides a strong regulatory regime for licensing the manufacture and storage of tobacco products, controlling the movement of product on which excise has not been paid, and attendant sanctions and penalties for contravention of the regulatory provisions. Primary legislation is the <i>Excise Act 1901</i> and the <i>Excise Tariff Act 1921</i>.</p> <p>The <i>Criminal Code Act 1995</i> contains relevant offences including in relation to bribery of officials, dealing with proceeds of crime, obtaining financial advantage by deception and participating in a criminal group.</p> <p>The <i>Crimes Act 1914</i> provides for search and seizure by the Australian Federal Police. The <i>Customs Act 1901</i> provides for seizure and disposal by the Australian Customs and Border Protection Service. The <i>Proceeds of Crime Act 2002</i> provides a comprehensive scheme for tracing, investigating, restraining and confiscating proceeds generated from Commonwealth indictable offences, foreign indictable offences and certain offences against state and territory law.</p> <p>Recent steps taken by the Australian Government, as part of its ongoing work to reduce illicit trade in tobacco, include increased penalties for tobacco smuggling. On 6 November 2012, the <i>Customs Amendment (Smuggled Tobacco) Act 2012</i> received Royal Assent. The Act created new offences for smuggling tobacco or tobacco products and conveying or possessing smuggled tobacco products, and allows a penalty of up to ten years imprisonment to be imposed, in addition to the existing monetary penalty of up to five times the amount of duty evaded. These changes are intended to more accurately reflect the risks posed to the Australian community and the seriousness of the offences, and to provide a strong deterrent to criminals.</p> <p>In relation to the Protocol to eliminate illicit trade in tobacco products (ITP), Australia was actively involved in the negotiation of the text of the ITP, participating in all the drafting group meetings and the Intergovernmental Negotiating Body. Australia has commenced work on the domestic processes that precede a decision by the Australian Government on whether to accede to the ITP.</p>
3.3.1.15	<p>If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.</p> <p>In relation to question 3.3.1.2 (Article 15.2(a)), under the <i>Tobacco Plain Packaging Act 2011</i>, tobacco product retail packaging must be free from any markings other than the permitted markings, as specified in the <i>Tobacco Plain Packaging Regulations 2011</i>.</p> <p>Permitted markings include, for example, brand and variant name; statements of measurement (e.g. the pack size or volume); and origin marks (alphanumeric codes and covert marks).</p>

3.3.2	16	Sales to and by minors		
		<i>(Please check “Yes” or “No”. For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i>		
		Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:		
3.3.2.1	16.1	– prohibiting the sales of tobacco products to minors? If “Yes”, please specify the legal age: 18	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.2.2	16.1(a)	– requiring that all sellers of tobacco products place a clear and prominent indicator inside their point of sale about the prohibition of tobacco sales to minors?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.2.3	16.1(a)	– requiring that, in case of doubt, each seller of tobacco products requests that the purchaser provides appropriate evidence of having reached full legal age?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.2.4	16.1(b)	– banning the sale of tobacco products in any manner by which they are directly accessible, such as open store shelves?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.2.5	16.1(c)	– prohibiting the manufacture and sale of sweets, snacks, toys or any other objects in the form of tobacco products which appeal to minors?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.2.6	16.1(d)	– prohibiting the sale of tobacco products from vending machines?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If you answered “Yes” to question 3.3.2.6, please proceed to question 3.3.2.8.				
3.3.2.7	16.1(d)	If you answered “No” to question 3.3.2.6, do you ensure that tobacco vending machines are not accessible to minors and/or do not promote the sale of tobacco products to minors?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.2.8	16.2	– prohibiting and/or promoting the prohibition of the distribution of free tobacco products:		
		• to the public?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• to minors?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

3.3.2.9	16.3	– prohibiting the sale of cigarettes individually or in small packets?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.2.10	16.6	– providing for penalties against sellers and distributors in order to ensure compliance?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.3.2.11	16.7	– prohibiting the sales of tobacco products by minors?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3.3.2.12	<p>Please provide a brief description of the progress made in implementing Article 16 (<i>Sales to and by minors</i>) in the past two years or since submission of your last report.</p> <p>Australian state and territory legislation prohibits the sale of tobacco products to persons under the age of 18 years, requires signage at points of sale warning of the legal age restriction, and requires the purchaser of tobacco products to provide appropriate evidence of having reached full legal age.</p> <p>Australian state and territory legislation prohibits the manufacturing and sale of tobacco products resembling toys, and fruit and confectionary flavoured tobacco products. The sale of small packs containing less than 20 cigarettes is also prohibited.</p> <p>Australian state and territory legislation restricts the display of tobacco products at points of sale. The sale of cigarettes in vending machines is also restricted. In Victoria, vending machines must be operated by a staff member, except those positioned in sight of the service counter in bars, casinos and bottle shops. In South Australia, vending machines are permitted in liquor licensed premises and gaming areas but must be operated by tokens obtained from a staff member or by staff with a remote control. In New South Wales, vending machines are only allowed in licensed premises restricted to individuals over the age of 18, and like the Australian Capital Territory, may only be operated by staff intervention. Queensland, Tasmania, Western Australia, and the Northern Territory all have measures in place to ensure that tobacco vending machines are not accessible to minors and do not promote the sale of tobacco products to minors. Please see Annex 2 for links to relevant legislation.</p>			
3.3.2.13	<p>If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.</p>			

3.3.3	17	Provision of support for economically viable alternative activities <i>(Please check “Yes” or “No”. For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i>			
		Have you adopted and implemented, where appropriate, measures or programmes on any of the following:			
3.3.3.1	17	– promoting economically viable and sustainable alternatives for:			
		• tobacco growers?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not applicable
		• tobacco workers?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not applicable
		• tobacco individual sellers?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not applicable
3.3.3.2	Please provide a brief description of the progress made in implementing Article 17 (<i>Provision of support for economically viable alternative activities</i>) in the past two years or since submission of your last report.				
3.3.3.3	If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.				

3.4	<i>Article</i>	OTHER MEASURES AND POLICIES <i>(with reference to Articles 18–21)</i>			
3.4.1	18	Protection of the environment and the health of persons <i>(Please check “Yes” or “No”. For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i>			
		Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:			
3.4.1.1	18	– implementing measures in respect of tobacco cultivation within your territory, which take into consideration:			
		• the protection of the environment?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not applicable
		• the health of persons in relation to the environment?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not applicable
3.4.1.2	18	– implementing measures in respect of tobacco manufacturing within your territory, which take into consideration:			
		• the protection of the environment?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
		• the health of persons in relation to the environment?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
3.4.1.3	Please provide a brief description of the progress made in implementing Article 18 (<i>Protection of the environment and the health of persons</i>) in the past two years or since submission of your last report.				
	Commercial tobacco farming no longer occurs in Australia. Two tobacco manufacturing companies operate in Australia. The Commonwealth and state and territory governments have environmental and occupational health and safety legislation, regulation and policies in place to protect the environment and the health of persons in relation to the environment. Tobacco manufacturers are subject to these requirements.				
3.4.1.4	If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.				

3.4.2	19	Liability <i>(Please check “Yes” or “No”. For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i>			
3.4.2.1	19.1	Does your tobacco control legislation contain measures regarding criminal liability for any violations of that tobacco control legislation?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
3.4.2.2	19.1	Do you have separate criminal liability provisions in relation to tobacco control (outside of the tobacco control legislation)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
3.4.2.3	19.1	Do you have any civil liability measures that are specific to tobacco control?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
3.4.2.4	19.1	Do you have any general civil liability provisions that could apply to tobacco control?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
3.4.2.5	19.1	Do you have civil or criminal liability provisions that provide for compensation for adverse health effects and/or for reimbursement of medical, social or other relevant costs?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not applicable
3.4.2.6	19.1	Has any person in your jurisdiction launched any criminal and/or civil liability action, including compensation where appropriate, against any tobacco company in relation to any adverse health effect caused by tobacco use?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not applicable
3.4.2.7	19.1	Have you taken, as appropriate, any legislative, executive, administrative and/or other action against the tobacco industry for full or partial reimbursement of medical, social and other relevant costs related to tobacco use in your jurisdiction?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not applicable
3.4.2.8		Please provide a brief description of any progress made, as appropriate, in implementing Article 19 (<i>Liability</i>) in the past two years or since submission of your last report.			

3.4.2.9		<p>If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.</p>
		<p>The <i>Tobacco Advertising Prohibition Act 1992</i> attracts a criminal liability for offences under this legislation.</p> <p>The <i>Tobacco Plain Packaging Act 2011</i> has criminal, civil and strict liability offences.</p>

3.4.3	20	Research, surveillance and exchange of information		
		<i>(Please check "Yes" or "No". For affirmative answers, please provide a brief summary in the space provided at the end of the section and attach the relevant documentation. Please provide documentation, if available, in one of the six official languages.)</i>		
		Have you adopted and implemented, where appropriate, legislative, executive, administrative or other measures or have you implemented, where appropriate, programmes on any of the following:		
3.4.3.1	20.1(a)	– developing and/or promoting research that addresses:		
		• determinants of tobacco consumption?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• consequences of tobacco consumption?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• social and economic indicators related to tobacco consumption?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• tobacco use among women, with special regard to pregnant women?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• the determinants and consequences of exposure to tobacco smoke?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• identification of effective programmes for the treatment of tobacco dependence?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• identification of alternative livelihoods?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
		• other (<i>please specify:</i>)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.4.3.2	20.1(b)	– training and support for all persons engaged in tobacco control activities, including research, implementation and evaluation?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3.4.3.3	20.3(a)	– a national system for epidemiological surveillance of:		
		• patterns of tobacco consumption?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• determinants of tobacco consumption?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• consequences of tobacco consumption?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• social, economic and health indicators related to tobacco consumption?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• exposure to tobacco smoke?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		• other relevant information (<i>please</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

		<i>specify:</i>)			
3.4.3.4	20.3(a)	<p>If you answered "Yes" to any question under 3.4.3.3, please list all surveys, including the year of the survey, that you have undertaken in the past.</p>			
		<p>Australian Government, Australian Institute of Health and Welfare, 2010 National Drug Strategy Household Survey report (July 2011), available online at: http://www.aihw.gov.au/publication-detail/?id=32212254712.</p> <p>White V and Smith G, Australian secondary school students' use of tobacco, alcohol, and over-the-counter and illicit substances in 2011 (December 2012) (Report prepared for Drug Strategy Branch, Australian Government Department of Health and Ageing), available online at: http://www.nationaldrugstrategy.gov.au/internet/drugstrategy/publishing.nsf/Content/2C4E3D846787E47BCA2577E600173CBE/\$File/school08.pdf.</p> <p>Australian Bureau of Statistics, Australian Health Survey 2011-13, comprising of: Aboriginal and Torres Strait Islander Health Survey: First Results, 2012-13 – Australia, released 27 November 2013. Table 10.3 Health Risk Factors. Available on line at: http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/4714.0Main%20Features72008?opendocument&tabname=Summary&prodno=4714.0&issue=2008&num=&view=#PARALINK2.</p> <p>Australian Health Survey 2011-2012, available online at: http://www.abs.gov.au/AUSSTATS/abs@.nsf/second+level+view?ReadForm&prodno=4364.0&viewtitle=National%20Health%20Survey:%20Summary%20of%20Results~1995~Previous~28/08/1997&&tabname=Past%20Future%20Issues&prodno=4364.0&issue=1995&num=&view=&.</p> <p>Biomedical Results for Chronic Diseases, 2011-12, available online at: http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4364.0.55.005Chapter6002011-12</p>			
3.4.3.5	20.3(a)	<p>In reference to any question under 3.4.3.3, does your country have any plans to repeat any of the above or to undertake a new tobacco survey within three to five years of your last survey? Please provide details in the space below.</p>			
		<p>In Australia, smoking prevalence is monitored and reported using three main data sources, the National Drug Strategy Household Survey, the National Health Survey and the Australian Secondary Students Alcohol and Drug Survey. Historically, all three surveys have generally reported every three years, with each survey having a different timeline for reporting.</p>			
3.4.3.6	20.4	– regional and global exchange of publicly available national:			
		<ul style="list-style-type: none"> scientific, technical, socioeconomic, commercial and legal information? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
		<ul style="list-style-type: none"> information on the practices of the 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

		tobacco industry?		
		<ul style="list-style-type: none"> information on the cultivation of tobacco? 	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3.4.3.7	20.4(a)	– an updated database of:		
		<ul style="list-style-type: none"> laws and regulations on tobacco control? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<ul style="list-style-type: none"> information about the enforcement of laws on tobacco control? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<ul style="list-style-type: none"> pertinent jurisprudence? 	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3.4.3.8	<p>Please provide a brief description of the progress made in implementing Article 20 (<i>Research, surveillance and exchange of information</i>) in the past two years or since submission of your last report.</p> <p>The Australian Government Department of Health is currently developing a regulation impact statement on options for further implementation of the WHO FCTC Partial Guidelines for Article 9 (relating to regulation of the contents of tobacco products) and Article 10 (relating to regulation of tobacco product disclosures), to reduce the harmful effects of tobacco use.</p> <p>The Australian Government is also investing in training and support for persons engaged in tobacco control activities, as detailed at sections 3.2.6 and 3.2.8 above.</p> <p>The Australian Government invests in a number of information resources on its tobacco control measures, www.health.gov.au, www.tobaccoinaustralia.gov.au and www.quitnow.gov.au.</p> <p>All Commonwealth laws are available at: www.comlaw.gov.au.</p> <p>Relevant jurisprudence is available at Australian Court Registries and online (see the Australian High Court website at: http://www.hcourt.gov.au/ and the Federal Court of Australia website at: http://www.fedcourt.gov.au/searchjudgments.html).</p> <p>The Australian Government actively exchanges information on tobacco control initiatives and developments at bilateral, regional and global levels.</p>			
3.4.3.9	<p>If you have any other relevant information pertaining to but not covered in this section, please provide details in the space below.</p>			

4. INTERNATIONAL COOPERATION AND ASSISTANCE

Note: The goal of this section is to assist the Convention Secretariat in matching available skills and resources with identified needs at national, subregional, regional and international levels.

	Article	Pursuant to Article 21.1(c) and in accordance with Article 26, have you either provided or received financial or technical assistance (be it through unilateral, bilateral, regional, subregional or other multilateral channels, including relevant regional and international intergovernmental or nongovernmental organizations and financial and development institutions) for the development and strengthening of multisectoral, comprehensive tobacco control programmes of developing country Parties and Parties with economies in transition in any of the following areas:	Assistance provided	Assistance received
4.1	22.1(a)	– development, transfer and acquisition of technology, knowledge, skills, capacity and expertise related to tobacco control?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4.2	22.1(b)	– provision of technical, scientific, legal and other expertise to establish and strengthen national tobacco control strategies, plans and programmes?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4.3	22.1(c)	– appropriate training or sensitization programmes for appropriate personnel in accordance with Article 12?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4.4	22.1(d)	– provision of the necessary material, equipment and supplies, as well as logistic support, for tobacco control strategies, plans and programmes?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4.5	22.1(e)	– identification of methods for tobacco control, including comprehensive treatment of nicotine addiction?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4.6	22.1(f)	– promotion of research to increase the affordability of comprehensive treatment of nicotine addiction?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4.7	<p>If you answered “Yes” to any of questions 4.1–4.6, please identify the Party or Parties from which assistance was received or to which assistance was provided.</p> <p>The Australian Government has provided a range of financial and technical assistance to support tobacco control in developing country Parties and Parties with economies in transition. Graphic health warnings and social marketing materials have been shared with a wide range of Parties, and financial support has been provided to the Convention Secretariat to assist in adapting these materials for use in low resource Parties. In addition, targeted financial support has been provided to the Convention Secretariat, including for needs assessments for implementation of the Convention in Pacific Island countries and some Commonwealth countries.</p>			

4.8	<p>Please provide information about any assistance provided or received in the space below.</p> <p>Australia regularly shares its tobacco control resources, including graphic health warning images, national tobacco campaign materials and tobacco plain packaging, with other Parties. Australia’s national tobacco campaign international partnership base has grown significantly, with in excess of 40 countries using or applying to use Australia’s campaign materials.</p> <p>Australia has made substantial voluntary extrabudgetary contributions to the Convention Secretariat to support implementation of the Convention internationally. Extrabudgetary contributions in 2011 and 2012 totalled \$AUD1.07 million.</p> <p>In May 2013, Australia provided a further package of extrabudgetary contributions of \$AUD985,000. Activities funded include technical support and development of key implementation guidelines, work to promote sustainable resourcing of tobacco control activities, and work to support the new Protocol to Eliminate Illicit Trade in Tobacco Products.</p> <p>In addition, in mid 2013, Australia provided funding of up to \$110,000 to the WHO Western Pacific Regional Office for the development of technical resources and guidance materials on tobacco plain packaging for use by other countries that may be considering adopting this measure.</p> <p>Further to this, the former Australian Agency for International Development (AusAID), now incorporated in the functions of the Australian Government Department of Foreign Affairs and Trade (DFAT), has provided funding to the Secretariat of the Pacific Community and the World Health Organization for a range of activities under the Pacific Regional Non-communicable Disease Program, including to assist Pacific Island countries in meeting their obligations under the Convention. The former AusAID assistance has contributed to funding and technical assistance for tobacco enforcement workshops as well as support for a range of other tobacco control initiatives.</p>
4.9	<p>If you have not received or provided assistance in any of the aforementioned areas, please identify any financial or technical assistance that may be under consideration, if appropriate.</p>
4.10	<p>Have you encouraged relevant regional and international intergovernmental organizations and financial and development institutions in which you are represented to provide financial assistance for developing country Parties and for Parties with economies in transition to assist them in meeting their obligations under the Convention? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>(Please refer to Article 26.4.)</i></p>
4.11	<p>If you answered “Yes” to question 4.10, please provide details in the space below.</p> <p>Australia has actively promoted implementation of the Convention as a key public health priority for relevant regional and international intergovernmental organisations, including the United Nations General Assembly and the Commonwealth. As part of World No Tobacco Day 2013, further extrabudgetary contributions to the Convention Secretariat were provided by Australia.</p>

5. PRIORITIES AND COMMENTS

5.1	<p>What are the priorities for implementation of the WHO Framework Convention on Tobacco Control in your jurisdiction?</p>
	<p>One of the priorities for Australia is to finalise the domestic processes required in order to make a decision on whether to accede to the Protocol to Eliminate Illicit Trade in Tobacco Products.</p>
5.2	<p>Have you identified any specific gaps between the resources available and the needs assessed for implementing the WHO Framework Convention on Tobacco Control? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
5.3	<p>If you answered “Yes” to question 5.2, please provide details in the space below.</p>
5.4	<p>What, if any, are the constraints or barriers, other than lack of resources, you have encountered in implementing the Convention?</p> <p><i>(Please refer to Article 21.1(b).)</i></p> <p>The tobacco industry has taken a number of actions to oppose Australia’s tobacco control agenda, particularly in relation to the world first tobacco plain packaging legislation.</p> <p>Imperial Tobacco Australia, Philip Morris Limited and British American Tobacco Australia ran large scale campaigns against the tobacco plain packaging measure using television, radio and print media advertising, social media, cards inserted into cigarette packs, and thousands of postcards sent to Members of Parliament.</p> <p>Australian Government departments have been inundated with freedom of information requests seeking access to documents relating to tobacco control and tobacco plain packaging. As at the time of submission of this report, the Department of Health had received 69 such requests since April 2010, including 53 from the tobacco industry. Handling these requests involves substantial staff and legal resources.</p> <p>The Australian Government has faced and is facing a number of legal challenges to the tobacco plain packaging measure. The Government is pursuing tobacco plain packaging as a public health measure and is confident that the measure is consistent with all its legal obligations.</p> <p><u>Constitutional Cases</u></p> <p>British American Tobacco Australia, Japan Tobacco International, Philip Morris and Van Nelle challenged the constitutionality of the plain packaging legislation in the High Court of Australia. Two challenges were heard by the High Court of Australia on 17-19 April 2012.</p> <p>The British American Tobacco matter was heard on an agreed set of facts and questions reserved; the Japan Tobacco International matter also proceeded on those dates, on the basis of a demurrer. Philip Morris and Van Nelle intervened in the British American Tobacco Australia matter.</p>

On 15 August 2012, the High Court handed down orders for the matters heard on 17-19 April 2012, and found that the *Tobacco Plain Packaging Act 2011* (the TPP Act) is not contrary to s51(xxxi) of the Constitution. On 5 October 2012, the Court handed down its reasons for the decision.

- By a 6:1 majority the Court held that there had been no acquisition of property that would have required provision of ‘just terms’ under s51(xxxi) of the Constitution. Whilst the TPP Act does now regulate the plaintiff’s intellectual property rights to a greater extent than previously, imposing controls on the packaging and presentation of tobacco products, this does not amount to a conferral of a proprietary benefit or interest on the Commonwealth or any other person. Neither the Commonwealth nor any other person acquired any property and s51(xxxi) was not engaged.
- The British American Tobacco and Japan Tobacco International matters have now been concluded. Costs were awarded in favour of the Commonwealth.

International Legal Disputes

The Australian Government received a formal notice of arbitration from Philip Morris Asia on 21 November 2011 under the Australia-Hong Kong Bilateral Investment Treaty. The Government formally responded to Philip Morris Asia’s claim on 21 December 2011. In its Response, Australia rejected the claims made by Philip Morris Asia and outlined the arguments Australia intended to make in defending its right to implement the tobacco plain packaging measure. The documents are available at <http://www.ag.gov.au/tobaccoplainpackaging>.

The arbitration is being conducted under the United Nations Commission on International Trade Law (UNCITRAL) Arbitration Rules 2010.

The tribunal was constituted on 15 May 2012. The first procedural meeting took place on 30 July 2012 in Singapore.

On 31 December 2012, the Tribunal issued Procedural Order No. 7 which amends the timetable for the proceedings until the issue of bifurcation is determined, originally set down in Procedural Order No. 4.

- Philip Morris Asia submitted its full Statement of Claim on 28 March 2013, and its supporting evidence on 29 March 2013.
- Australia submitted its full Statement of Defence on 23 October 2013, and the evidence on which it seeks to rely on 24 October 2013.
- PM Asia submitted its submissions outlining its opposition to bifurcation on 26 November 2013.
- A bifurcation hearing occurred in Toronto, Canada on 20-21 February 2014.
- Bifurcation is the term which describes the separation of the proceedings into two phases: a preliminary jurisdictional phase and a subsequent merits phase, if required.
- At the time of the submission of this report the tribunal had yet to hand down its decision.

	<p>Procedural Orders 1 - 7 have been published on the website of the Permanent Court of Arbitration.</p> <p>At the time of submission of this report, Australia had received five requests for consultations from World Trade Organization (WTO) Members, Ukraine, Honduras, Dominican Republic, Cuba and Indonesia. All of the complainants claim that Australia's plain packaging measure is inconsistent with certain obligations under the WTO Agreements on Trade-Related Aspects of Intellectual Property Rights, Technical Barriers to Trade, and the General Agreement on Tariffs and Trade 1994.</p> <p>The WTO Dispute Settlement Body (DSB) established dispute settlement panels at the respective requests of Ukraine (28 September 2012), Honduras (25 September 2013) and Indonesia (26 March 2014). A record number of WTO members (35) have indicated they will join the dispute with Ukraine as a third party. Thirty-three WTO Members have been accepted to join the dispute with Honduras as third parties.</p> <p>Australia has consistently engaged with WTO members with regard to the plain-packaging measure, and is prepared to defend any challenge to that measure in the WTO.</p> <p>Tobacco plain packaging is a public health measure. The Australian Government is confident that the tobacco plain packaging measure is consistent with Australia's WTO obligations.</p>
5.5	<p>Please provide any other relevant information not covered elsewhere that you consider important.</p>
5.6	<p>Your suggestions for further development and revision of the reporting instrument:</p>

End of reporting instrument