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## MEDIA RELEASE

### **NEW NSW LANDLORD OFFENCE AND EXPANDED LEASE TERMINATION POWERS COMMENCE 1 JULY**

The Shopping Centre Council of Australia (SCCA) is reminding the industry of legislative changes commencing in New South Wales from 1 July 2026 relating to illicit tobacco and vaping.

The changes, introduced through the *Public Health (Tobacco) Amendment (Landlord Offences) Act 2026*, establish a new offence for commercial lessors who knowingly permit their premises to be used for the sale of illicit tobacco or illicit vaping goods. The offence carries a maximum penalty of \$165,000, imprisonment for up to one year, or both.

The reforms also expand existing lease termination powers so that landlords may terminate any wholesale or retail lease where a closure order is in effect for the premises, as issued by relevant Government officials, extending beyond arrangements covered by the *Retail Leases Act 1994*.

The NSW Chief Health Officer has advised that the new offence is intended to apply to commercial landlords who are aware that illicit tobacco or vaping products are being sold from their premises and knowingly allow that activity to continue.

Landlords who are aware of, or suspect, unlawful activity are encouraged to report the matter to NSW Health through its established reporting channels.

**Angus Nardi, Chief Executive of the SCCA said:** "These legislative changes follow laws already in Queensland and introduce new obligations for landlords and expand existing lease termination powers in relation to premises determined by the Government to be involved in the sale of illicit tobacco and vaping products."

"It is important that landlords understand the new requirements and review their arrangements to ensure they remain compliant."

"The SCCA has worked closely with the NSW Government and NSW Health to ensure a sensible approach and will continue to engage constructively as the new legislative framework is implemented."

Further information, including details of closure orders and tobacco retailing laws, is available through NSW Health by visiting [www.health.nsw.gov.au/tobacco/Pages/default.aspx](http://www.health.nsw.gov.au/tobacco/Pages/default.aspx).

*The SCCA is the national industry group for major shopping centre owner and operators.*

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