Tasmania Legal Aid

Vaping

> Anyone can talk to a lawyer for free at Tasmania Legal Aid.
>
> To get free legal information call 1300 366 611, drop into our Hobart or Launceston office (no appointment necessary) or use the Legal Talk chat function on our website. We are open Monday to Friday, 9am to 5pm.
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> A lawyer can listen to your story and help identify the next steps you can take.

If a vape has nicotine the law will treat it as a tobacco product.

What is a vape / e-cigarette?

E-cigarettes and vaporisers (commonly called 'vapes') are electronic devices which use battery power to turn a liquid into a vapor which is then inhaled.

Usually they are used to vaporise flavoured liquids which contain nicotine.

Can I have a vape?

If a vape contains nicotine it will be treated as a tobacco product.

You must be at least 18 years old to possess or use a tobacco product.

If the police believe it contains nicotine then you might be charged with an offence and you may be required to prove that it does not contain any nicotine.

Do I need a doctor's prescription to vape?

People over 18 need a prescription to access vapes. This is to ensure they get appropriate medical advice and supervision.

People under 18 cannot buy a vape or any vaping product at all.

Can I sell a vape which contains nicotine?

Non-pharmacy retailers, such as tobacconists, vape shops and convenience stress, cannot sell any type of vape. Vapes can only be sold in a pharmacy setting, regardless of whether they have nicotine in them or not.

No, you cannot sell vapes that contain nicotine unless you have a licence to sell tobacco products. You cannot sell vapes to people under 18 even if you have a licence to sell other tobacco products.

Where can I get help about addiction to vaping?

Call the Quitline on 137 848

This is written for people who live in or who are affected by the laws of Tasmania, Australia. The law changes all the time – this information is not legal advice. If you have a legal problem, you should talk to a lawyer before making a decision about what to do.