



# **Parliamentary voting for smokefree over two decades: Implications for future progress**

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# Summary

The recent repeal of a key law to reduce the enormous health and economic burden from tobacco in Aotearoa NZ is a health, health equity, and economic tragedy. It occurred despite evidence of strong support for the key measures among the public.

To provide political context for NZ smokefree policies, we examined the Parliamentary voting record on 10 relevant laws since 2003. The Labour Party, the Greens and Te Pāti Māori voted consistently in support of progressive smokefree legislation. The National Party voted in favour of progressive smokefree legislation most (70%) of the time, including throughout 2010-2020 when inside and outside of government. However, National failed to support two key laws in 2003 and 2022 (despite appearing to support part of the 2022 Bill) and now is part of the Coalition Government that in 2024 repealed the 2022 smokefree legislation. The NZ First Party and ACT Party generally voted against smokefree policies (ie, NZ First voting for progressive legislation on only 2 of 7 occasions and ACT on only 2 of 9 occasions). A potential implication of these findings is that various parties could form cross-party agreements to ensure greater continuity and resilience of progressive smokefree policies.

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## Introduction

The current Government has [gone backwards](#)<sup>1</sup> on achieving the Smokefree 2025 Goal by repealing the landmark smokefree legislation passed in 2022. This policy reversal has been widely criticised for:

- **Being counter to the scientific evidence:** As in arguments by NZ [public health experts](#),<sup>2</sup> [international experts](#),<sup>3</sup> in evidence reviews,<sup>4 5</sup> and health<sup>6</sup> and economic<sup>7</sup> modelling studies. The repeal occurred despite the Prime Minister insisting the Government is [committed to addressing the tobacco epidemic](#) and [coalition agreements](#) for the current Government that declare decisions will be “based on data and evidence”.
- **Being counter to public support for the legislation:** This includes majority support from [the general public](#), [young people](#),<sup>8</sup> and [people who smoke](#).<sup>9</sup> Many community leaders, health organisation leaders and the wider public also voiced support for the 2022 smokefree law (eg, via an [open letter](#), a petition and at protest gatherings across the country).
- **The undemocratic processes involved:** Repealing the legislation was included only in the NZ First manifesto of parties in the current government, but repeal was not discussed during the 2023 election campaign. The decision was taken in secret coalition negotiations, in stark contrast to the consultative processes preceding adoption of the legislation.<sup>10</sup>

Given the background, this Briefing explores the political context of smokefree policy in Aotearoa NZ by studying voting patterns by political parties in the last two decades (2003 to mid-2024).

## Findings on voting patterns

Out of 10 pieces of relevant legislation passed between 2003 and 2024, four focused on smokefree policies, three on tobacco taxation and one on vaping policies (see [Appendix](#)). The final two were the 2022 law which introduced policies on smoked tobacco products and vaping and the 2024 repeal of key smokefree aspects of the 2022 legislation. All of the legislation tightened regulation except for the 2024 repeal.

Key groupings of political parties by degree of support for legislation (ignoring examples of minority groupings of MPs who “crossed the floor”), were as follows:

**Highly supportive of smokefree progress:** The Labour Party, the Greens and Te Pāti Māori consistently voted in favour of progressive smokefree legislation, other than the Greens on one tobacco tax vote ([Appendix](#)). Te Pāti Māori, through Associate Health Minister Dame Tariana Turia, led good progress with smokefree legislation when part of National-led coalition governments from 2008-2017.

**Mixed support and opposition:** The National Party supported progressive smokefree legislation 70% (7/10) of the time ([Appendix](#)). This support included voting for three tobacco tax increase bills and legislation banning retail displays and introducing plain packaging whilst in government (2008-2017). National also supported the Labour-led Government’s 2020 vaping regulation and smokefree cars bills. However, most of its MPs opposed ground-breaking legislation: the 2003 smokefree legislation and the landmark 2022 law. Opposition to the latter was despite a [Supplementary Order Paper](#) supporting the denicotinisation component by Hon Dr Shane Reti, the health spokesperson for National. The key smokefree measures in the 2022 law were then repealed by the National-led Coalition Government in 2024.

**Generally unsupportive:** The NZ First Party supported progressive smokefree legislation on only 2 of 7 relevant occasions (the party was not in Parliament for 3 votes; [Appendix](#)). This support was for the vaping and smokefree cars legislation whilst in the 2017-2020 Labour-led coalition. Similarly, ACT Party voting was progressive on only 2 of 9 of occasions – voting for tobacco tax increases when supporting a National-led Government in 2012 and 2016.

## Commentary and some political implications for achieving smokefree progress

This brief analysis examines only voting patterns, just one aspect of the complex political economy of tobacco control. A more detailed analysis would cover how political parties interact with the tobacco and vaping industries (eg, use of industry narratives as in this previous [Briefing](#)<sup>11</sup>) and positions on non-legislative measures such as government funding for tobacco control and relevant law enforcement.

Nevertheless, these historical voting patterns suggest that future progress with achieving Smokefree Aotearoa equitably, particularly prospects for introducing more robust and innovative measures, is much more likely with future coalition governments involving any of the most progressive parties: Labour, Greens and Te Pāti Māori. But progress could also happen when any of these parties are in opposition and put-up private members bills, or if they worked on forging cross-party agreements with the government of the day.

Another implication is that if National wishes to return to supporting smokefree progress, it needs to be especially wary in coalition negotiations with ACT and NZ First. It could also

avoid backward steps by forging bipartisan agreements with the progressive parties. If this had happened in 2022-23, it might have meant that the denicotinisation component of the recently repealed law, which the current Health Minister (Hon Dr Shane Reti) apparently strongly supports, could have been maintained and many lives saved as a result.

## What this Briefing adds

- The recent repeal of major smokefree legislation in Aotearoa NZ was counter to public support, against scientific evidence and involved undemocratic processes.
- To provide political context for progressing NZ smokefree policies, this Briefing examined the Parliamentary voting record on 10 relevant laws since 2003. It found that the Labour Party, the Greens and Te Pāti Māori voted consistently in support of progressive smokefree legislation. The National Party voted in favour of progressive smokefree legislation 70% of the time.
- Two parties, the NZ First Party and ACT Party had generally unsupportive voting patterns (ie, NZ First voting for progressive legislation on only 2 of 7 occasions and ACT on only 2 of 9 occasions).

## Implications for policy and practice

- Advancing smokefree progress is particularly important from the perspectives of health, health equity and economic well-being.
- A potential implication of these findings is that various parties could form cross-party agreements to ensure greater continuity on progressive smokefree policies.

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### Appendix: Details on voting for smokefree and vaping legislation in the NZ Parliament from 2003 onwards

Smokefree/vaping and tobacco tax legislation	Parties/politicians supporting the third reading of the legislation*	Parties/politicians against the third reading of the legislation*	Further details
<p>In 2003, the Smoke-free Environments Amendment Act was passed, which led to NZ becoming smoke-free in all indoor workplaces, including bars and restaurants.</p>	<p><b>Ayes: 68</b>  <i>NZ Labour: 52; Green Party: 9; NZ First: 1 (minority); NZ National: 2 (minority); United Future: 2; Progressive: 2.</i></p>	<p><b>Noes: 52</b>  <i>NZ National: 25; NZ First: 12; ACT NZ: 8; United Future: 6; Independent: 1 (Awatere Huata).</i></p>	<p>National's Drs Paul Hutchison and Lynda Scott, and NZ First's Pia Paraone crossed the floor to vote in support in a conscience vote.  Source:  <a href="https://tinyurl.com/ycycda8a">https://tinyurl.com/ycycda8a</a></p>
<p>In the 2010 Budget, the National-led Government announced a series of annual excise tax increases (by 10%, and covering the years 2010 to 2012; with a tax-equalisation step in 2010 applied to roll-your-own tobacco).</p>	<p><b>Ayes: 117</b>  <i>National: 58; Labour: 43; Green: 9; ACT: 1 (minority) (Boscawen); Māori Party: 5; United Future: 1.</i></p>	<p><b>Noes: 4</b>  <i>ACT: 4 (majority).</i></p>	<p>This Budget was passed "under urgency". This National-led Government had support from Te Pāti Māori/Māori Party and Hon Tariana Turia from this party was the Associate Minister of Health. Specifically, this was the "Excise and Excise-equivalent Duties Table (Tobacco Products) Amendment Bill 28 April 2010".</p>
<p>In 2011, the Smoke-free Environments (Controls and Enforcement) Amendment Act 2011 was passed (this Act, among other things, prohibited tobacco retail displays from July 2012).</p>	<p><b>Ayes: 117</b>  <i>National: 57; Labour: 42; Green: 9; Te Pāti Māori: 4; ACT: 2 (minority); Boscawen, Hide; Progressive: 1; United Future: 1; Independent: 1.</i></p>	<p><b>Noes: 3</b>  <i>ACT: 3 (majority); Calvert, Douglas, Roy).</i></p>	<p>The legislation was proposed by Hon Tariana Turia of Te Pāti Māori (Associate Minister of Health in a National-led Government).  Source:  <a href="https://tinyurl.com/ytk9aww4">https://tinyurl.com/ytk9aww4</a></p>
<p>In the 2012 Budget, an additional series of annual tobacco tax increases by 10% for the period 2013 to 2016.</p>	<p><b>Ayes: 98</b>  <i>National: 59; Labour: 34; Te Pāti Māori: 3; ACT: 1; United Future: 1.</i></p>	<p><b>Noes: 23</b>  <i>Green: 14; NZ First: 8; Mana: 1.</i></p>	<p>The legislation was proposed by Hon Tariana Turia of Te Pāti Māori (Associate Minister of Health in a National-led Government).  Source:  <a href="https://tinyurl.com/bddajvek">https://tinyurl.com/bddajvek</a></p>
<p>In the 2016 Budget, an additional series of annual tobacco tax increases by 10% for the period 2017 to 2020.</p>	<p><b>Ayes: 109</b> <i>National: 59; Labour: 32; Green: 14; Te Pāti Māori: 2; ACT: 1; United Future: 1.</i></p>	<p><b>Noes: 12</b>  <i>NZ First: 12.</i></p>	<p>There was a National-led Government at the time.  Source:  <a href="https://tinyurl.com/2na7y56t">https://tinyurl.com/2na7y56t</a></p>

Smokefree/vaping and tobacco tax legislation	Parties/politicians supporting the third reading of the legislation*	Parties/politicians against the third reading of the legislation*	Further details
<p>In 2016, the Smoke-free Environments (Tobacco Standardised Packaging) Amendment Act 2016 was passed. This law required standardised (plain) tobacco packaging.</p>	<p><b>Ayes: 108</b>  <i>National: 59; Labour: 32; Green: 14; Te Pāti Māori: 2; United Future: 1.</i></p>	<p><b>Noes: 13</b>  <i>NZ First: 12; ACT: 1.</i></p>	<p>Proposed by Hon Peseta Sam Lotu-liga (Associate Minister of Health) of the National Party. This Party was leading a Coalition Government.  Source:  <a href="https://tinyurl.com/yz6ty2hn">https://tinyurl.com/yz6ty2hn</a></p>
<p>In 2020, the Smokefree Environments and Regulated Products (Vaping) Amendment Act was passed (regulating the vaping industry by banning vaping advertising and sponsorship, restricting sales to those over 18, and introducing specific requirements for product safety and packaging).</p>	<p>Passed on a voice vote (no further details). On the First Reading (in June 2020) there were:  <b>Ayes: 119</b> <i>National: 55; Labour: 46; NZ First: 9; Greens: 8; Other: 1.</i></p>	<p>No “Noes” were heard on the recording of the Third Reading but it was late at night and few MPs were in the Parliamentary Debating Chamber. On the First Reading there were:  <b>Noes: 1</b>  <i>ACT: 1.</i></p>	<p>Introduced by Hon Jenny Salesa who was Associate Minister of Health in a Labour-led Coalition Government. The voice vote is shown here: recording of the Third Reading of the bill on Vimeo here (<a href="https://vimeo.com/444851336">vimeo.com/444851336</a>).  Source (for First Reading):  <a href="https://tinyurl.com/bdced2sn">https://tinyurl.com/bdced2sn</a></p>
<p>In 2020, the Smoke-free Environments (Prohibiting Smoking in Motor Vehicles Carrying Children) Amendment Act, was passed.</p>	<p>Passed on a voice vote. In the First and Third Readings, favourable comments were made by <i>Labour, National, Green and NZ First MPs.</i></p>	<p>Not identified.</p>	<p>Introduced by Hon Jenny Salesa who was Associate Minister of Health in a Labour-led Coalition Government. No votes were recorded for the First and Second Readings.  Source:  <a href="https://tinyurl.com/4vwkf79m">https://tinyurl.com/4vwkf79m</a></p>
<p>In 2022, the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Act, was passed. It introduced new provisions to regulate the entry into the smoked tobacco and vaping product markets, setting very low nicotine limits, and establishing a ‘smokefree generation’ by prohibiting the sale of smoked tobacco products to anyone born on or after January 1, 2009.</p>	<p><b>Ayes: 76</b>  <i>Labour: 64; Green: 10; Te Pāti Māori: 2.</i></p>	<p><b>Noes: 43</b>  <i>National: 33; ACT: 10.</i></p>	<p>Introduced by Hon Dr Ayesha Verrall who was Minister of Health in a Labour Government (which had no coalition partners). The National Party’s Health Spokesperson, Hon Dr Shane Reti, had supported the denicotinisation component of the legislation at the Select Committee stage.  Source:  <a href="https://tinyurl.com/yzy2znba">https://tinyurl.com/yzy2znba</a></p>

<b>Smokefree/vaping and tobacco tax legislation</b>	<b>Parties/politicians supporting the third reading of the legislation*</b>	<b>Parties/politicians against the third reading of the legislation*</b>	<b>Further details</b>
Repeal of Smokefree legislation in the row directly above (27 February 2024) "Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Bill	For the second reading: <b>Ayes: 68</b> <i>National: 49;</i> <i>ACT: 11;</i> <i>NZ First: 8.</i>	For the second reading: <b>Noes: 54</b> <i>Labour: 34; Green: 14;</i> <i>Te Pāti Māori: 6.</i>	Voting for the Third Reading is not detailed in Hansard - but it is thought to be the same as for the Second Reading as shown to the left. There was no Select Committee Process. Source: <a href="https://tinyurl.com/4tpej9uv">https://tinyurl.com/4tpej9uv</a>

**Note:** \* In our analysis we only counted the italicised data - including just the majority position if MPs of a particular party voted both ways.

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