
c2021-209D
*--Other (Conolly)

LEGISLATIVE ASSEMBLY

Voluntary Assisted Dying Bill 2021

First print

Proposed amendments

- No. 1 **Decision-making capacity**
Page 3, clause 6(1)(f), line 20. Omit “in some way”. Insert instead “clearly and unambiguously”.
- No. 2 **Decision-making capacity**
Page 3, clause 6. Insert after line 20—
(2) Without limiting subsection (1)(e), a patient does not have the capacity to weigh up the factors referred to in paragraphs (a), (c) and (d) for the purposes of making a voluntary assisted dying decision if the person’s capacity to weigh up the factors is significantly impacted by a mental health impairment within the meaning of the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020*.
- No. 3 **Decision-making capacity**
Page 3, clause 6(2), lines 21—26. Omit all words on those lines.
- No. 4 **Decision-making capacity**
Page 3, clause 6. Insert before line 27—
(2A) A decision under this Act that a patient has decision-making capacity in relation to voluntary assisted dying, including a decision made in relation to an assessment mentioned in subsection (2B)(a), remains in effect for 7 days after the decision is made.
(2B) If it is more than 7 days since a decision was made that a patient has decision-making capacity in relation to voluntary assisted dying, the patient may not make an administration decision unless—
(a) the patient’s decision-making capacity in relation to voluntary assisted dying is assessed again under this Act, and
(b) a decision is made under this Act that the patient continues to have decision-making capacity in relation to voluntary assisted dying.
- No. 5 **Decision-making capacity**
Page 3, clause 6(3), line 30. Omit all words on those lines. Insert instead—
(b) an administration decision, or
(c) self-administration by a person of a prescribed substance, or

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- (d) a request for an administering practitioner to administer a prescribed substance.