

c2022-075F
*--Other (Hon G J Donnelly)

LEGISLATIVE COUNCIL

Voluntary Assisted Dying Bill 2021

Second print

Proposed amendments

- No. 1 **Eligibility criteria—diagnosis**
Page 6, clause 16(1)(d), line 34. Insert “, by a medical practitioner with relevant specialist registration,” after “diagnosed”.
- No. 2 **Eligibility criteria—cause of death**
Page 6, clause 16(1)(d)(ii), line 37. Omit “on the balance of probabilities”. Insert instead “to a high degree of certainty based on reasonable medical opinion”.
- No. 3 **Eligibility criteria—suffering**
Page 6, clause 16(1)(d)(iii), line 44. Omit “suffering”. Insert instead “pain or other physical symptoms”.
- No. 4 **Eligibility criteria—period to death**
Page 6, clause 16(1)(d)(iii), line 44. Insert “, after consultation with a specialist palliative medicine physician,” after “that”.
- No. 5 **Eligibility criteria—not at the suggestion of others**
Page 7, clause 16(1). Insert after line 5—
 (ga) the person is acting on the person’s own initiative and not at the suggestion or urging of another person,
- No. 6 **Eligibility criteria—disability is not a disease, illness or medical condition**
Page 7, clause 16. Insert after line 16—
 (3A) To avoid doubt, a disability is not a disease, illness or medical condition for the purposes of this section.
- No. 7 **Eligibility criteria—mental health impairment is not a disease, illness or medical condition**
Page 7, clause 16. Insert before line 17—
 (3B) Also, a mental health impairment within the meaning of the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020* is not a disease, illness or medical condition for the purposes of this section.

No. 8 **Referral to another medical practitioner for opinion—period to death**

Page 10, clause 26(3)(a)(ii), line 36. Omit “on the balance of probabilities”. Insert instead “to a high degree of certainty based on reasonable medical opinion”.

No. 9 **Referral to another medical practitioner for opinion—period to death**

Page 16, clause 37(3)(a)(ii), line 28. Omit “on the balance of probabilities”. Insert instead “to a high degree of certainty based on reasonable medical opinion”.