

LEGISLATIVE ASSEMBLY

VOLUNTARY ASSISTED DYING BILL 2017

(Amendments and New Clause to be moved by Mr Smith, Warrandyte)

1. Clause 3, page 2, line 19, omit "voluntary assisted dying substance" and insert "poison".
2. Clause 3, page 4, line 7, omit "voluntary assisted dying substance" and insert "poison".
3. Clause 3, page 6, after line 19, insert—

**"poison"** means a controlled substance or a drug of dependence specified in a voluntary assisted dying permit for the purpose of causing a person's death;

**poison dispensing form** means a form in the form of Form 6 in Schedule 1 completed by a pharmacist under section 60;

**poison disposal form** means a form in the form of Form 7 in Schedule 1 completed by a pharmacist under section 63;"
4. Clause 3, page 8, line 21, omit "voluntary assisted dying substance" and insert "poison".
5. Clause 3, page 8, after line 26 insert—

**"Voluntary Assisted Dying Register"** means the register kept under section 112;"
6. Clause 3, page 8, lines 27 to 31, omit all words and expressions on these lines.
7. Clause 3, page 9, line 1, omit "**voluntary assisted dying substance**" and insert "**poison**".
8. Clause 3, page 9, lines 1 to 8, omit all words and expressions on these lines.
9. Clause 7, page 13, lines 31 and 32, omit "voluntary assisted dying substance" and insert "poison".
10. Clause 7, page 14, line 2, omit "voluntary assisted dying substance" and insert "poison".
11. Clause 7, page 14, lines 3 and 4, omit "voluntary assisted dying substance" and insert "poison".
12. Clause 39, page 34, line 25, omit "voluntary assisted dying substance" and insert "poison".
13. Clause 39, page 34, lines 28 and 29, omit "voluntary assisted dying substance" and insert "poison".

14. Clause 45, page 38, line 10, omit "voluntary assisted dying substance" and insert "poison".
15. Clause 45, page 38, lines 16 and 17, omit "voluntary assisted dying substance" and insert "poison".
16. Clause 45, page 38, lines 23 and 24, omit "voluntary assisted dying substance" and insert "poison".
17. Clause 45, page 38, lines 28 and 29, omit "voluntary assisted dying substance" and insert "poison".
18. Clause 45, page 39, lines 1 and 2, omit "voluntary assisted dying substance" and insert "poison".
19. Clause 45, page 39, lines 5 and 6, omit "voluntary assisted dying substance" and insert "poison".
20. Clause 45, page 39, lines 8 and 9, omit "voluntary assisted dying substance" and insert "poison".
21. Clause 46, page 39, lines 18 and 19, omit "voluntary assisted dying substance" and insert "poison".
22. Clause 46, page 39, lines 23 and 24, omit "voluntary assisted dying substance" and insert "poison".
23. Clause 46, page 39, line 27, omit "voluntary assisted dying substance" and insert "poison".
24. Clause 46, page 40, lines 3 and 4, omit "voluntary assisted dying substance" and insert "poison".
25. Clause 48, page 42, lines 14 and 15, omit "voluntary assisted dying substance" and insert "poison".
26. Clause 52, page 44, lines 20 and 21, omit "voluntary assisted dying substance" and insert "poison".
27. Division heading preceding clause 53, omit "**voluntary assisted dying substance**" and insert "**poison**".
28. Clause 53, page 45, lines 2 and 3, omit "voluntary assisted dying substance" and insert "poison".
29. Heading to clause 55, omit "**voluntary assisted dying substance**" and insert "**poison**".
30. Clause 55, page 45, line 19, omit "voluntary assisted dying substance" and insert "poison".
31. Clause 55, page 45, lines 20 and 21, omit "voluntary assisted dying substance" and insert "poison".

32. Division heading preceding clause 57, omit "**voluntary assisted dying substance**" and insert "**poison**".
33. Heading to clause 57, omit "**voluntary assisted dying substance**" and insert "**poison**".
34. Clause 57, page 46, lines 8 and 9, omit "voluntary assisted dying substance" and insert "poison".
35. Clause 57, page 46, lines 11 and 12, omit "voluntary assisted dying substance" and insert "poison".
36. Clause 57, page 46, lines 14 and 15, omit "voluntary assisted dying substance" and insert "poison".
37. Clause 57, page 46, line 18, omit "voluntary assisted dying substance" and insert "poison".
38. Clause 57, page 46, lines 22 and 23, omit "voluntary assisted dying substance" and insert "poison".
39. Clause 57, page 46, lines 31 and 32, omit "voluntary assisted dying substance" and insert "poison".
40. Clause 57, page 47, lines 8 and 9, omit "voluntary assisted dying substance" and insert "poison".
41. Heading to clause 58, omit "**voluntary assisted dying substance**" and insert "**poison**".
42. Clause 58, page 47, line 14, omit "voluntary assisted dying substance" and insert "poison".
43. Clause 58, page 47, lines 15 and 16, omit "voluntary assisted dying substance" and insert "poison".
44. Clause 58, page 47, lines 17 and 18, omit "voluntary assisted dying substance" and insert "poison".
45. Clause 58, page 47, line 19, omit "voluntary assisted dying substance" and insert "poison".
46. Clause 58, page 47, lines 23 and 24, omit "voluntary assisted dying substance" and insert "poison".
47. Clause 58, page 47, line 28, omit "voluntary assisted dying substance" and insert "poison".
48. Clause 58, page 48, lines 3 and 4, omit "voluntary assisted dying substance" and insert "poison".
49. Heading to clause 59, omit "**voluntary assisted dying substance**" and insert "**poison**".

50. Clause 59, page 48, line 11, omit "voluntary assisted dying substance" and insert "poison".
51. Clause 59, page 48, line 15, omit "voluntary assisted dying substance" and insert "poison".
52. Clause 59, page 48, line 17, omit "voluntary assisted dying substance" and insert "poison".
53. Clause 59, page 48, lines 18 and 19, omit "voluntary assisted dying substance" and insert "poison".
54. Clause 59, page 48, line 22, omit "voluntary assisted dying substance" and insert "poison".
55. Heading to clause 60, omit "**voluntary assisted dying substance**" and insert "**poison**".
56. Clause 60, page 48, lines 30 and 31, omit "voluntary assisted dying substance" and insert "poison".
57. Clause 60, page 48, line 32, omit "voluntary assisted dying substance" and insert "poison".
58. Clause 60, page 48, line 34, omit "voluntary assisted dying substance" and insert "poison".
59. Clause 60, page 49, line 4, omit "voluntary assisted dying substance" and insert "poison".
60. Clause 60, page 49, line 5 and 6, omit "voluntary assisted dying substance" and insert "poison".
61. Heading to clause 61, omit "**voluntary assisted dying substance**" and insert "**poison**".
62. Clause 61, page 49, lines 8 and 9, omit "voluntary assisted dying substance" and insert "poison".
63. Heading to clause 62, omit "**voluntary assisted dying substance**" and insert "**poison**".
64. Clause 62, page 49, line 17, omit "voluntary assisted dying substance" and insert "poison".
65. Heading to clause 63, omit "**voluntary assisted dying substance**" and insert "**poison**".
66. Clause 63, page 49, line 25, omit "voluntary assisted dying substance" and insert "poison".
67. Clause 63, page 49, line 27, omit "voluntary assisted dying substance" and insert "poison".

68. Clause 63, page 49, line 30, omit "voluntary assisted dying substance" and insert "poison".
69. Clause 63, page 49, lines 31 and 32, omit "voluntary assisted dying substance" and insert "poison".
70. Division heading preceding clause 64, omit "**voluntary assisted dying substance**" and insert "**poison**".
71. Clause 64, page 50, lines 8 and 9, omit "voluntary assisted dying substance" and insert "poison".
72. Clause 64, page 50, line 17, omit "voluntary assisted dying substance" and insert "poison".
73. Heading to clause 65, omit "**voluntary assisted dying substance**" and insert "**poison**".
74. Clause 65, page 51, line 6, omit "voluntary assisted dying substance" and insert "poison".
75. Clause 65, page 51, line 10, omit "voluntary assisted dying substance" and insert "poison".
76. Clause 65, page 51, lines 14 and 15, omit "voluntary assisted dying substance" and insert "poison".
77. Clause 65, page 51, lines 30 and 31, omit "voluntary assisted dying substance" and insert "poison".
78. Heading to clause 66, omit "**voluntary assisted dying substance**" and insert "**poison**".
79. Clause 66, page 52, lines 5 and 6, omit "voluntary assisted dying substance" and insert "poison".
80. Clause 66, page 52, line 13, omit "voluntary assisted dying substance" and insert "poison".
81. Clause 66, page 52, lines 24 and 25, omit "voluntary assisted dying substance" and insert "poison".
82. Clause 67, page 53, lines 17 and 18, omit "voluntary assisted dying substance" and insert "poison".
83. Clause 67, page 53, line 24, omit "voluntary assisted dying substance" and insert "poison".
84. Clause 67, page 53, lines 29 and 30, omit "voluntary assisted dying substance" and insert "poison".
85. Clause 70, page 56, lines 20 and 21, omit "voluntary assisted dying substance" and insert "poison".

86. Heading to clause 81, omit "**voluntary assisted dying substance**" and insert "**poison**".
87. Clause 81, page 63, line 10, omit "voluntary assisted dying substance" and insert "poison".
88. Clause 83, page 65, lines 6 and 7, omit "voluntary assisted dying substance" and insert "poison".
89. Clause 83, page 65, lines 10 and 11, omit "voluntary assisted dying substance" and insert "poison".
90. Clause 83, page 65, lines 12 and 13, omit "voluntary assisted dying substance" and insert "poison".
91. Heading to clause 84, omit "**voluntary assisted dying substance**" and insert "**poison**".
92. Clause 84, page 65, lines 25 and 26, omit "voluntary assisted dying substance" and insert "poison".
93. Heading to clause 86, omit "**voluntary assisted dying substance**" and insert "**poison**".
94. Clause 86, page 66, line 21, omit "voluntary assisted dying substance" and insert "poison".
95. Clause 87, page 67, line 15, omit "voluntary assisted dying substance" and insert "poison".
96. Clause 87, page 67, line 17, omit "voluntary assisted dying substance" and insert "poison".
97. Clause 88, page 68, line 13, omit "voluntary assisted dying substance" and insert "poison".
98. Clause 88, page 68, line 15, omit "voluntary assisted dying substance" and insert "poison".
99. Heading to clause 89, omit "**voluntary assisted dying substance**" and insert "**poison**".
100. Clause 89, page 68, lines 27 and 28, omit "voluntary assisted dying substance" and insert "poison".
101. Clause 90, page 69, line 11, omit "voluntary assisted dying substance" and insert "poison".
102. Clause 90, page 69, line 13, omit "voluntary assisted dying substance" and insert "poison".
103. Clause 93, page 73, line 33, omit "requested." and insert "requested;".
104. Clause 93, page 73, after line 33 insert—

- "( ) to keep the Voluntary Assisted Dying Register."
105. Clause 105, page 78, line 17, omit "voluntary assisted dying substance" and insert "poison".
106. Clause 105, page 78, line 19, omit "voluntary assisted dying substance" and insert "poison".
107. Clause 105, page 78, lines 24 and 25, omit "voluntary assisted dying substance" and insert "poison".
108. Clause 111, after line 8 insert—
- "( ) In section 112(6), for "section 106 or 109" **substitute** "section 106" on the second anniversary of the commencement of section 109."
109. Page 81, after line 8 insert the following heading—
- "Division 6—Voluntary Assisted Dying Register".**
110. Heading to clause 115, omit "**Five**" and insert "**Three**".
111. Clause 115, line 18, omit "fifth" and insert "third".
112. Clause 115, line 20, omit "4 years" and insert "2 years".
113. Clause 119, page 86, lines 7 and 8, omit "voluntary assisted dying substance" and insert "poison".
114. Clause 120, page 86, lines 18 to 23, omit all words and expressions on these lines and insert—
- "*poison* has the same meaning as it has in the Voluntary Assisted Dying Act 2017;**
- voluntary assisted dying permit* has the same meaning as it has in the Voluntary Assisted Dying Act 2017;".**
115. Clause 122, page 87, lines 8 and 9, omit "voluntary assisted dying substance" and insert "poison".
116. Clause 122, page 87, line 26, omit "voluntary assisted dying substance" and insert "poison".
117. Clause 124, page 88, line 23, omit "voluntary assisted dying substance" and insert "poison".
118. Clause 125, page 89, lines 8 and 9, omit "voluntary assisted dying substance" and insert "poison".
119. Clause 136, page 93, lines 9 and 10, omit "voluntary assisted dying substance" and insert "poison".
120. Clause 137, page 93, lines 17 and 18, omit "voluntary assisted dying substance" and insert "poison".

121. Clause 137, page 93, line 27, omit "voluntary assisted dying substance" and insert "poison".

#### AMENDMENTS TO SCHEDULE

122. Form 3 in Schedule 1, page 105, line 13, omit "voluntary assisted dying substance" and insert "poison".
123. Form 3 in Schedule 1, page 105, line 16, omit "voluntary assisted dying substance" and insert "poison".
124. Form 3 in Schedule 1, page 105, line 17, omit "voluntary assisted dying substance" and insert "poison".
125. Form 4 in Schedule 1, page 111, line 22, omit "voluntary assisted dying substance" and insert "poison".
126. Form 4 in Schedule 1, page 111, lines 25 and 26, omit "voluntary assisted dying substance" and insert "poison".
127. Form 6 in Schedule 1, page 119, lines 3 and 4, omit "**VOLUNTARY ASSISTED DYING SUBSTANCE**" and insert "**POISON**".
128. Form 6 in Schedule 1, page 119, line 6, omit "voluntary assisted dying substance" and insert "poison".
129. Form 6 in Schedule 1, page 119, line 10, omit "voluntary assisted dying substance" and insert "poison".
130. Form 6 in Schedule 1, page 119, line 17, omit "**voluntary assisted dying substance**" and insert "**poison**".
131. Form 6 in Schedule 1, page 119, line 23, omit "voluntary assisted dying substance" and insert "poison".
132. Form 6 in Schedule 1, page 119, line 25, omit "voluntary assisted dying substance" and insert "poison".
133. Form 6 in Schedule 1, page 119, lines 28 and 29, omit "voluntary assisted dying substance" and insert "poison".
134. Form 6 in Schedule 1, page 119, line 30, omit "voluntary assisted dying substance" and insert "poison".
135. Form 6 in Schedule 1, page 119, line 33, omit "voluntary assisted dying substance" and insert "poison".
136. Form 6 in Schedule 1, page 120, line 3, omit "voluntary assisted dying substance" and insert "poison".
137. Form 6 in Schedule 1, page 120, lines 7 and 8, omit "voluntary assisted dying substance" and insert "poison".

138. Form 6 in Schedule 1, page 120, line 11, omit "voluntary assisted dying substance" and insert "poison".
139. Form 7 in Schedule 1, page 121, lines 3 and 4, omit "**VOLUNTARY ASSISTED DYING SUBSTANCE**" and insert "**POISON**".
140. Form 7 in Schedule 1, page 121, line 6, omit "voluntary assisted dying substance" and insert "poison".
141. Form 7 in Schedule 1, page 121, line 15, omit "**voluntary assisted dying substance**" and insert "**poison**".
142. Form 7 in Schedule 1, page 121, lines 19 and 20, omit "**voluntary assisted dying substance**" and insert "**poison**".
143. Form 7 in Schedule 1, page 121, line 27, omit "voluntary assisted dying substance" and insert "poison".
144. Form 7 in Schedule 1, page 121, line 28, omit "voluntary assisted dying substance" and insert "poison".
145. Form 7 in Schedule 1, page 121, line 29, omit "Voluntary assisted dying substance" and insert "Poison".
146. Form 7 in Schedule 1, page 122, lines 1 and 2, omit "voluntary assisted dying substance" and insert "poison".
147. Form 7 in Schedule 1, page 122, line 7, omit "voluntary assisted dying substance" and insert "poison".
148. Form 8 in Schedule 1, page 123, lines 11 and 12, omit "voluntary assisted dying substance" and insert "poison".
149. Form 8 in Schedule 1, page 123, line 14, omit "voluntary assisted dying substance" and insert "poison".
150. Form 8 in Schedule 1, page 123, line 15, omit "voluntary assisted dying substance" and insert "poison".
151. Form 8 in Schedule 1, page 123, lines 18 and 19, omit "voluntary assisted dying substance" and insert "poison".
152. Form 8 in Schedule 1, page 124, line 11, omit "voluntary assisted dying substance" and insert "poison".
153. Form 8 in Schedule 1, page 124, line 18, omit "voluntary assisted dying substance" and insert "poison".
154. Form 8 in Schedule 1, page 124, line 32, omit "voluntary assisted dying substance" and insert "poison".
155. Form 8 in Schedule 1, page 125, lines 12 and 13, omit "voluntary assisted dying substance" and insert "poison".

156. Form 8 in Schedule 1, page 125, line 18, omit "voluntary assisted dying substance" and insert "poison".
157. Form 8 in Schedule 1, page 125, line 19, omit "voluntary assisted dying substance" and insert "poison".
158. Form 8 in Schedule 1, page 125, line 22, omit "voluntary assisted dying substance" and insert "poison".

#### NEW CLAUSE

159. Insert the following New Clause to follow clause 111 and the heading proposed by amendment number 5—

##### **"A Board to keep Voluntary Assisted Dying Register**

- (1) The Board must keep a register of persons who have died after being administered or self-administering a voluntary assisted dying substance in accordance with this Act.
- (2) The register is to be called the Voluntary Assisted Dying Register.
- (3) The following particulars must be included on the Voluntary Assisted Dying Register against the name of the person to whom they apply—
  - (a) the disease, illness or medical condition of the person that met the requirements of the eligibility criteria; and
  - (b) the age of the person at the date of the person's death.
- (4) The Voluntary Assisted Dying Register is to be kept in the form and manner determined by the Board.
- (5) A function of the Board under subsection (4) may be performed by the Chairperson of the Board or the Deputy Chairperson of the Board.
- (6) The register may be inspected at the office of the Board by an independent auditor, for the purpose of verifying any information kept in the Voluntary Assisted Dying Register that is contained in a report under section 106 or 109.
- (7) In this section—

*independent auditor* means a person who is appointed by the Secretary to conduct an audit under subsection (6)."