

House of Representatives

Supplementary Order Paper

Tuesday, 24 September 2019

End of Life Choice Bill

Proposed amendment to SOP No 259

Agnes Loheni, in Committee, to move the following amendment:

Clause 24A

In *clause 24A(3)*, after “No particular form of” (page 21), insert “gesture or”.

In *clause 24A(3)*, replace “orally or in writing” (page 21) with “orally, in writing, or by gesture”.

Explanatory note

This Supplementary Order Paper (**SOP**) amends SOP No 259 amending the End of Life Choice Bill by providing that no particular form of gesture is needed to rescind a request to receive euthanasia or assisted suicide.

SOP No 259 is seemingly intended to assure that no particular form of words is needed for a person to rescind a request to receive assisted dying. (Incidentally, it is only “seemingly” the case because of an inconsistency between *clause 24A(3)*, which allows any form of written rescindment, and *clause 24A(2)*, which precludes rescindment by advanced directive, etc.)

The key point regarding this SOP, however, is that it recognises that—because *clause 24A(2)* enables rescindment by “gesture”—there should be no particular type of gesture required. The equivalent assurance is provided in relation to words that rescind a request, after all.

On a related note, it is a significant defect that no guidance is provided in a situation where it is unclear whether or not a person is rescinding a request for euthanasia or assisted suicide. Inevitably this situation will arise at the bedside of a person who is nominally marked to die in accordance with the proposed legislation.
