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Committee Stage: Monday 10 March 2025

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## Terminally Ill Adults (End of Life) Bill (Amendment Paper)

This document lists all amendments tabled to the Terminally Ill Adults (End of Life) Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

[R] indicates that a member has declared a relevant interest.

★ New Amendments.

☆ Amendments which will comply with the required notice period at their next appearance.

New Amendments: 469 to 489, NC21(d), NC22, NC23 and NS2(d)

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**Rachael Maskell**

301

Clause 8, page 4, line 39, leave out “7” and insert “14”

**Member's explanatory statement**

This amendment would increase the period of reflection to 14 days.

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**Kim Leadbeater**

195

Rachel Hopkins

Clause 8, page 4, line 40, leave out “statement” and insert “report”

**Member's explanatory statement**

This amendment is consequential on Amendment 420.

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**Dr Ben Spencer**

57

Jake Richards

Clause 8, page 5, line 1, leave out subsection (4) and insert—

- “(4) The independent doctor must, where possible, undertake the second assessment jointly with the coordinating doctor.
- (4A) If the independent doctor is unable to undertake the second assessment jointly with the coordinating doctor under subsection (4), the independent doctor must confer with the coordinating doctor before completing that assessment.”

**Member's explanatory statement**

This amendment would require the independent doctor to undertake the second assessment jointly with the coordinating doctor, or, if they are unable to, to confer with that doctor before completing the assessment.

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**Kim Leadbeater**

421

Kit Malthouse

Clause 8, page 5, line 4, leave out subsection (5) and insert—

- “(5) After carrying out the second assessment, the independent doctor must—
- (a) make a report about the assessment (which must meet the requirements of regulations under subsection (5A)), and
  - (b) give a copy of the report to—
    - (i) the person who was assessed,
    - (ii) the coordinating doctor,
    - (iii) if neither the independent doctor nor the coordinating doctor is a practitioner with the person's GP practice, a registered medical practitioner with that practice, and
    - (iv) any other person specified in regulations made by the Secretary of State.
- (5A) The Secretary of State must by regulations make provision about the content and form of the report.
- (5B) The regulations must provide that the report must—
- (a) contain a statement indicating whether the independent doctor is satisfied as to all of the matters mentioned in subsection (2)(a) to (e);
  - (b) contain an explanation of why the independent doctor is, or (as the case may be) is not, so satisfied;
  - (c) contain a statement indicating whether the independent doctor is satisfied as to the following—
    - (i) that a record of the preliminary discussion has been included in the person's medical records;
    - (ii) that the person signed the first declaration;
    - (iii) that the making of the first declaration has been recorded in the person's medical records;
    - (iv) that the first declaration has not been cancelled;
  - (d) be signed and dated by the independent doctor.”

**Member's explanatory statement**

This amendment provides that the independent doctor must make a report about the second assessment, and makes provision about the report.

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**Dame Harriett Baldwin****266**

Danny Kruger

Clause 8, page 5, line 7, leave out "must" and insert "may"

**Member's explanatory statement**

This amendment grants a residual discretion to doctors to refuse the application even if all the criteria are met.

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**Dr Ben Spencer****75**

Clause 8, page 5, line 9, leave out "coordinating doctor" and insert "Assisted Dying Agency"

**Member's explanatory statement**

This amendment is consequential on NC4.

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**Rachael Maskell****302**

Clause 8, page 5, line 10, at end insert "and

- (c) provide details of the way the assessment was conducted and the written transcript of any consultation to the relevant Chief Medical Officer and the person's own GP, maintaining a copy to be supplied to the relevant Medical Examiner after the person's death."

**Member's explanatory statement**

This amendment will ensure that medical records are in line with procedures for presentation to the Medical Examiner.

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**Anna Dixon****348**

Clause 8, page 5, line 10, at end insert—

- "(c) inform the person's usual or treating doctor and, where relevant, the doctor who referred the person to the independent doctor, of the outcome of the assessment."

**Member's explanatory statement**

This amendment would ensure that the independent doctor communicates the outcome of their assessment to the referring doctor as well as the usual or treating doctor.

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**Rachael Maskell**

303

Clause 8, page 5, line 12, at end insert—

“(aa) has confirmed that no other practitioner has undertaken a second assessment for the same person.”

**Member's explanatory statement**

This amendment would prevent a patient from seeking multiple assessments from different doctors.

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**Sojan Joseph**

1

Dr Ben Spencer

Clause 8, page 5, line 13, at beginning insert “is a registered medical practitioner who is registered in the specialism of psychiatry in the Specialist Register kept by the General Medical Council and”

**Member's explanatory statement**

This amendment would require that the independent doctor is a registered psychiatrist.

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**Kim Leadbeater**

197

Daisy Cooper  
Dr Marie Tidball  
Rachel Hopkins

Clause 8, page 5, line 13, leave out paragraph (a) and insert—

“(a) meets the requirements specified in regulations under subsection (6A),”

**Member's explanatory statement**

This amendment and Amendment 198 impose a duty on the Secretary of State to make regulations about the training, qualifications and experience required in order to act as the independent doctor.

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**Daniel Francis**

336

Peter Swallow  
Rachael Maskell  
Mary Glendon

Clause 8, page 5, line 13, after “such” insert “specialised”

**Member's explanatory statement**

This amendment is linked with NC12.

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**Liz Saville Roberts**

147

Tom Gordon

Clause 8, page 5, line 13, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment has the effect of allowing the Welsh Ministers to make regulations under Clause 8(6)(a) (training, qualifications and experience of second doctors). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

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**Dr Ben Spencer**

58

Clause 8, page 5, line 14, at end insert—

“(aa) is a practitioner approved as having special experience in the diagnosis or treatment of mental disorder for the purposes of subsection (2) of Section 12 (General provisions as to medical recommendations) of the Mental Health Act 1983,”

**Member's explanatory statement**

This amendment, which is linked to Amendment 56 would require the independent doctor to have special experience in the diagnosis of mental disorder.

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**Dame Meg Hillier**

16

Rachael Maskell

Neil Coyle

Mary Kelly Foy

Marsha De Cordova

John Grady

Antonia Bance

Dame Harriett Baldwin

Mike Wood

Mike Amesbury

Ms Polly Billington

Melanie Ward

Jess Asato

Mrs Emma Lewell-Buck

Patricia Ferguson

Wera Hobhouse

Dame Siobhain McDonagh

Sir Desmond Swayne

Kenneth Stevenson

Derek Twigg

Ian Byrne

Mary Glindon

Anna Dixon

Kirsteen Sullivan

Sean Woodcock

Daniel Francis

Lillian Jones

Chris Webb

Sarah Smith

Clause 8, page 5, line 16, at end insert “or conducted the interview under subsection (7) (2B)”

**Member's explanatory statement**

This amendment is linked to Amendment 14 and ensures that the independent doctor cannot be the same person who undertakes the assessment that would be required under that amendment.

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**Dr Ben Spencer**

74

Clause 8, page 5, line 16, at end insert—

“(ba) has been assigned to the person by the Assisted Dying Agency,”

**Member's explanatory statement**

This amendment is consequential on NC4 and provides that the independent doctor must have been assigned to the person by the Assisted Dying Agency.

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**Kim Leadbeater**

198

Daisy Cooper  
Dr Marie Tidball  
Rachel Hopkins

Clause 8, page 5, line 25, at end insert—

“(6A) The Secretary of State must by regulations make provision about the training, qualifications and experience that a registered medical practitioner must have in order to carry out the functions of the independent doctor.

(6B) The regulations must include training about—

- (a) assessing capacity;
- (b) assessing whether a person has been coerced or pressured by any other person.

(6C) Subject to that, the regulations may in particular provide that the required training, qualifications or experience is to be determined by a person specified in the regulations.”

**Member's explanatory statement**

See the statement for Amendment 197.

As an Amendment to Kim Leadbeater’s proposed Amendment 198:—

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**Jack Abbott**

198(b)

Line 7, at end insert—

- “(c) culturally responsive, and trauma-informed care, and in assessing and challenging discrimination in end-of-life care decision-making, including into how—
  - (i) culture,
  - (ii) discrimination on the basis of the protected characteristics set out in section 4 (The protected characteristics) of the Equality Act 2010, and
  - (iii) trauma

may intersect and influence capacity and coercion assessments. Training must include specific considerations for the intersectionally marginalised.”

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**Liz Saville Roberts**

428

Clause 8, page 5, line 25, at end insert—

“(6A) In Wales, all reasonable steps must be taken to ensure the practitioner under subsection (6) has fluent proficiency in the Welsh language if services or functions in the Act are to be provided to an individual in Welsh.”

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**Kim Leadbeater**

199

Rachel Hopkins

Clause 8, page 5, line 28, leave out subsection (8)

**Member's explanatory statement**

See the statement for Amendment 187.

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**Liz Saville Roberts**

148

Tom Gordon

Clause 8, page 5, line 28, leave out “Secretary of State must consult such persons as the Secretary of State” and insert “appropriate authority must consult such persons as the appropriate authority”

**Member's explanatory statement**

This amendment has the effect of requiring the Welsh Ministers to consult regarding the making of regulations under Clause 8(6)(a) (training, qualifications and experience of second doctors). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

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**Jess Asato**

21

Rebecca Paul  
 Dame Meg Hillier  
 Antonia Bance  
 Rachael Maskell  
 Neil Coyle

Anna Dixon  
 Melanie Ward  
 Laurence Turner  
 Anneliese Midgley  
 John Grady  
 Patricia Ferguson  
 Sarah Smith

Mr James Frith  
 Mary Kelly Foy  
 Helen Hayes  
 Blair McDougall  
 Uma Kumaran  
 Kirsteen Sullivan  
 Kenneth Stevenson

Maya Ellis  
 Marsha De Cordova  
 Apsana Begum  
 Dr Scott Arthur  
 Naz Shah  
 Daniel Francis  
 Mary Glindon

Clause 8, page 5, line 29, at end insert—

“(8A) Regulations under subsection (6)(a) must specify that training in respect of domestic abuse, including coercive control and financial abuse is mandatory.”

**Member's explanatory statement**

This amendment would require the registered medical practitioner acting as the independent doctor to have undertaken training on domestic abuse, including coercive control and financial abuse.

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**Kim Leadbeater**

**200**

Daisy Cooper

Clause 8, page 5, line 30, leave out subsection (9)

**Member's explanatory statement**

See the statement for Amendment 188.

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**Rachael Maskell**

**286**

Naz Shah

Clause 9, page 5, line 36, leave out paragraphs (a) to (c) and insert—

- “(a) the person’s diagnosis and prognosis, in consultation with a specialist in the relevant illness, disease or medical condition,
- (b) any treatment available and the likely effect of it, in consultation with a specialist in the provision of such treatment,
- (c) any palliative, hospice or other care, including symptom management and psychological support, in consultation with a specialist in palliative care.”

**Member's explanatory statement**

This amendment ensures that a specialist carries out the assessment of the patient, the treatment options available and the palliative care options available, since these may not be known to a doctor coordinating an assisted death.

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**Kim Leadbeater**

**201**

Rachel Hopkins

Clause 9, page 5, line 36, leave out “and their medical records” and insert “, examine such of their medical records as appear to the assessing doctor to be relevant,”

**Member's explanatory statement**

This amendment provides that the duty on an assessing doctor to examine a person’s medical records is limited to records appearing to the doctor to be relevant.



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**Kim Leadbeater**

422

Clause 9, page 5, line 36, after “records” insert “make such enquiries of professionals who are providing or have recently provided health or social care to the person as the assessing doctor considers appropriate,”

**Member's explanatory statement**

This amendment requires an assessing doctor to make such enquiries of professionals who are providing, or have recently provided, health or social care to the person as the assessing doctor considers appropriate.

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**Rebecca Paul**

468

☆ Clause 9, page 5, line 37, at end insert—

“(aa) ask the person why they are seeking an assisted death.”

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**Rachael Maskell**

304

Clause 9, page 5, line 41, leave out “any available” and insert “the person’s experience of specialist”

**Member's explanatory statement**

This amendment would require the assessing doctor to discuss the person’s experience of specialist palliative, hospice or other care.

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**Dr Neil Shastri-Hurst**

93

Dr Ben Spencer

Clause 9, page 6, line 1, leave out “might” and insert “is to”

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**Rachael Maskell**

305

Clause 9, page 6, line 3, after “about death” insert “and any other effects in addition to death.”

**Member's explanatory statement**

This amendment would require the assessing doctor to explain effects the provided substance would have in addition to death.

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**Juliet Campbell**

142

Anna Dixon

Clause 9, page 6, line 3, after “death” insert “and how it will be administered”

**Member's explanatory statement**

This amendment requires the assessing doctor to explain and discuss with the person how the substance that might be provided to assist the person to end their own life will be administered.

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**Danny Kruger**

362

Clause 9, page 6, line 3, after "death" insert "and the risk and nature of possible complications including pain"

**Member's explanatory statement**

This requires the doctor to explain the risk of possible complications to the person.

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**Rachael Maskell**

306

Clause 9, page 6, line 6, after "section 18" insert "including the escalation of medical intervention"

**Member's explanatory statement**

This would require the assessing doctor to include the escalation of medical intervention in their discussion of the person's wishing in the event of complications arising in the administration of the substance under section 18.

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**Juliet Campbell**

112

Rachael Maskell

Clause 9, page 6, line 13, at end insert—

"(da) be satisfied that, in their opinion, the person has demonstrated their understanding of the matters in subsections (2) (b) to 2 (d)."

**Member's explanatory statement**

This amendment requires the assessing doctor to be satisfied that, in their opinion, the person has demonstrated their understanding of the matters that have to be discussed and the information provided under subsections (2)(b) to 2(d).

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**Dr Ben Spencer**

76

Clause 9, page 6, line 14, leave out paragraph (e)

**Member's explanatory statement**

This amendment is consequential on NC4.

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**Rachael Maskell**

**307**

Clause 9, page 6, line 18, leave out from beginning to “advise” and insert “unless the assessing doctor has concluded in good faith, that this would not be in the person’s best interests.”

**Member's explanatory statement**

This amendment would require the assessing doctor to inform the person’s next of kin that the person wishes to seek assistance to end their own life unless it is not in the person’s best interests.

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**Rachael Maskell**

**308**

Clause 9, page 6, line 20, at end insert—

- “(g) If that doctor considers that it is not in the person’s best interests under paragraph (f), this decision and the doctor’s reasoning must be documented.”

**Member's explanatory statement**

This amendment is consequential to Amendment 307 and would require a decision that it is not in the person’s best interests to inform their next of kin to be documented with its reasoning.

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**Kim Leadbeater**

**423**

Clause 9, page 6, line 20, at end insert—

“(2A) To inform their assessment, the assessing doctor must—

- (a) consider whether they should consult a health professional or social care professional with qualifications in, or experience of, a matter relevant to the person being assessed;
- (b) consult such a professional if they consider that there is a need to do so.

(2B) Where an assessing doctor consults a professional under subsection (2A)(b), the assessing doctor must give a written record of the consultation to the other assessing doctor.”

**Member's explanatory statement**

This amendment requires the assessing doctor to consider whether they should consult specialist health or social care professionals, and to consult them if they consider there is a need to do so. A record of any consultation must be shared with the other assessing doctor.

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**Jack Abbott**

**415**

Clause 9, page 6, line 20, at end insert—

“(2A) When making an assessment under subsection (2), the assessing doctor must first ensure the provision of adjustments for language and literacy barriers, including the use of interpreters.”

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**Dr Ben Spencer**

59

Clause 9, page 6, line 21, leave out subsection (3) and insert—

- “(3) To inform their assessment, the coordinating doctor must—
- (a) if they have doubt as to whether the person being assessed is terminally ill, refer the person for assessment by a registered medical practitioner who holds qualifications in or has experience of the diagnosis and management of the illness, disease or condition in question.
  - (b) if they make a referral under paragraph (a), take account of any opinion provided by that other registered medical practitioner.”

**Member's explanatory statement**

This amendment is linked to Amendments 55 and 58 and removes the option for the independent doctor and coordinating doctor to refer the person to another doctor or an assessment of capacity for their assessments of capacity.

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**Brian Mathew**

174

Clause 9, page 6, line 26, at end insert—

- “(ab) must refer the person for assessment by two social workers who are registered with Social Work England or Social Care Wales in order to provide an opinion on matters related to coercion and pressure.”

**Member's explanatory statement**

This amendment would require the assessing doctor to refer the person for an assessment by two social workers in order to provide opinions on matters related to coercion and pressure.

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**Rachael Maskell**

284

Clause 9, page 6, line 27, leave out from beginning to “refer” in line 28 and insert “must”

**Member's explanatory statement**

This amendment would require a referral for the purposes of assessing capacity for both assessments.

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**Dame Meg Hillier**

17

Rachael Maskell  
 Neil Coyle  
 Mary Kelly Foy  
 Marsha De Cordova  
 John Grady

Antonia Bance  
 Dame Harriett Baldwin  
 Mike Wood  
 Mike Amesbury  
 Ms Polly Billington  
 Melanie Ward  
 Jess Asato  
 Mrs Emma Lewell-Buck

Patricia Ferguson  
 Wera Hobhouse  
 Dame Siobhain McDonagh  
 Sir Desmond Swayne  
 Kenneth Stevenson  
 Derek Twigg  
 Ian Byrne  
 Mary Glindon

Anna Dixon  
 Kirsteen Sullivan  
 Sean Woodcock  
 Daniel Francis  
 Lillian Jones  
 Chris Webb  
 Sarah Smith

Clause 9, page 6, line 27, leave out paragraph (b)

**Member's explanatory statement**

This amendment is consequential on Amendment 14.

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**Daisy Cooper**

6

Vikki Slade  
 Sarah Olney  
 Sarah Green  
 Daniel Francis  
 Wera Hobhouse

Adam Dance

Tom Gordon

Clause 9, page 6, line 27, leave out "may" and insert "must"

**Member's explanatory statement**

This amendment would require the assessing doctor to refer the person being assessed for a mental capacity assessment if the assessing doctor had doubt as to the person's capacity.

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**Sarah Olney**

38

Rachael Maskell  
 Neil Coyle  
 Sarah Smith

Clause 9, page 6, line 27, leave out "capacity" and insert "ability"

**Member's explanatory statement**

This amendment is consequential on Amendment 34 and NC1.

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**Jake Richards**

280

Clause 9, page 6, line 27, after “assessed” insert “or,

(ii) the person has a mental health condition;”

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**Kim Leadbeater**

370

Clause 9, page 6, line 29, leave out “registered in the specialism of psychiatry” and insert “a practising psychiatrist registered in one of the psychiatry specialisms”

**Member's explanatory statement**

This is a drafting change.

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**Kim Leadbeater**

202

Clause 9, page 6, line 31, leave out “capability” and insert “capacity”

**Member's explanatory statement**

This amendment corrects a typographical error.

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**Sarah Olney**

39

Rachael Maskell  
Neil Coyle  
Sarah Smith

Clause 9, page 6, line 31, leave out “capability” and insert “ability”

**Member's explanatory statement**

This amendment is consequential on Amendment 34 and NC1.

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**Wera Hobhouse**

365

Naz Shah  
Sarah Olney  
Peter Lamb  
Helen Maguire  
Steff Aquarone  
Liz Jarvis

Clause 9, page 6, line 31, at end insert—

“(ba) must, if they think a person may be seeking assistance to end their own life due to an impairment of judgment arising from a mental disorder or other condition, refer the person for assessment by a registered

medical practitioner who is registered in the specialism of psychiatry in the Specialist Register kept by the General Medical Council.”

**Member's explanatory statement**

This amendment would require that the assessing doctor to, if they think a person may be seeking assistance because of an impairment of judgment refer them for an assessment. It is linked to Amendments 363, 364, 366 and 367.

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**Dame Meg Hillier**

**18**

Rachael Maskell

Neil Coyle

Mary Kelly Foy

Marsha De Cordova

John Grady

Antonia Bance

Dame Harriett Baldwin

Mike Wood

Mike Amesbury

Ms Polly Billington

Melanie Ward

Jess Asato

Mrs Emma Lewell-Buck

Patricia Ferguson

Wera Hobhouse

Dame Siobhain McDonagh

Sir Desmond Swayne

Kenneth Stevenson

Derek Twigg

Ian Byrne

Mary Glendon

Anna Dixon

Kirsteen Sullivan

Sean Woodcock

Daniel Francis

Lillian Jones

Chris Webb

Sarah Smith

Clause 9, page 6, line 32, leave out “or (b)”

**Member's explanatory statement**

This amendment is consequential on Amendment 14.

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**Wera Hobhouse**

**366**

Naz Shah

Sarah Olney

Peter Lamb

Helen Maguire

Steff Aquarone

Liz Jarvis

Clause 9, page 6, line 32, after “(b)” insert “or (ba)”

**Member's explanatory statement**

This is consequential on Amendment 365.

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**Brian Mathew**

**175**

Clause 9, page 6, line 32, after “(3)(a)” insert “, (ab)”

**Member's explanatory statement**

This amendment is consequential on Amendment 174.

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**Brian Mathew**

176

Clause 9, page 6, line 34, after “(3)(a)” insert “, (ab)”

**Member's explanatory statement**

This amendment is consequential on Amendment 174.

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**Dame Meg Hillier**

19

Rachael Maskell

Neil Coyle

Mary Kelly Foy

Marsha De Cordova

John Grady

Antonia Bance

Dame Harriett Baldwin

Mike Wood

Mike Amesbury

Ms Polly Billington

Melanie Ward

Jess Asato

Mrs Emma Lewell-Buck

Patricia Ferguson

Wera Hobhouse

Dame Siobhain McDonagh

Sir Desmond Swayne

Kenneth Stevenson

Derek Twigg

Ian Byrne

Anna Dixon

Kirsteen Sullivan

Sean Woodcock

Daniel Francis

Lillian Jones

Chris Webb

Sarah Smith

Clause 9, page 6, line 34, leave out “or (b)”

**Member's explanatory statement**

This amendment is consequential on Amendment 14.

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**Brian Mathew**

177

Clause 9, page 6, line 36, after “(3)(a)” insert “or (ab)”

**Member's explanatory statement**

This amendment is consequential on Amendment 174.

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**Dame Harriett Baldwin**

268

Danny Kruger

Clause 9, page 6, line 41, at end insert—

“(6) Where the assessing doctor declines to sign the relevant statement, they must set out their reasons for doing so in a statement to the relevant Chief Medical Officer who shall ensure that it is made available to any other assessing doctor and to the Court.”

**Member's explanatory statement**

This provides that reasons for refusal by a doctor are to be communicated to the relevant Chief Medical Officer and made available to the other assessing doctors and to the Court.



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**Kim Leadbeater** 203  
Rachel Hopkins

Clause 10, page 6, line 42, at end insert—

“(A1) This section applies where the independent doctor has—  
 (a) carried out the second assessment, and  
 (b) made a report stating that they are not satisfied as to all of the matters mentioned in section 8(2)(a) to (e).”

**Member's explanatory statement**

This amendment is consequential on Amendment 421.

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**Kim Leadbeater** 204  
Rachel Hopkins

Clause 10, page 6, line 43, leave out from beginning to second “the” in line 44

**Member's explanatory statement**

This amendment is consequential on Amendment 203.

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**Sarah Olney** 458

☆ Clause 10, page 6, line 45, after “declaration” insert “and if there has been a material change of circumstances,”

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**Sarah Olney** 459

☆ Clause 10, page 7, line 3, at end insert—

“(2A) (a) Where a referral is made to a registered medical practitioner under subsection (1), the coordinating doctor must provide that new registered medical practitioner with the report by the independent doctor setting out their reasons for refusal.  
 (b) If the new registered medical practitioner reaches a different conclusion from the original independent doctor, they must produce a report setting out why they disagree.  
 (c) Those two reports must be made available to any subsequent decision maker under this Act and to the Commissioner.”

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**Sarah Olney** 460

☆ Clause 10, page 7, line 9, leave out “particular”

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**Juliet Campbell**

143

Clause 10, page 7, line 10, leave out “one referral for a second opinion” and insert “up to two referrals for a second or third opinion,”

**Member's explanatory statement**

This amendment would allow the coordinating doctor to make up to two referrals for a second or third opinion by an independent doctor.

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**Kim Leadbeater**

205

Rachel Hopkins

Clause 10, page 7, line 11, at end insert “; but this is subject to subsection (4).

(4) Where—

- (a) a referral is made under subsection (1) to a practitioner,
- (b) the practitioner dies or through illness is unable or unwilling to act as the independent doctor, and
- (c) no report under section 8 has been made by virtue of the referral, a further referral may be made under subsection (1).”

**Member's explanatory statement**

This amendment provides that a further referral may be made under this clause where a practitioner dies or is unable or unwilling to act as the independent doctor due to illness.

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**Dr Ben Spencer**

81

Page 6, line 42, leave out Clause 10

**Member's explanatory statement**

This amendment is consequential on NC4.

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**Liz Saville Roberts**

149

Tom Gordon

Clause 11, page 7, line 13, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment has the effect of allowing the Welsh Ministers to make regulations under Clause 11(1) (replacing the coordinating doctor on death etc). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

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**Sarah Olney**

**461**

☆ Clause 11, page 7, line 15, leave out “or otherwise”

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**Dr Ben Spencer**

**77**

Clause 11, page 7, line 18, after “appointment,” insert “by the Assisted Dying Agency”

**Member's explanatory statement**

This amendment is consequential on NC4.

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**Rachael Maskell**

**310**

Clause 11, page 7, line 23, at end insert “and

(c) to ensure the High Court is notified of the substitution of the coordinating doctor and the reason for the substitution.”

**Member's explanatory statement**

This amendment would include ensuring the High Court is notified of substitutions of the coordinating doctor in the list of matters the Secretary of State may by regulations make provision for.

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**Rachael Maskell**

**309**

Clause 11, page 7, line 23, at end insert—

“(3) Regulations under subsection (1) must include provision to require the reassessment of the patient under section 7.”

**Member's explanatory statement**

This amendment would require a regulations covering the replacement of the coordinating doctor to include a reassessment of the person by the new coordinating doctor.

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**Kim Leadbeater**

**206**

Clause 11, page 7, line 24, leave out subsection (3)

**Member's explanatory statement**

See the statement for Amendment 188.

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**Dame Harriett Baldwin**

**267**

Rebecca Smith  
David Mundell  
Margaret Mullane

Clause 12, page 7, line 37, after "(3)" insert "unless it believes that there are particular circumstances which make it inappropriate for the person to be assisted to end their own life"

**Member's explanatory statement**

This amendment grants a residual discretion to the High Court to refuse the application even if all the criteria are met.

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**Sarah Olney**

**40**

Rachael Maskell  
Neil Coyle  
Sarah Smith

Clause 12, page 8, line 2, leave out "capacity" and insert "the ability"

**Member's explanatory statement**

This amendment is consequential on Amendment 34 and NC1.

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**Wera Hobhouse**

**367**

Naz Shah  
Sarah Olney  
Peter Lamb  
Helen Maguire  
Steff Aquarone  
Liz Jarvis

Clause 12, page 8, line 2, at end insert—

“(ca) the person is not seeking assistance to end their own life due to an impairment of judgment arising from a mental disorder or other condition.”

**Member's explanatory statement**

This amendment would require that a court is satisfied that a person is not seeking assistance to end their own life due to an impairment of judgment. It is linked to Amendments 363, 364, 365 and 366.

---

**Danny Kruger**

**355**

Rachael Maskell

Clause 12, page 8, line 9, at end insert—

“(fa) the person is not a prisoner”

**Member's explanatory statement**

This amendment is consequential on Amendment 353.

---

**Danny Kruger** 358

Rachael Maskell

Clause 12, page 8, line 9, at end insert—

“(fa) the person is not homeless within the meaning of section 175 of the Housing Act 1996 (Homelessness and threatened homelessness).”

**Member's explanatory statement**

This amendment is consequential on Amendment 356.

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**Sarah Bool** 26

Rachael Maskell

Clause 12, page 8, line 13, after “coerced” insert “, unduly influenced”

**Member's explanatory statement**

This amendment is consequential on Amendment 23.

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**Rebecca Paul** 85

Rachael Maskell

Clause 12, page 8, line 13, after “coerced” insert “, encouraged”

**Member's explanatory statement**

This amendment is consequential on Amendment 82.

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**Mr James Cleverly** 97

Antonia Bance  
Paulette Hamilton  
Danny Kruger  
Ms Diane Abbott  
Sir Julian Lewis

Melanie Ward  
Rachael Maskell  
Margaret Mullane

Mr James Frith  
Saqib Bhatti

Jess Asato  
Sarah Smith

Clause 12, page 8, line 14, at end insert “, and

(i) is acting for their own sake rather than for the benefit of others.”

**Member's explanatory statement**

This amendment is consequential on Amendment 94.

---

**Dr Caroline Johnson**

238

Danny Kruger  
Rachael Maskell

Clause 12, page 8, line 14, at end insert “, and

(i) is acting for the primary purpose of avoiding physical pain.”

**Member's explanatory statement**

This amendment is consequential on Amendment 235.

---

**Rachael Maskell**

311

Clause 12, page 8, line 14, at end insert “and

(i) the person has had a consultation with a consultant who is a specialist in palliative medicine.”

**Member's explanatory statement**

This amendment would require that a person has had a consultation with a specialist in palliative medicine before the High Court could issue a declaration.

---

**Dame Harriett Baldwin**

259

Clause 12, page 8, line 14, at end insert—

“and that there is no real risk that the criteria in paragraphs (b) to (h) have not been met.”

**Member's explanatory statement**

This amendment provides that the request for assisted dying will not go ahead if there is a real risk that the eligibility criteria are not met.

---

**Catherine Atkinson**

105

Dame Meg Hillier  
Laurence Turner  
Helen Hayes  
John Grady  
Antonia Bance

Patricia Ferguson  
Daniel Francis  
Margaret Mullane

Anna Dixon  
Kenneth Stevenson

Kirsteen Sullivan  
Mary Glendon

Clause 12, page 8, line 15, leave out subsections (4) and (5) and insert—

“(4A) Rules of Court must secure that in relation to an application under subsection (1), the High Court must—

- (a) prescribe a procedure which in relation to each application appoints a person (the Official Solicitor in cases brought in England and Wales) to act as advocate to the Court,
- (b) hear from and question, in person—
  - (i) the person who made the application for the declaration,
  - (ii) the coordinating doctor,
  - (iii) the independent doctor, and
- (c) consider hearing from and questioning, in person—
  - (i) persons properly interested in the welfare of the person who made the application for the declaration and other persons they are close to, and
  - (ii) any other person who has provided treatment or care for the person being assessed in relation to that person's terminal illness."

**Member's explanatory statement**

This amendment would require court rules to be made that would ensure an adversarial court process, by appointing an advocate to the court. It would also require them to hear from the person seeking assistance to end their life and both assessing doctors, and to consider also hearing from family members and others involved in the person's care.

---

**Juliet Campbell**

**407**

Clause 12, page 8, line 19, leave out "may" and insert "must"

**Member's explanatory statement**

This amendment would require the High Court to hear from and question the person who made the application for the declaration.

---

**Juliet Campbell**

**410**

Clause 12, page 8, line 27, leave out subsection (6)

**Member's explanatory statement**

The amendment would remove the ability of the court to hear from and question any person other than the person who made the application for the declaration and the assessing doctors.

---

**Catherine Atkinson**

**106**

Dame Meg Hillier  
 Laurence Turner  
 John Grady  
 Antonia Bance  
 Patricia Ferguson

Anna Dixon  
 Kenneth Stevenson

Kirsteen Sullivan  
 Mary Glindon

Daniel Francis

Clause 12, page 8, line 30, leave out “(5)” and insert “(4A)”

**Member's explanatory statement**

This amendment is consequential on Amendment 105.

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**Rachael Maskell**

**432**

☆ Clause 12, page 8, line 31, leave out paragraph (a)

**Member's explanatory statement**

This amendment is linked to amendments which remove proxies from the Bill.

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**Claire Hazelgrove**

**252**

Clause 12, page 8, line 34, at end insert—

“(7A) Where a court considers it appropriate for medical reasons, it may make provision for the use of pre-recorded audio or video material for the purposes of subsection (5).”

**Member's explanatory statement**

This amendment would allow the court to hear from pre-recorded audio or video in cases where it considers it appropriate for medical reasons.

---

**Rachael Maskell**

**312**

Margaret Mullane

Clause 12, page 8, line 34, at end insert—

“(7A) Any person who wishes to challenge an application for a declaration under subsection (1) must enter a caveat in any district registry of the High Court within 14 days of the application being lodged or received, stating their belief that the requirements of this Act have not been met in relation to the first declaration, with specific reference to the matters listed in subsection (3).

(7B) Where a caveat is entered under subsection (7A), the High Court must hear from the person who has entered the caveat in addition to those persons listed in subsections (5) and (6).”

**Member's explanatory statement**

This amendment would allow a person who believes that the requirements of the Act have not been met to make this known to the High Court and be heard before a declaration is made.



---

**Dame Harriett Baldwin**

269

Clause 12, page 8, line 35, leave out subsections (8) to (11) and insert—

“(8) Any party to the proceedings may apply for permission to appeal to the Court of Appeal in accordance with the applicable Rules of Court.”

**Member's explanatory statement**

This amendment would allow any party to apply for permission to appeal a decision and remove the requirement for the Court of Appeal to conduct a re-hearing.

---

**Catherine Atkinson**

107

Dame Meg Hillier  
Laurence Turner  
John Grady  
Antonia Bance  
Patricia Ferguson

Anna Dixon  
Kenneth Stevenson

Kirsteen Sullivan  
Mary Glindon

Daniel Francis

Clause 12, page 8, line 44, leave out "(4)" and insert "(4A)"

**Member's explanatory statement**

This amendment is consequential on Amendment 105.

---

**Rachael Maskell**

313

Clause 12, page 9, line 1, leave out subsection (11)

**Member's explanatory statement**

This amendment would enable appeals to be heard against a decision by the High Court to make a declaration.

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**Kim Leadbeater**

369

Page 7, line 25, leave out Clause 12

**Member's explanatory statement**

This amendment is consequential on NC15 and NC21.

---

**Kim Leadbeater**

371

Clause 13, page 9, line 5, leave out paragraph (a) and insert—

“(a) a certificate of eligibility has been granted in respect of a person, and”

**Member's explanatory statement**

This amendment is consequential on NC21.

---

**Dr Ben Spencer**

61

Clause 13, page 9, line 5, leave out from "the" to "has" and insert "First-tier Tribunal"

**Member's explanatory statement**

This amendment is consequential on NC2 and NC3.

---

**Kim Leadbeater**

469

★ Clause 13, page 9, line 11, leave out "subsection (1)" and insert "this section"

**Member's explanatory statement**

This amendment is consequential to Amendment 472.

---

**Rachael Maskell**

317

Clause 13, page 9, line 12, leave out "14" and insert "28"

**Member's explanatory statement**

This amendment would provide 28 days for the second period of reflection instead of 14.

---

**Kim Leadbeater**

372

Clause 13, page 9, line 12, leave out from third "the" to end of line 13 and insert "certificate of eligibility was granted,"

**Member's explanatory statement**

This amendment is consequential on NC21.

---

**Dr Ben Spencer**

62

Clause 13, page 9, line 13, leave out from "the" to "or" in line 14 and insert "First-tier Tribunal"

**Member's explanatory statement**

This amendment is consequential on NC2 and NC3.

---

**Kim Leadbeater**

**373**

Clause 13, page 9, line 17, leave out "declaration was made" and insert "certificate was granted"

**Member's explanatory statement**

This amendment is consequential on NC21.

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**Sarah Olney**

**457**

☆ Clause 13, page 9, line 17, after "made," insert "and have not voluntarily stopped eating and drinking"

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**Rachael Maskell**

**314**

Clause 13, page 9, line 17, leave out "48 hours beginning with that day" and insert "7 days beginning with that day and the person must be referred immediately for urgent specialist palliative care."

**Member's explanatory statement**

This amendment would increase the second period of reflection in cases where the coordinating doctor reasonably believes the person will die within a month from 48 hours to seven days.

---

**Rachael Maskell**

**315**

Clause 13, page 9, line 17, leave out "48 hours" and insert "7 days"

**Member's explanatory statement**

This amendment would increase the second period of reflection in cases where the coordinating doctor reasonably believes the person will die within a month from 48 hours to seven days.

---

**Kim Leadbeater**

**207**

Rachel Hopkins

Clause 13, page 9, line 20, leave out "Schedule 4" and insert "regulations made by the Secretary of State"

**Member's explanatory statement**

This amendment provides that the form of a second declaration is to be set out in regulations (rather than in Schedule 4).

---

**Kim Leadbeater**

470

★ Clause 13, page 9, line 26, at end insert—

“(3A) Regulations under subsection (3)(a) must provide that a second declaration contains—

- (a) the following information—
  - (i) the person’s full name and address;
  - (ii) the person’s NHS number;
  - (iii) contact details for the person’s GP practice;
  - (iv) specified information about the certificate of eligibility;
- (b) the following further declarations by the person—
  - (i) a declaration that they have made a first declaration and have not cancelled it;
  - (ii) a declaration that they understand that they must make a second declaration in order for assistance to be provided under this Act;
  - (iii) a declaration that they are making the second declaration voluntarily and have not been coerced or pressured by any other person into making it;
  - (iv) a declaration that they understand that they may cancel the second declaration at any time.

In this subsection “specified” means specified in the regulations.”

**Member's explanatory statement**

This amendment provides that regulations about the form of a second declaration must make the provision mentioned in paragraphs (a) and (b).

---

**Kim Leadbeater**

471

★ Clause 13, page 9, line 27, leave out from “if” to “that” in line 28 and insert “the coordinating doctor is satisfied (immediately before witnessing it)”

**Member's explanatory statement**

This amendment removes wording which would suggest that a second declaration is made before it is witnessed.

---

**Sarah Olney**

41

Rachael Maskell  
Neil Coyle  
Sarah Smith

Clause 13, page 9, line 31, leave out "capacity" and insert "ability"

**Member's explanatory statement**

This amendment is consequential on Amendment 34 and NC1.

---

**Sarah Bool**

27

Rachael Maskell

Clause 13, page 9, line 33, after “coerced” insert “, unduly influenced”

**Member's explanatory statement**

This amendment is consequential on Amendment 23.

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**Rebecca Paul**

86

Rachael Maskell

Clause 13, page 9, line 33, after “coerced” insert “, encouraged”

**Member's explanatory statement**

This amendment is consequential on Amendment 82.

---

**Mr James Cleverly**

98

Antonia Bance  
Paulette Hamilton  
Danny Kruger  
Ms Diane Abbott  
Sir Julian Lewis

Melanie Ward  
Rachael Maskell  
Margaret Mullane

Mr James Frith  
Saqib Bhatti

Jess Asato  
Sarah Smith

Clause 13, page 9, line 34, at end insert “, and

(e) is acting for their own sake rather than for the benefit of others.”

**Member's explanatory statement**

This amendment is consequential on Amendment 94.

---

**Dr Caroline Johnson**

239

Danny Kruger  
Rachael Maskell

Clause 13, page 9, line 34, at end insert “, and

(e) is acting for the primary purpose of avoiding physical pain.”

**Member's explanatory statement**

This amendment is consequential on Amendment 235.

---

**Dame Harriett Baldwin**

260

Clause 13, page 9, line 34, at end insert—

“and that there is no real risk that the criteria in paragraphs (a) to (d) have not been met.”

**Member's explanatory statement**

This amendment provides that the request for assisted dying will not go ahead if there is a real risk that the eligibility criteria are not met.

---

**Rachael Maskell**

316

Clause 13, page 9, line 36, at end insert—

“(5A) If, when making the statement under subsection (5), the definition of “second period of reflection” under subsection (2)(b) applies, the coordinating doctor must make refer the person for urgent specialist palliative care.”

**Member's explanatory statement**

This amendment will ensure that there is an immediate referral to a specialist in palliative care due if the patient is likely to die within a month of the declaration from the Court.

---

**Kim Leadbeater**

208

Rachel Hopkins

Clause 13, page 9, line 38, leave out “Schedule 5” and insert “regulations made by the Secretary of State”

**Member's explanatory statement**

This amendment provides that the form of a statement by the coordinating doctor following the making of the second declaration is to be set out in regulations (rather than in Schedule 5).

---

**Kim Leadbeater**

472

★ Clause 13, page 9, line 41, at end insert—

“(6A) Regulations under subsection (6)(a) must provide that a statement under subsection (5) contains—

(a) the following information—

- (i) the person’s full name and address;
- (ii) the person’s NHS number;
- (iii) the coordinating doctor’s full name and work address;
- (iv) specified information about the certificate of eligibility;

- (b) the following declarations by the coordinating doctor (in addition to a declaration that they are satisfied of all of the matters mentioned in subsection (4)(a) to (d))—
- (i) a declaration that they are satisfied that a certificate of eligibility has been granted in respect of the person;
  - (ii) a declaration that the second declaration was made after the end of the second period for reflection;
  - (iii) if the second declaration was made before the end of the period mentioned in subsection (2)(a), a declaration that they have the belief mentioned in subsection (2)(b);
  - (iv) a declaration that they are satisfied that neither the first declaration nor the second declaration has been cancelled.

In this subsection “specified” means specified in the regulations.”

**Member's explanatory statement**

This amendment provides that regulations about the form of a statement under subsection (5) must make the provision mentioned in paragraphs (a) and (b).

---

**Kim Leadbeater**

374

Clause 13, page 10, line 2, at end insert—

- “(8) Where the coordinating doctor has—
- (a) witnessed a second declaration, or
  - (b) made or refused to make a statement under subsection (5),
- the doctor must notify the Commissioner and give them a copy of the second declaration or (as the case may be) any statement under subsection (5).”

**Member's explanatory statement**

This amendment requires the coordinating doctor to notify the Commissioner of witnessing a second declaration, and of having made or refused to make a statement under clause 13(5).

---

**Dr Ben Spencer**

78

Clause 14, page 10, line 7, leave out from “person)” to end of line 12 and insert “the Assisted Dying Agency”

**Member's explanatory statement**

This amendment is consequential on NC4.

---

**Kim Leadbeater**

375

Clause 14, page 10, line 9, at end insert—

“(1A) Where notice or an indication is given to the coordinating doctor under subsection (1)(a), the doctor must as soon as practicable notify the Commissioner of the cancellation.”

**Member's explanatory statement**

This amendment requires the coordinating doctor to notify the Commissioner of a cancellation of a first or second declaration.

---

**Kim Leadbeater**

376

Clause 14, page 10, line 12, after “doctor” insert “and the Commissioner”

**Member's explanatory statement**

This amendment requires a practitioner other than the coordinating doctor to notify the Commissioner (as well as the coordinating doctor) of a cancellation of a first or second declaration.

---

**Daniel Francis**

321

Mary Glindon

Clause 15, page 10, line 33, at end insert—

“(d) the reason why the person was unable to sign their name.”

---

**Rachael Maskell**

431

☆ Clause 15, page 11, line 1, leave out paragraphs (a) and (b) and insert “the donee of Lasting Power of Attorney for Health and Welfare decisions, who has the ability to give or refuse consent to life-sustaining treatment, as registered with the Office of the Public Guardian.”

**Member's explanatory statement**

This amendment would restrict proxies to donees of Lasting Power of Attorney for Health and Welfare decisions, including to give or refuse consent to life-sustaining treatment.

---

**Juliet Campbell**

411

Clause 15, page 11, line 3, leave out paragraph (b)

**Member's explanatory statement**

This amendment changes the definition of “proxy” for the purpose of section 12 so that it no longer includes “a person who is of good standing in the community”.



---

**Kim Leadbeater**

473

- ★ Clause 15, page 11, line 3, leave out from “person” to end of line and insert “of a description specified in regulations made by the Secretary of State.”

**Member's explanatory statement**

This amendment provides that persons of a description specified in regulations (rather than persons “of good standing in the community”) may be proxies.

---

**Claire Hazelgrove**

253

Clause 15, page 11, line 3, at end insert—

- “(6) For the purposes of this section “declaration” includes the cancellation of a declaration.”

**Member's explanatory statement**

This would allow a cancellation of the first or second declaration to be signed by a proxy.

---

**Kim Leadbeater**

209

Rachel Hopkins

Clause 16, page 11, line 8, leave out paragraphs (b) and (c) and insert—

- “(b) a report about the first assessment of a person is made under section 7;  
 (c) a report about the second assessment of a person is made under section 8;”

**Member's explanatory statement**

This amendment is consequential on Amendments 420 and 421.

---

**Kim Leadbeater**

377

Clause 16, page 11, line 12, leave out paragraph (d) and insert—

- “(d) a certificate of eligibility has been granted in respect of a person;  
 (da) a panel has refused to grant such a certificate;”

**Member's explanatory statement**

This amendment is consequential on NC21.

---

**Dr Ben Spencer**

63

Clause 16, page 11, line 12, leave out “the” to “has” and insert “First-tier Tribunal”

**Member's explanatory statement**

This amendment is consequential on NC2 and NC3.

---

**Kim Leadbeater**

474

★ Clause 16, page 11, line 17, at end insert—

“(1A) In this section “recordable event” means an event mentioned in a paragraph of subsection (1).”

---

**Dr Ben Spencer**

79

Clause 16, page 11, line 18, leave out subsections (2) and (3) and insert—

“(1A) The Assisted Dying Agency must, as soon as practicably possible, record the making of the statement or declaration.”

**Member's explanatory statement**

This amendment is consequential on NC4.

---

**Juliet Campbell**

130

Clause 16, page 11, line 19, leave out “as soon as practicable,” and insert “within 10 working days”

**Member's explanatory statement**

This amendment would require the coordinating doctor, where they are a practitioner with the person's GP practice to record the making of the declaration or statement, or the refusal to make the declaration or statement, in the person's medical records within 10 working days rather than as soon as practicable.

---

**Kim Leadbeater**

475

★ Clause 16, page 11, line 19, leave out from second “the” to “in” in line 21 and insert “occurrence of the recordable event”

---

**Juliet Campbell**

131

Clause 16, page 11, line 23, leave out “as soon as practicable,” and insert “within 10 working days”

**Member's explanatory statement**

This amendment would require the coordinating doctor, where they are not practitioner with the person's GP practice, to give a registered medical practitioner from that practice notice of the making of the declaration or statement, or the refusal to make the declaration or statement, in the person's medical records within 10 working days rather than as soon as practicable.

---

**Kim Leadbeater**

476

- ★ Clause 16, page 11, line 24, leave out from “the” to “, and” in line 26 and insert “occurrence of the recordable event”

---

**Juliet Campbell**

132

Clause 16, page 11, line 27, leave out “as soon as practicable,” and insert “within 10 working days”

**Member's explanatory statement**

This amendment would require the coordinating doctor, where they are not a practitioner with the person's GP practice to record the making of the declaration or statement, or the refusal to make the declaration or statement, in the person's medical records within 10 working days rather than as soon as practicable.

---

**Kim Leadbeater**

477

- ★ Clause 16, page 11, line 27, leave out from “the” to “in” in line 29 and insert “occurrence of the recordable event”

---

**Kim Leadbeater**

478

- ★ Clause 16, page 11, line 30, leave out from second “a” to end of line 32 and insert “declaration, report or statement within subsection (1) must include the original declaration, report or statement.”

---

**Dr Ben Spencer**

80

Clause 17, page 11, line 36, leave out subsections (2) and (3) and insert—  
“(1A) The Assisted Dying Agency must record the cancellation.”

**Member's explanatory statement**

This amendment is consequential on NC4.

---

**Kim Leadbeater**

479

- ★ Clause 17, page 11, line 37, leave out “at” and insert “with”

**Member's explanatory statement**

This amendment clarifies that a cancellation may be given to a practitioner with the person's GP practice.

---

**Juliet Campbell**

133

Clause 17, page 11, line 38, leave out “as soon as practicable,” and insert “within 10 working days”

**Member's explanatory statement**

This amendment would require the coordinating doctor, where they are not a practitioner with the person’s GP practice to record the making of the declaration or statement, or the refusal to make the declaration or statement, in the person’s medical records within 10 working days rather than as soon as practicable.

---

**Juliet Campbell**

134

Clause 17, page 12, line 2, leave out “as soon as practicable,” and insert “within 10 working days”

**Member's explanatory statement**

This amendment would require the medical practitioner to whom notice or indication of the cancellation of declaration is given to notify a registered medical professional from the person’s GP practice within 10 working days rather than as soon as practicable.

---

**Juliet Campbell**

135

Clause 17, page 12, line 5, leave out “as soon as practicable,” and insert “within 10 working days”

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**Kim Leadbeater**

378

Clause 18, page 12, line 9, leave out paragraph (a) and insert—

“(a) a certificate of eligibility has been granted in respect of a person,”

**Member's explanatory statement**

This amendment is consequential on NC21.

---

**Dr Ben Spencer**

64

Clause 18, page 12, line 9, leave out from “the” to “has” and insert “First-tier Tribunal”

**Member's explanatory statement**

This amendment is consequential on NC2 and NC3.

---

**Danny Kruger**

462

☆ Clause 18, page 12, line 20, at end insert—

“(3A) When providing a substance under subsection (3) the coordinating doctor must explain to the person that they do not have to go ahead and self administer the substance and they may still cancel their declaration.”

---

**Sarah Olney**

42

Rachael Maskell  
Neil Coyle  
Sarah Smith

Clause 18, page 12, line 23, leave out "capacity" and insert "the ability"

**Member's explanatory statement**

This amendment is consequential on Amendment 34 and NC1.

---

**Sarah Bool**

28

Rachael Maskell

Clause 18, page 12, line 26, after "coerced" insert ", unduly influenced"

**Member's explanatory statement**

This amendment is consequential on Amendment 23.

---

**Rebecca Paul**

87

Rachael Maskell

Clause 18, page 12, line 26, after "coerced" insert ", encouraged"

**Member's explanatory statement**

This amendment is consequential on Amendment 82.

---

**Mr James Cleverly**

99

Antonia Bance  
Paulette Hamilton  
Danny Kruger  
Ms Diane Abbott  
Sir Julian Lewis

Melanie Ward  
Rachael Maskell  
Margaret Mullane

Mr James Frith  
Saqib Bhatti

Jess Asato  
Sarah Smith

Clause 18, page 12, line 26, at end insert “, and

(d) is acting for their own sake rather than for the benefit of others.”

**Member's explanatory statement**

This amendment is consequential on Amendment 94.

---

**Dr Caroline Johnson**

**240**

Danny Kruger  
Rachael Maskell

Clause 18, page 12, line 26, at end insert “, and

(d) is acting for the primary purpose of avoiding physical pain.”

**Member's explanatory statement**

This amendment is consequential on Amendment 235.

---

**Dame Harriett Baldwin**

**261**

Clause 18, page 12, line 26, at end insert—

“and that there is no real risk that the criteria in paragraphs (a) to (c) have not been met.”

**Member's explanatory statement**

This amendment provides that the request for assisted dying will not go ahead if there is a real risk that the eligibility criteria are not met.

---

**Danny Kruger**

**463**

☆ Clause 18, page 12, line 34, leave out paragraph (c)

---

**Michael Payne**

**350**

Ian Byrne  
Neil Duncan-Jordan  
Tom Gordon

Clause 18, page 12, line 34, at end insert—

“(d) subject to subsection (6A), provide additional assistance to administer the substance in the presence of an independent witness.

(6A) The coordinating doctor may provide the additional assistance under subsection (6)(d) when—

- (a) the coordinating doctor is satisfied that the person is permanently and irreversibly unable to self-administer the substance due to—
  - (i) significant risk of choking as a result of dysphagia, or
  - (ii) the loss of use of the limbs; and
- (b) the person has authorised that the additional assistance be provided.”

**Member's explanatory statement**

This amendment would define the eligibility criteria for those who are permanently and irreversibly unable to self-administer the substance and are therefore eligible for additional assistance to administer the substance.

---

**Michael Payne**

**351**

Ian Byrne  
Neil Duncan-Jordan  
Tom Gordon

Clause 18, page 12, line 35, after “substance” insert “or to authorise additional assistance to be provided”

**Member's explanatory statement**

This amendment would ensure the decision to administer the approved substance remains with the person but would allow those who are unable to self-administer the substance to receive further assistance.

---

**Michael Payne**

**352**

Ian Byrne  
Neil Duncan-Jordan  
Tom Gordon

Clause 18, page 12, line 40, at end insert “, unless the criteria in subsection (6A) are met.”

**Member's explanatory statement**

This amendment would authorise the coordinating doctor to provide additional support with administration for those who are unable to self-administer the substance.

---

**Rachael Maskell**

**435**

☆ Clause 18, page 13, line 6, at end insert—

“(9A) Where the procedure has failed, the coordinating doctor must escalate the care of the person by making the appropriate referral to emergency medical services.”

**Member's explanatory statement**

This amendment would require the doctor to escalate the care of the person in cases in which the procedure fails.

---

**Daniel Francis**

429

☆ Clause 18, page 13, line 7, leave out subsection (10)

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**Rachael Maskell**

436

☆ Clause 18, page 13, line 8, after “provided” insert—

“(10A) If complications occur as a result of the provision of assistance the coordinating doctor must—

- (a) make a detailed record of the complications in the patient’s medical records,
- (b) make a declaration on the final statement issued under section 21, and
- (c) make a report to the relevant Chief Medical Officer and the Voluntary Assisted Dying Commissioner.”

**Member's explanatory statement**

This amendment would require the coordinating doctor to record any complications in the patient’s medical records, to make a declaration on the final statement issued under section 21, and make a report to the relevant Chief Medical Officer and the Voluntary Assisted Dying Commissioner.

---

**Danny Kruger**

464

☆ Clause 18, page 13, line 8, at end insert—

“(10A) If the person loses consciousness and it appears to the coordinating doctor that the procedure is failing, the coordinating doctor—

- (a) must not do anything with the intention of causing the person’s death, and
- (b) must seek to revive the person.”

---

**Juliet Campbell**

408

Clause 19, page 13, line 18, after “provided” insert “has been consulted and”

**Member's explanatory statement**

The amendment ensures the person has been consulted before they have given consent for another medical practitioner to be authorised to provide assistance.

---

**Daniel Francis**

337

Peter Swallow  
Rachael Maskell

Clause 19, page 13, line 20, after “such” insert “specialised”



**Member's explanatory statement**

This amendment is linked with NC12.

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**Liz Saville Roberts**

150

Tom Gordon

Clause 19, page 13, line 21, leave out "Secretary of State" and insert "appropriate authority"

**Member's explanatory statement**

This amendment has the effect of allowing the Welsh Ministers to make regulations under Clause 19(2)(b) (training, qualifications and experience of other doctors). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

---

**Kim Leadbeater**

210

Dr Marie Tidball  
Rachel Hopkins

Clause 19, page 13, line 22, at end insert—

"(2A) Regulations under subsection (2)(b) may in particular provide that the required training, qualifications or experience is to be determined by a person specified in the regulations."

**Member's explanatory statement**

This amendment enables regulations under subsection (2)(b) to provide that the required training, qualifications or experience is to be determined by a person specified in the regulations.

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**Rachael Maskell**

433

☆ Clause 19, page 13, line 26, leave out subsection (4)

**Member's explanatory statement**

This amendment is linked to amendments which remove proxies from the Bill.

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**Kim Leadbeater**

211

Rachel Hopkins

Clause 19, page 13, line 31, leave out subsection (5)

**Member's explanatory statement**

See the statement for Amendment 187.

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**Liz Saville Roberts**

151

Tom Gordon

Clause 19, page 13, line 31, leave out “Secretary of State must consult such persons as the Secretary of State” and insert “appropriate authority must consult such persons as the appropriate authority”

**Member's explanatory statement**

This amendment has the effect of requiring the Welsh Ministers to consult regarding the making of regulations under Clause 19(2)(b) (training, qualifications and experience of other doctors). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

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**Jess Asato**

22

Rebecca Paul  
 Dame Meg Hillier  
 Antonia Bance  
 Rachael Maskell  
 Neil Coyle

Anna Dixon  
 Melanie Ward  
 Laurence Turner  
 Anneliese Midgley  
 John Grady  
 Naz Shah  
 Sarah Smith

Mr James Frith  
 Mary Kelly Foy  
 Helen Hayes  
 Blair McDougall  
 Uma Kumaran  
 Kirsteen Sullivan  
 Kenneth Stevenson

Maya Ellis  
 Marsha De Cordova  
 Apsana Begum  
 Dr Scott Arthur  
 Patricia Ferguson  
 Daniel Francis  
 Mary Glindon

Clause 19, page 13, line 32, at end insert—

“(5A) Regulations under subsection (2)(b) must specify that training in respect of domestic abuse, including coercive control and financial abuse is mandatory.”

**Member's explanatory statement**

This amendment would require that, in the event of the coordinating doctor authorising another registered medical practitioner to provide assistance under the Act, that other registered medical practitioner must also have undertaken training on domestic abuse, including coercive control and financial abuse.

---

**Kim Leadbeater**

212

Clause 19, page 13, line 33, leave out subsection (6)

**Member's explanatory statement**

See the statement for Amendment 188.

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**Liz Saville Roberts**

152

Tom Gordon

Clause 20, page 13, line 35, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment has the effect of allowing the Welsh Ministers to make regulations under Clause 20(1) (meaning of “approved substance”). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

---

**Juliet Campbell**

**409**

Clause 20, page 13, line 35, leave out from “specify” to “for” and insert “two or more drugs or other substances with different techniques of administration”

**Member's explanatory statement**

The amendment requires that the Secretary of State specifies two or more drugs or other substances, which have different techniques of administration.

---

**Danny Kruger**

**465**

☆ Clause 20, page 13, line 36, at end insert—

“(1A) A drug may only be approved under this Act if it has been approved by the Medicines and Healthcare products Regulatory Agency for that purpose.”

---

**Danny Kruger**

**466**

☆ Clause 20, page 13, line 36, at end insert—

“(1A) A drug may only be approved under this Act if the Secretary of State is reasonably of the opinion that there is a scientific consensus that this drug or combination of drugs, is effective at ending someone’s life without causing pain.”

---

**Rachael Maskell**

**437**

☆ Clause 20, page 13, line 38, at end insert—

“(2A) The doses and types of lethal drugs specified in any regulations made under subsection (1) must be licensed by the Medicines and Healthcare products Regulatory Agency.”

**Member's explanatory statement**

This amendment would require that any drugs and doses to bring an end to someone’s life under the Act be licensed by the Medicines and Healthcare Products Regulatory Agency.

---

**Rachael Maskell**

438

☆ Clause 20, page 13, line 38, at end insert—

“(2A) The doses and types of lethal drugs to bring about the person’s death must be recommended by either the National Institute of Clinical Excellence or the All Wales Medicines Strategy Group in Wales’ guidelines as appropriate prior to licensing.”

**Member's explanatory statement**

This amendment will require the doses and types of lethal drugs must be recommended by either the National Institute of Clinical Excellence or the All Wales Medicines Strategy Group in Wales as appropriate.

---

**Danny Kruger**

467

☆ Clause 20, page 13, line 38, at end insert—

“(2A) Regulations under subsection (1) are subject to the affirmative procedure and when tabling the draft of the statutory instrument the Secretary of State must at the same time lay before both Houses of Parliament a report setting out all relevant information on the likely time to death, complications and likely side effect.”

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**Kim Leadbeater**

213

Clause 20, page 13, line 39, leave out subsection (3)

**Member's explanatory statement**

See the statement for Amendment 188.

---

**Rachael Maskell**

482

★ Clause 20, page 13, line 39, leave out “negative” and insert “affirmative”

---

**Kim Leadbeater**

214

Rachel Hopkins

Clause 21, page 14, line 9, leave out “Schedule 6” and insert “regulations made by the Secretary of State”

**Member's explanatory statement**

This amendment provides that the form of a final statement is to be set out in regulations (rather than in Schedule 6).

---

**Kim Leadbeater**

379

Clause 21, page 14, line 10, at end insert—

“(3A) The coordinating doctor must, as soon as practicable, give a copy of the final statement to the Commissioner.”

**Member's explanatory statement**

This amendment requires the coordinating doctor to give the Commissioner a copy of a final statement.

---

**Juliet Campbell**

136

Clause 21, page 14, line 12, leave out “as soon as practicable,” and insert “within 10 working days”

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**Juliet Campbell**

137

Clause 21, page 14, line 15, leave out “as soon as practicable,” and insert “within 10 working days”

---

**Juliet Campbell**

138

Clause 21, page 14, line 18, leave out “as soon as practicable,” and insert “within 10 working days”

---

**Rachael Maskell**

439

☆ Clause 21, page 14, line 20, at end insert—

“(7) The relevant body must supply—

- (a) full medical records,
- (b) court records, and
- (c) all documentation relating to the assessments and procedures,

relating to bringing about the death of the person in accordance with this act must be made available to the Chief Medical Officer and the Assisted Dying Commissioner.

(8) For the purposes of subsection 7 the “relevant body” is—

- (a) the coordinating doctor, if they are a practitioner with the person’s GP Practice;
- (b) in any other case, the person’s GP practice.”

**Member's explanatory statement**

This amendment would require full medical records, court records and all documentation relating to assessments and procedures to be supplied to the Chief Medical Office and Assisted Dying Commissioner.

---

**Kim Leadbeater**

380

Clause 22, page 14, line 25, at end insert—

“(1A) The coordinating doctor must, as soon as practicable, notify the Commissioner that this has happened.”

**Member's explanatory statement**

This amendment requires the coordinating doctor to notify the Commissioner of a matter mentioned in subsection (1).

---

**Juliet Campbell**

139

Clause 22, page 14, line 27, leave out “as soon as practicable,” and insert “within 10 working days”

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**Juliet Campbell**

140

Clause 22, page 14, line 30, leave out “as soon as practicable,” and insert “within 10 working days”

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**Juliet Campbell**

141

Clause 22, page 14, line 33, leave out “as soon as practicable,” and insert “within 10 working days”

---

**Rachael Maskell**

440

☆ Clause 22, page 14, line 34, at end insert—

“(4) For the purposes of subsections (2) and (3)(b), the information recorded must include—

- (a) any interventions made by a medical practitioner in response to the procedure failing, and
- (b) the timing of those interventions.”

**Member's explanatory statement**

This amendment would specify certain information to be recorded under section 22 when the procedure fails.

---

**Danny Kruger**

480

★ Clause 23, page 15, line 3, leave out subsection (1) and insert—

- “(1) No individual is under any duty (whether arising from any contract, statute or otherwise) to be involved, directly or indirectly, in the provision of assistance in accordance with this Act.
- (1A) In particular, no individual is under any duty (whether arising from any contract, statute or otherwise) to—
- (a) provide information about assisted dying;
  - (b) participate in an initial discussion;
  - (c) participate in the request and assessment process;
  - (d) supply, prescribe or administer an approved substance;
  - (e) be present at the time of administration of an approved substance; or
  - (f) dispense a prescription of an approved substance.
- (1B) Nothing in subsections (1) or (1A) of this section shall affect any duty to—
- (a) signpost someone to where they can obtain information about assisted dying (under section 4(5) or otherwise);
  - (b) perform acts of a clerical, secretarial, or ancillary nature; or
  - (c) perform any acts necessary to save the life of or to prevent grave injury to a person.”

**Member's explanatory statement**

This amendment would expand the provision of Clause 23(1) to all individuals and clarify the activities in which they are not obliged to participate.

---

**Rachael Maskell**

483

★ Clause 23, page 15, line 5, after “assistance” insert “, or in any activity closely related to the provision of assistance,”

**Member's explanatory statement**

This amendment would widen the range of activities which medical practitioners and other healthcare providers are not under an obligation to provide to include activities closely related to the provision of assistance under the Act.

---

**Juliet Campbell**

126

Rachael Maskell

Clause 23, page 15, line 5, at end insert—

- “(1A) Medical practitioners who wish to provide assistance under this Act must “opt-in” to the Register of Assisted Dying Medical Practitioners under clause (Register of Assisted Dying Medical Practitioners).”

**Member's explanatory statement**

This amendment provides that any medical practitioner who wishes to provide assistance under the Act must have opted in to the Register of Medical practitioners.

---

**Rachael Maskell**

484

- ★ Clause 23, page 15, line 8, after “Act” insert “, or in any activity closely related to the provision of assistance under this Act,”

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**Rachael Maskell**

441

- ☆ Clause 23, page 15, line 9, at end insert—

“(3) There is no obligation on any care home or hospice regulated by the Care Quality Commission or the Care Inspectorate Wales to permit the provision of assistance under this Act on their premises.”

**Member's explanatory statement**

This amendment prevents there being any obligation on a care home or hospice which is regulated in England or Wales to permit the provision of assistance under the Act on their premises.

---

**Rebecca Paul**

481

- ★ Clause 23, page 15, line 9, at end insert—

“(3) Nothing in subsection (2)—

- (a) prevents an employer who has chosen not to participate in the provision of assistance in accordance with this Act from prohibiting their employees from providing such assistance in the course of their employment with that employer, or
- (b) prevents an employer from specifying occupational requirements in relation to the provision of assistance in accordance with this Act in accordance with Schedule 9 of the Equality Act when hiring employees.”

**Member's explanatory statement**

This amendment ensures that employees cannot provide assisted dying against the wishes of their employers and that employers can still rely, in appropriate cases, on the occupational requirements of the Equality Act to either require employees to provide or not to provide assisted dying.

---

**Juliet Campbell**

116

Rachael Maskell

Clause 26, page 16, line 3, after “coercion” insert “, manipulation”



**Member's explanatory statement**

This amendment requires creating an offence of manipulating someone to make a first or second declaration (or not to cancel such a declaration).

---

**Juliet Campbell**

117

Rachael Maskell

Clause 26, page 16, line 6, after "coercion" insert ", manipulation"

**Member's explanatory statement**

This amendment requires creates an offence of manipulating someone to self-administer an approved substance provided in accordance with this Act.

---

**Kim Leadbeater**

381

Clause 27, page 16, line 16, leave out sub-paragraph (iii) and insert—

“(iii) a certificate of eligibility,”

**Member's explanatory statement**

This amendment is consequential on NC21.

---

**Dr Ben Spencer**

65

Clause 27, page 16, line 16, leave out from "the" to "under" and insert "First-tier Tribunal"

**Member's explanatory statement**

This amendment is consequential on NC2 and NC3.

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**Liz Saville Roberts**

153

Tom Gordon

Clause 28, page 17, line 3, leave out "Secretary of State" and insert "appropriate authority"

**Member's explanatory statement**

This amendment has the effect of allowing the Welsh Ministers to make regulations under Clause 28(1) (prescribing, dispensing, transporting etc of approved substances). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

---

**Rachael Maskell**

442

☆ Clause 28, page 17, line 3, leave out "may" and insert "must"

**Member's explanatory statement**

This amendment will make it an obligation for the Secretary of State to make regulations on the prescribing and dispensing of approved substances, their transportation, storage, handling and disposal and the associated records with this.

---

**Rachael Maskell**

443

- ☆ Clause 28, page 17, line 4, after “substances” insert “as approved through the Medicines and Healthcare products Regulatory Agency and either the National Institute for Clinical Excellence or the All Wales Medicines Strategy Group processes”

**Member's explanatory statement**

This amendment requires any regulations made about the prescribing and dispensing of approved substances to be on substances approved through the Medicines and Healthcare products Regulatory Agency and either the National Institute for Clinical Excellence or the All Wales Medicines Strategy Group processes.

---

**Rachael Maskell**

444

- ☆ Clause 28, page 17, line 6, after “substances” insert “including specifying that approved substances must at no time be left unsupervised by a medical practitioner”

**Member's explanatory statement**

This amendment will ensure regulations about the storage and handling of approved substances specify that approved substances must at no time be left unsupervised.

---

**Rachael Maskell**

445

- ☆ Clause 28, page 17, line 9, leave out “may” and insert “must”

**Member's explanatory statement**

This amendment ensures that the regulations under subsection (1) include provision about enforcement including provision of imposing civil penalties.

---

**Kim Leadbeater**

215

Clause 28, page 17, line 11, leave out subsection (3)

**Member's explanatory statement**

See the statement for Amendment 188.

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**Rachael Maskell**

485

- ★ Clause 28, page 17, line 11, leave out “negative” and insert “affirmative”

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**Sarah Olney**

**273**

Clause 29, page 17, line 33, at end insert—

- “(1A) Regulations under subsection (1) must specify that the following information is collected for each assisted death—
- (a) the person’s age,
  - (b) the person’s gender,
  - (c) the person’s ethnicity,
  - (d) the postcode of the person’s address at the time of their death,
  - (e) whether the person had a disability for the purposes of section 6 of the Equality Act 2010 (Disability), and
  - (f) any illness, disease or medical condition the person had that was deemed terminal for the purposes of section 2.”

---

**Daisy Cooper**

**7**

Anna Dixon  
Dr Ben Spencer  
Sarah Olney  
Adam Dance

Clause 29, page 18, line 9, at end insert “and, a statistical analysis of the number of people assessed by a medical practitioner as not eligible as they do not meet the criteria set out in section 1 of this Act.”

**Member's explanatory statement**

This amendment would require the Registrar General for England and Wales to at least once a year, prepare and lay before Parliament a statistical analysis of the number of people who had been assessed by a medical practitioner as not eligible for assisted dying.

---

**Rachael Maskell**

**446**

☆ Clause 29, page 18, line 9, at end insert—

- “(4) The Secretary of State must, by regulation, specify the data sets which must be made available by the Registrar General for England and Wales.
- (5) Any regulations made under subsection (4) are subject to the affirmative procedure.”

**Member's explanatory statement**

This amendment requires the Secretary of State to specify in regulations the data sets which are to be made available by the Registrar General for England and Wales.

---

**Rachael Maskell**

486

★ Clause 29, page 18, line 9, at end insert—

- “(4) A report provided under subsection (3) must include statistical analysis of—
- (a) demographic information relating to those who have received assistance under the Act, including breakdowns by the protected characteristics defined under section 4 of the Equality Act 2010;
  - (b) the length of time between the taking of approved substances and the time of death; and
  - (c) any complications that occurred as a result of the administration of a substance under the provisions of this Act.”

**Member's explanatory statement**

This amendment determines the data to be collated in the reports of the Registrar General.

---

**Liz Saville Roberts**

154

Clause 30, page 18, line 12, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment has the effect of allowing the Welsh Ministers to make a Code of Practice in Wales under Clause 30. A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

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**Rachael Maskell**

447

☆ Clause 30, page 18, line 12, leave out “may” and insert “must”

**Member's explanatory statement**

This amendment requires the Secretary of State to issue Codes of Conduct.

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**Sarah Olney**

43

Rachael Maskell  
Neil Coyle  
Sarah Smith

Clause 30, page 18, line 16, leave out “capacity” and insert “the ability”

**Member's explanatory statement**

This amendment is consequential on Amendment 34 and NC1.

---

**Daniel Francis**

394

Clause 30, page 18, line 24, at end insert—

“(ba) the provision of information and support to persons with learning disabilities who are eligible to request assistance to end their own life under this Act, including the role of advocates for such persons;”

---

**Jack Abbott**

416

Clause 30, page 18, line 25, leave out paragraph (c)

**Member's explanatory statement**

This amendment is linked to Amendment 417.

---

**Rachael Maskell**

448

☆ Clause 30, page 18, line 27, after “of” insert “registered and qualified”

**Member's explanatory statement**

This amendment requires a code of practice on the use of interpreters to be, instead, on the use of “registered and qualified” interpreters.

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**Daniel Francis**

430

☆ Clause 30, page 18, line 30, at end insert—

“(da) responding to unexpected complications that arise in relation to the administration of the approved substance under section 18, including when the procedure fails;”

---

**Liz Saville Roberts**

155

Clause 30, page 18, line 31, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment is linked to an amendment that allows the Welsh Ministers to make a Code of Practice in Wales under Clause 30. A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

---

**Dr Andrew Murrison**

272

Rachael Maskell

Clause 30, page 18, line 32, at end insert—

“(f) the form of the psychosocial intervention required under section 5(1A).”

**Member's explanatory statement**

This amendment is consequential on Amendment 271, and would allow the Secretary of State to issue a code of practice in connection with the requirement for a psychosocial intervention.

---

**Jack Abbott**

**417**

Clause 30, page 18, line 32, at end insert—

“(1A) The Secretary of State must, within six months of the passing of this Act, issue one or more codes of practice in connection with the arrangements for ensuring effective communication in connection with the provision of assistance to persons in accordance with this Act, including the use of interpreters.”

**Member's explanatory statement**

This amendment is linked to Amendment 416.

---

**Liz Saville Roberts**

**156**

Clause 30, page 18, line 33, leave out “Secretary of State must consult such persons as the Secretary of State” and insert “appropriate authority must consult such persons as the appropriate authority”

**Member's explanatory statement**

This amendment has the effect of requiring the Welsh Ministers to consult regarding the making a Code of Practice for Wales under Clause 30. A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

---

**Kim Leadbeater**

**216**

Clause 30, page 18, line 37, leave out subsection (4)

**Member's explanatory statement**

See the statement for Amendment 188.

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**Kim Leadbeater**

**217**

Clause 30, page 18, line 38, leave out “that procedure” and insert “section 39”

**Member's explanatory statement**

See the statement for Amendment 188.

---

**Daniel Francis**

**395**

Clause 31, page 19, line 8, at end insert—

“(2A) The persons consulted under subsection (2) must include persons with learning disabilities.”

---

**Daniel Francis**

**396**

Clause 31, page 19, line 14, at end insert—

“(ba) persons with learning disabilities;”

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**Liz Saville Roberts**

**157**

Clause 32, page 19, line 21, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment has the effect of allowing the Welsh Ministers to make regulations under Clause 32(1) (powers to ensure assistance is available). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

---

**Liz Saville Roberts**

**158**

Clause 32, page 19, line 22, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment is linked to an amendment that allows the Welsh Ministers to make regulations under Clause 32(1) (powers to ensure assistance is available). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

---

**Kim Leadbeater**

**218**

Clause 32, page 19, line 31, leave out subsection (4)

**Member's explanatory statement**

See the statement for Amendment 188.

---

**Liz Saville Roberts**

**159**

Clause 33, page 19, line 34, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment has the effect of allowing the Welsh Ministers to make regulations under Clause 33(1) (notifications to Chief Medical Officers). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

---

**Rebecca Paul** 172

Rebecca Smith  
Dame Harriett Baldwin  
David Mundell

Clause 33, page 19, line 34, leave out “may” and insert “must”

**Member's explanatory statement**

This amendment would require the Secretary of State to bring forward regulations to require any registered medical practitioner to notify the relevant Chief Medical Officer of any notifiable event.

---

**Liz Saville Roberts** 160

Clause 33, page 20, line 16, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment has the effect of allowing the Welsh Ministers to make regulations under Clause 33(2)(h) (notifications to Chief Medical Officers: notifiable events). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

---

**Kim Leadbeater** 219

Clause 33, page 20, line 24, leave out subsection (5)

**Member's explanatory statement**

See the statement for Amendment 188.

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**Rebecca Paul** 173

Anna Dixon  
Dr Ben Spencer  
Rebecca Smith  
Dame Harriett Baldwin  
David Mundell

Clause 33, page 20, line 24, leave out “negative” and insert “affirmative”



**Member's explanatory statement**

This amendment would mean that any regulations made under this section (Notification to Chief Medical Officers) must be made under the affirmative rather than the negative statutory instrument procedure.

---

**Kim Leadbeater****382**

Clause 34, page 20, line 26, leave out "relevant Chief Medical Officer" and insert "Commissioner"

**Member's explanatory statement**

This amendment provides for monitoring, investigation and reporting functions under Clause 34 to be carried out by the Voluntary Assisted Dying Commissioner (instead of the Chief Medical Officers for England and for Wales).

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**Kim Leadbeater****383**

Clause 34, page 20, line 29, leave out "the relevant national authority" and insert "an appropriate national authority"

**Member's explanatory statement**

This amendment is consequential on Amendment 382.

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**Kim Leadbeater****384**

Clause 34, page 20, line 30, leave out "relevant national" and insert "appropriate national"

**Member's explanatory statement**

This amendment is consequential on Amendment 382.

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**Kim Leadbeater****385**

Clause 34, page 20, line 31, leave out "relevant Chief Medical Officer" and insert "Commissioner"

**Member's explanatory statement**

This amendment is consequential on Amendment 382.

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**Rachael Maskell****449**

☆ Clause 34, page 20, line 32, after "to" insert "Parliament or Senedd Cymru as appropriate and"

**Member's explanatory statement**

This amendment requires the relevant Chief Medical Officer to submit an annual report to Parliament or the Senedd Cymru and the relevant national authority.

---

**Kim Leadbeater**

386

Clause 34, page 20, line 32, leave out “the relevant” and insert “each appropriate”

**Member's explanatory statement**

This amendment is consequential on Amendment 382.

---

**Rachael Maskell**

450

☆ Clause 34, page 20, line 33, at end insert—

“(1A) The relevant Chief Medical Officer must produce an annual equality impact assessment of access to both palliative care and assisted dying on the basis of—

- (a) protected characteristics as set out in the section 4 of the Equality Act 2010,
- (b) socioeconomic status,
- (c) geographical location.”

**Member's explanatory statement**

This amendment will ensure that a full impact assessment is carried out on the access to both palliative care services and assisted dying services.

---

**Kim Leadbeater**

387

Clause 34, page 20, line 34, leave out “relevant Chief Medical Officer’s” and insert “annual”

**Member's explanatory statement**

This amendment is consequential on Amendment 382.

---

**Kim Leadbeater**

220

Rachel Hopkins

Clause 34, page 20, line 36, leave out paragraphs (a) and (b) and insert—

- “(a) a report about the first assessment of a person does not contain a statement indicating that the coordinating doctor is satisfied as to all of the matters mentioned in section 7(2)(a) to (g);
- (b) a report about the second assessment of a person does not contain a statement indicating that the independent doctor is satisfied as to all of the matters mentioned in section 8(2)(a) to (e);”

---

**Kim Leadbeater**

388

Clause 34, page 20, line 40, leave out paragraph (c) and insert—

“(c) a panel has refused to grant a certificate of eligibility;”

**Member's explanatory statements**

This amendment is consequential on NC21.

---

**Dr Ben Spencer**

66

Clause 34, page 20, line 40, leave out from “the” to “has” and insert “First-tier Tribunal”

**Member's explanatory statement**

This amendment is consequential on NC2 and NC3.

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**Rachael Maskell**

451

☆ Clause 34, page 20, line 43, at end insert—

“(e) there were complications in the procedure.

(2A) The Commissioner’s report must include analysis of the following—

- (a) information about the patients’ diagnosis/es;
- (b) information about the patients’ prognosis;
- (c) any instances where concerns were raised about the patients’ capacity;
- (d) any instances where concerns raised about the patient being coerced;
- (e) any concerns raised by the multi-disciplinary panel;
- (f) any concerns raised by family members;
- (g) and demographic data on the patients, including socioeconomic data, information on protected characteristics; and
- (h) data obtained from the recording of the consultation.”

**Member's explanatory statement**

This amendment would require reporting under section 34 to include various information on diagnoses, complications, concerns about capacity and other matters.

---

**Kim Leadbeater**

455

☆ Clause 34, page 20, line 43, at end insert—

“(2A) An annual report must include information about the application of the Act in relation to—

- (a) persons who have protected characteristics, and
- (b) any other description of persons specified in regulations made by the Secretary of State.

- (2B) When preparing an annual report, the Commissioner must consult—
- (a) the Chief Medical Officer for England,
  - (b) the Chief Medical Officer for Wales, and
  - (c) such persons appearing to the Commissioner to represent the interests of persons who have protected characteristics as the Commissioner considers appropriate.”

**Member's explanatory statement**

This amendment requires an annual report to include information about the application of the Bill to persons with protected characteristics and other descriptions of persons specified in regulations. It also requires the Commissioner to consult the chief medical officers and persons representing the interests of those with protected characteristics, when preparing an annual report.

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**Sarah Olney**

**274**

Clause 34, page 20, line 43, at end insert—

- “(2A) The Chief Medical Officer’s report must include an analysis based on information—
- (a) provided to them under section (*Collection of information on assistance*),
  - (b) information required by regulations made under section 39B of the Births and Deaths Registration Act 1953 (*Regulations: assisted dying*).”

**Member's explanatory statement**

This amendment is linked to Amendment 273 and NC10 and provides that the Chief Medical Officer’s report must include an assessment/analysis of information received under that new clause.

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**Kim Leadbeater**

**389**

Clause 34, page 21, line 1, leave out subsections (3) to (7) and insert—

- “(3) An appropriate national authority must—
- (a) publish any report received under this section,
  - (b) prepare and publish a response to any such report, and
  - (c) lay before Parliament or Senedd Cymru (as the case may be) a copy of the report and response.
- (4) In this section “appropriate national authority” means the Secretary of State or the Welsh Ministers.”

**Member's explanatory statement**

This amendment is consequential on Amendment 382.

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**Kim Leadbeater**

456

☆ Clause 34, page 21, line 28, at end insert—

“(8) In this section “protected characteristics” has the same meaning as in Part 2 of the Equality Act 2010 (see section 4).”

**Member's explanatory statement**

This is consequential to Amendment 455.

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**Liz Saville Roberts**

161

Clause 35, page 21, line 30, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment has the effect of requiring the Welsh Ministers to review the operation of the Act in relation to Wales. A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

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**Rachael Maskell**

452

☆ Clause 35, page 21, line 30, leave out from “must” to end of line 31 and insert “every 12 months after the passing of this Act—”

**Member's explanatory statement**

This amendment will replace the review conducting after five years of the passing of the Act with an annual review starting 12 months after the passing of the Act.

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**Liz Saville Roberts**

162

Clause 35, page 21, line 35, at end insert “or the Senedd Cymru (as the case may be)”

**Member's explanatory statement**

This amendment has the effect of requiring a review carried out by the Welsh Ministers under Clause 35 to be laid before the Senedd.

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**Rachael Maskell**

453

☆ Clause 35, page 21, line 36, leave out subsection (2)

**Member's explanatory statement**

This amendment is consequential on Amendment 452.

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**Daniel Francis**

397

Clause 35, page 22, line 5, at end insert—

“(ba) an assessment of the impact of this Act on persons with learning disabilities, including any concerns about the operation of this Act in relation to such persons;”

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**Liz Saville Roberts**

163

Clause 35, page 22, line 8, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment is linked to an amendment that requires the Welsh Ministers to review the operation of the Act under Clause 35.

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**Rachael Maskell**

434

☆ Clause 36, page 22, line 16, leave out paragraph (c)

**Member's explanatory statement**

This amendment is linked to amendments which remove proxies from the Bill.

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**Daniel Francis**

454

☆ Clause 36, page 22, line 26, at end insert—

“(e) any person who would not have capacity to request assistance to end their own life under this Act.”

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**Liz Saville Roberts**

164

Clause 37, page 22, line 30, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment has the effect of allowing the Welsh Ministers to make regulations under Clause 37(1) (modification of form of declarations and statements). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

---

**Kim Leadbeater**

221

Rachel Hopkins  
Kit Malthouse

Page 22, line 29, leave out Clause 37

**Member's explanatory statement**

The amendment is consequential on Amendments 184, 207, 208 and 214, which provide for reports and forms to be set out in regulations (rather than in Schedules to the Bill).

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**Liz Saville Roberts**

165

Clause 38, page 22, line 34, leave out "Secretary of State" and insert "appropriate authority"

**Member's explanatory statement**

This amendment has the effect of allowing the Welsh Ministers to make regulations under Clause 38(1) (power to make consequential and transitional provision etc). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

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**Liz Saville Roberts**

166

Clause 38, page 22, line 37, leave out "Secretary of State" and insert "appropriate authority"

**Member's explanatory statement**

This amendment is linked to an amendment that allows the Welsh Ministers to make amendments under Clause 38(1) (power to make consequential and transitional provision etc). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

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**Kim Leadbeater**

222

Clause 38, page 23, line 1, leave out subsection (2)

**Member's explanatory statement**

See the statement for Amendment 188.

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**Rachael Maskell**

487

★ Clause 38, page 23, line 1, leave out "negative" and insert "affirmative"

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**Kim Leadbeater**

223

Clause 39, page 23, line 4, after "purposes" insert ", and

(b) incidental, consequential, transitional or saving provision."

**Member's explanatory statement**

This is a standard power for regulations to include the power to make incidental, consequential, transitional or saving provision.

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**Kim Leadbeater**

233

Clause 39, page 23, line 6, leave out subsections (3) to (5) and insert—

“(5A) The Secretary of State may not make a statutory instrument containing (whether alone or with other provision) regulations under section 5(3A), 8(6A), 30(3) or 32 unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(5B) Any other statutory instrument made by the Secretary of State containing regulations under this Act is subject to annulment in pursuance of a resolution of either House of Parliament.”

**Member's explanatory statement**

This amendment brings together the various provisions about the procedure for regulations and makes regulations under clauses 5 and 8 about training, qualifications and experience subject to the draft affirmative procedure.

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**Liz Saville Roberts**

167

Clause 39, page 23, line 9, at end insert “or, where the regulations are to be made by the Welsh Ministers, the Senedd Cymru”

**Member's explanatory statement**

This amendment has the effect of making certain powers of the Welsh Ministers subject to the affirmative procedure before the Senedd Cymru. A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

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**Liz Saville Roberts**

168

Clause 39, page 23, line 12, at end insert “or, where the regulations are to be made by the Welsh Ministers, the Senedd Cymru”

**Member's explanatory statement**

This amendment has the effect of making certain powers of the Welsh Ministers subject to the negative procedure before the Senedd Cymru. A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

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**Kim Leadbeater**

225

Clause 40, page 23, leave out line 23

**Member's explanatory statement**

The amendment is consequential on Amendment 233.



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**Liz Saville Roberts**

169

Clause 40, page 23, line 23, at end insert—

““appropriate authority” means—

- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers.”

**Member's explanatory statement**

This amendment to the interpretation provision in Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales. A series of linked amendments change references to the Secretary of State to appropriate authority in order to allow the Welsh Ministers to make regulations in relation to Wales.

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**Kim Leadbeater**

390

Clause 40, page 23, line 24, at end insert—

““certificate of eligibility” has the same meaning as in section (*Determination by panel of eligibility for assistance*);”

**Member's explanatory statement**

This amendment is consequential on NC21.

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**Kim Leadbeater**

391

Clause 40, page 23, line 24, at end insert—

““the Commissioner” has the meaning given by section (*Voluntary Assisted Dying Commissioner*);”

**Member's explanatory statement**

This amendment is consequential on NC14.

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**Sarah Olney**

44

Rachael Maskell  
Neil Coyle

Clause 40, page 23, line 26, leave out from "capacity" and insert "ability"

**Member's explanatory statement**

This amendment is consequential on Amendment 34 and NC1.

- 
- Kim Leadbeater** 392
- Clause 40, page 23, line 27, at end insert—
- ““first assessment” has the same meaning as in section 7;  
“first declaration” has the same meaning as in section 5;”
- Member's explanatory statement**
- This is a drafting change.
- 
- Kim Leadbeater** 226
- Clause 40, page 23, leave out line 37
- Member's explanatory statement**
- The amendment is consequential on Amendment 233.
- 
- Kim Leadbeater** 424
- Clause 40, page 23, line 37, at end insert—
- ““preliminary discussion” means a discussion of a kind mentioned in section 4(3);”
- Member's explanatory statement**
- This is a drafting change.
- 
- Kim Leadbeater** 393
- Clause 40, page 24, line 5, at end insert—
- ““second assessment” has the same meaning as in section 8;  
“second declaration” has the same meaning as in section 13;”
- Member's explanatory statement**
- This is a drafting change.
- 
- Liz Saville Roberts** 170
- Clause 42, page 24, line 21, leave out “Secretary of State” and insert “appropriate authority”
- Member's explanatory statement**
- This amendment has the effect of allowing the Welsh Ministers to make regulations under Clause 42(2) (commencement). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

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**Rachael Maskell**

488

★ Clause 42, page 24, line 22, leave out subsection (3) and insert—

“(3) The Secretary of State may not make a statutory instrument containing (whether alone or with other provision) regulations which bring section 18 into force unless the condition in subsection (3A) is met.

(3A) The condition is that a Minister of the Crown has made a statement to each House of Parliament that sets out—

- (a) that, in their opinion, all regulations necessary for the effective provision of assistance have been made under this Act; and
- (b) a list of the regulations that have been made for the purposes of paragraph (a).”

**Member's explanatory statement**

This amendment would prevent the Minister from making a commencement order for section 18 without a statement first being made to each House of Parliament stating that all necessary regulations for provision of assistance have been made and setting out what those regulations are.

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**Rachael Maskell**

489

★ Clause 42, page 24, line 22, leave out subsection (3)

**Member's explanatory statement**

This amendment would remove the automatic coming into force of provisions under the Act two years after it is passed.

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**Liz Saville Roberts**

171

Clause 42, page 24, line 26, leave out “Secretary of State” and insert “appropriate authority”

**Member's explanatory statement**

This amendment has the effect of allowing the Welsh Ministers to make regulations under Clause 42(4) (commencement: transitional and saving provision). A linked amendment to Clause 40 defines appropriate authority to mean the Secretary of State in relation to England and the Welsh Ministers in relation to Wales.

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**Kim Leadbeater**

NC8

To move the following Clause—

**“Duty to consult before making regulations**

- (1) Before making regulations under section 5, 7, 8, 13, 19 or 21, the Secretary of State must consult—
  - (a) the Commission for Equality and Human Rights, and
  - (b) such other persons as the Secretary of State considers appropriate.

- (2) The persons to be consulted under subsection (1)(b) must include —
- (a) persons appearing to the Secretary of State to have expertise in matters relating to whether persons have capacity, and
  - (b) persons appearing to the Secretary of State to have expertise in matters relating to whether persons have been coerced,
- unless the Secretary of State considers that, having regard to the subject-matter of the proposed regulations, it would not be appropriate to consult such persons.”

**Member's explanatory statement**

This new clause imposes a duty to consult before making regulations under various provisions of the Bill.

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**Kim Leadbeater**

**NC14**

To move the following Clause—

**“Voluntary Assisted Dying Commissioner**

- (1) There is to be a Voluntary Assisted Dying Commissioner.
- (2) The Commissioner is to be appointed by the Prime Minister.
- (3) The person appointed must hold or have held office as a judge of—
  - (a) the Supreme Court,
  - (b) the Court of Appeal, or
  - (c) the High Court.
- (4) The Commissioner’s principal functions are—
  - (a) receiving documents made under this Act;
  - (b) making appointments to a list of persons eligible to sit on Assisted Dying Review Panels (see Schedule (*Assisted Dying Review Panels*));
  - (c) making arrangements in relation to such panels and referring cases to them (see section (*Referral by Commissioner of case to multidisciplinary panel*));
  - (d) determining applications for reconsideration of panel decisions under section (*Reconsideration of panel decisions refusing certificate of eligibility*);
  - (e) monitoring the operation of this Act and reporting annually on it (see section 34).
- (5) In this Act “the Commissioner” means the Voluntary Assisted Dying Commissioner.
- (6) Schedule (*The Voluntary Assisted Dying Commissioner*) makes provision about the Commissioner.”

**Member's explanatory statement**

This new clause provides for there to be a Voluntary Assisted Dying Commissioner.

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Kim Leadbeater

NC15

To move the following Clause—

**“Referral by Commissioner of case to multidisciplinary panel**

- (1) This section applies where the Commissioner receives—
  - (a) a first declaration made by a person,
  - (b) a report about the first assessment of the person which contains a statement indicating that the coordinating doctor is satisfied as to all of the matters mentioned in section 7(2)(a) to (g), and
  - (c) a report about the second assessment of the person which contains a statement indicating that the independent doctor is satisfied as to all of the matters mentioned in section 8(2)(a) to (e).
- (2) The Commissioner must, as soon as reasonably practicable, refer the person’s case to an Assisted Dying Review Panel for determination of the person’s eligibility to be provided with assistance under section 18.
- (3) But where the Commissioner receives a notification that the first declaration has been cancelled—
  - (a) the Commissioner must not refer the person’s case to such a panel, and
  - (b) if the person’s case has already been so referred, the Commissioner must notify the panel of the cancellation.
- (4) Schedule (*Assisted Dying Review Panels*) makes provision about Assisted Dying Review Panels.”

**Member's explanatory statement**

This new clause provides for the Voluntary Assisted Dying Commissioner to refer a person’s case to a multidisciplinary panel, to be called an Assisted Dying Review Panel.

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Kim Leadbeater

NC17

To move the following Clause—

**“Reconsideration of panel decisions refusing certificate of eligibility**

- (1) This section applies where—
  - (a) a person’s case is referred under section (*Referral by Commissioner of case to multidisciplinary panel*) to an Assisted Dying Review Panel (“the first panel”), and
  - (b) the first panel refuses to grant a certificate of eligibility in respect of the person.
- (2) The person may apply to the Commissioner for their case to be reconsidered on the ground that the first panel’s decision—
  - (a) contains an error of law,
  - (b) is irrational, or
  - (c) is procedurally unfair.

5

10

- (3) The Commissioner must consider an application without a hearing.
- (4) On the application—
- 15 (a) if the Commissioner is satisfied that any of the grounds mentioned in subsection (2) applies, they must as soon as reasonably practicable refer the person's case to a different Assisted Dying Review Panel for a fresh determination under section (*Determination by panel of eligibility for assistance*);
- 20 (b) in any other case, the Commissioner must dismiss the application.
- (5) The Commissioner must give reasons, in writing, for their decision.
- (6) The Commissioner must notify the following of the outcome of the application, and give them a document containing their reasons for their decision—
- 25 (a) the person who made the application;
- (b) the coordinating doctor;
- (c) any other person specified in regulations made by the Secretary of State."

**Member's explanatory statement**

This new clause provides for certain decisions of Assisted Dying Review Panels to be referred to a different panel for reconsideration.

As an Amendment to Kim Leadbeater's proposed New Clause (Reconsideration of panel decisions refusing certificate of eligibility) (NC17):—

Rebecca Paul

NC17(a)

☆ Leave out from line 1 to line 12 and insert—

- "(1) The person applying for assisted dying, their next of kin, any of their relatives (within the meaning of the Family Law Act 1996), the registered medical practitioners who are treating them and anyone who took part in proceedings before the panel or gave evidence to the panel may apply to the Commissioner for the Panel's decision to be reconsidered.
- (2) The Commissioner will allow the application for reconsideration if the Panel's decision was—
- (a) wrong, or
- (b) unjust because of a serious procedural or other irregularity in the proceedings.
- (3) The Commissioner may consider the application without a hearing if they consider it in the interests of justice to dispense with a hearing."

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Kim Leadbeater

NC19

To move the following Clause—

**“Recording of preliminary discussion**

- (1) This section applies where a registered medical practitioner (“the practitioner”) conducts a preliminary discussion with a person.
- (2) Where the practitioner is a practitioner with the person’s GP practice, they must, as soon as practicable, record the preliminary discussion in the person’s medical records.
- (3) In any other case—
  - (a) the practitioner must, as soon as practicable, give a written record of the preliminary discussion to a registered medical practitioner with the person’s GP practice, and
  - (b) that registered medical practitioner must, as soon as practicable, include the record in the person’s medical records.”

**Member's explanatory statement**

This new clause requires a practitioner to include, in the person in question’s medical records, a record of a preliminary discussion under clause 4.

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Kim Leadbeater

NC21

☆ To move the following Clause—

**“Determination by panel of eligibility for assistance**

- (1) This section applies where a person’s case is referred under section (*Referral by Commissioner of case to multidisciplinary panel*) or (*Reconsideration of panel decisions refusing certificate of eligibility*) to an Assisted Dying Review Panel (“the panel”).
- (2) The panel’s function is to determine whether it is satisfied of all of the following matters—
  - (a) that the requirements of sections 5 to 9 have been met in relation to—
    - (i) the first declaration,
    - (ii) the first assessment and the report under section 7 on that assessment, and
    - (iii) the second assessment and the report under section 8 on that assessment;
  - (b) that the person is terminally ill;
  - (c) that the person has capacity to make the decision to end their own life;
  - (d) that the person was aged 18 or over at the time the first declaration was made;
  - (e) that before making the first declaration, but when the person was aged 18 or over, a registered medical practitioner conducted a preliminary discussion with the person;

- (f) that the person is ordinarily resident in England and Wales and has been so resident for at least 12 months ending with the date of the first declaration;
- 25 (g) that the person is registered as a patient with a general medical practice in England or Wales;
- (h) that the person has a clear, settled and informed wish to end their own life;
- (i) that the person made the first declaration voluntarily and was not coerced or pressured by any other person into making that declaration.
- 30 (3) Subject to the following and to Schedule (*Assisted Dying Review Panels*), the panel may adopt such procedure as it considers appropriate for the case.
- (4) The panel—
- (a) must hear from, and may question, the coordinating doctor or the independent doctor (and may hear from and question both);
- 35 (b) must (subject to subsection (5)) hear from, and may question, the person to whom the referral relates;
- (c) in a case to which section 15 applies, may hear from and may question the person's proxy;
- (d) may hear from and may question any other person;
- 40 (e) may ask any person appearing to it to have relevant knowledge or experience to report to it on such matters relating to the person to whom the referral relates as it considers appropriate.
- In paragraphs (a) to (c) the reference to hearing from or questioning a person is to hearing from them, or questioning them, in person or by live video or audio link.
- 45 (5) The duty under subsection (4)(b) to hear from the person to whom the referral relates does not apply if the panel is of the opinion that there are exceptional circumstances which justify not hearing from that person.
- (6) The panel—
- 50 (a) must, if it is satisfied of all of the matters mentioned in subsection (2), grant a certificate to that effect (a "certificate of eligibility");
- (b) must refuse to do so in any other case.
- (7) The panel must notify the following of its decision—
- 55 (a) the person to whom the referral relates;
- (b) the coordinating doctor;
- (c) the Commissioner;
- (d) any other person specified in regulations made by the Secretary of State.
- Where it grants a certificate of eligibility, it must give a copy of the certificate to each of these persons.
- 60 (8) If the panel is notified that the first declaration has been cancelled, it must cease to act in relation to the referral (and, in particular, it may not grant a certificate of eligibility)."



**Member's explanatory statement**

This new clause provides for a person's eligibility to be provided with assistance under clause 18 to be determined by a multidisciplinary panel (instead of the High Court).

As Amendments to Kim Leadbeater's proposed New Clause (Determination by panel of eligibility for assistance) (NC21):—

\_\_\_\_\_  
Catherine Atkinson

NC21(d)

★ Line 33, leave out paragraphs (a) to (d) and insert—

- “(a) must hear from, and must question, the coordinating doctor and the independent doctor;
- (b) must (subject to subsection (5)) hear from, and must question, the person to whom the referral relates;
- (c) in a case to which section 15 applies, must hear from and must question the person's proxy;
- (d) must consider hearing from and questioning—
  - (i) persons properly interested in the welfare of the person who made the application for the declaration and other persons they are close to; and
  - (ii) any other person who has provided treatment or care for the person being assessed in relation to that person's terminal illness; and
- (e) may hear from and may question any other person, including any person appearing to it to have relevant knowledge or experience to report to it on such matters relating to the person to whom the referral relates as it considers appropriate.”

\_\_\_\_\_  
Rebecca Paul

NC21(c)

☆ Line 43, at end insert—

- “(aa) if it considers that the matters mentioned in subsection 2(c), (h) or (i) are established on a balance of probabilities but still considers that there is a real risk that they are not satisfied, then the panel must stay its proceedings until such further inquiries it orders are made,”

\_\_\_\_\_  
Rebecca Paul

NC21(a)

☆ Line 50, after “satisfied” insert “beyond reasonable doubt”

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**Rebecca Paul**

**NC21(b)**

☆ Line 50, after “subsection (2)” insert “unless it believes that there are particular circumstances which make it inappropriate for the person to be assisted to end their own life,”

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**Sarah Olney**

**NC1**

Antonia Bance  
 Rachael Maskell  
 Neil Coyle  
 Marsha De Cordova  
 Helen Hayes  
 Sarah Smith

To move the following Clause—

**“Ability to make decision**

The person is to be considered as having the ability to make a decision to request assistance to end their life if they can fully understand, use and weigh the relevant information in accordance with regulations made by the Secretary of State under affirmative resolution.”

**Member's explanatory statement**

This new clause defines the concept of ability which is intended to replace the concept of capacity. This new clause is intended to replace Clause 3.

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**Dr Ben Spencer**

**NC2**

To move the following Clause—

**“Tribunal authorisation**

- (1) Where—
  - (a) a person has made a first declaration under section 5 which has not been cancelled,
  - (b) the coordinating doctor has made the statement mentioned in section 7(3), and
  - (c) the independent doctor has made the statement mentioned in section 8(5), that person may apply to the First-tier Tribunal (“the Tribunal”) for a declaration that the requirements of this Act have been met in relation to the first declaration.
- (2) On an application under this section, the Tribunal—
  - (a) must make the declaration if it is satisfied of all the matters listed in subsection (3), and
  - (b) in any other case, must refuse to make the declaration.
- (3) The matters referred to in subsection (2)(a) are that—

- (a) the requirements of sections 5 to 9 of this Act have been met in relation to the person who made the application,
  - (b) the person is terminally ill,
  - (c) the person has capacity to make the decision to end their own life,
  - (d) the person has relevant and available palliative care options available to them,
  - (e) the person is not liable to be detained under the Mental Health Act 1983,
  - (f) the person was aged 18 or over at the time the first declaration was made,
  - (g) the person is ordinarily resident in England and Wales and has been so resident for at least 12 months ending with the date of the first declaration,
  - (h) the person is registered as a patient with a general medical practice in England or Wales,
  - (i) the person has a clear, settled and informed wish to end their own life, and
  - (j) the person made the first declaration and the application under this section voluntarily and has not been coerced or pressured by any other person into making that declaration or application.
- (4) The Tribunal—
- (a) may hear from and question, in person, the person who made the application for the declaration;
  - (b) must hear from and may question, in person, the coordinating doctor or the independent doctor (or both);
  - (c) for the purposes of paragraph (b), may require the coordinating doctor or the independent doctor (or both) to appear before the tribunal.
- (5) For the purposes of determining whether it is satisfied of the matters mentioned in subsection (3)(g) and (h), the Tribunal may also—
- (a) hear from and question any other person;
  - (b) ask a person to report to the Tribunal on such matters relating to the person who has applied for the declaration as it considers appropriate.
- (6) In considering an application under this section, the panel must consist of—
- (a) a sitting judge,
  - (b) a medical practitioner, and
  - (c) a lay person.
- (7) In subsection (4)—
- (a) in paragraph (a), the reference to the person who made the application includes, in a case where the person's first declaration was signed by a proxy under section 15, that proxy, and
  - (b) "in person" includes by means of a live video link or a live audio link."

**Member's explanatory statement**

This new clause would replace the role of the High Court with the tribunal system.

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Dr Ben Spencer

NC3

To move the following Clause—

**“Tribunals in Wales**

- (1) For the purposes of this Act, the First-tier Tribunal and the Upper Tribunal, in exercising functions under or arising from this Act in relation to Wales, are to be treated as devolved tribunals within the meaning of paragraph 9 of Schedule 7A to the Government of Wales Act 2006.
- (2) The Welsh Ministers may by regulations make provision relating to the procedure to be followed by the First-tier Tribunal and the Upper Tribunal in exercising functions under this Act in relation to Wales.
- (3) Statutory instruments containing regulations made under this section may not be made unless a draft of the instrument has been laid before and approved by resolution of Senedd Cymru.”

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Dr Ben Spencer

NC4

To move the following Clause—

**“Assisted Dying Agency**

- (1) There shall be a body known as the Assisted Dying Agency (“The Agency”).
- (2) The purpose of the body is to coordinate requests from people to be considered for assisted dying, including assigning, at the appropriate junctures, a coordinating doctor and independent doctor for a person seeking assistance to end their own life.
- (3) Where a person has previously been referred to the Agency, no future referral relating to that person can be proceeded with by the Agency unless it considers there has been a material change in the person’s circumstances.
- (4) The Secretary of State must make regulations setting out—
  - (a) the staffing and remuneration of such staff,
  - (b) the procedures of the Agency, and
  - (c) the means by which the Agency can pay coordinating doctors and independent doctors for services rendered under this Act.
- (5) The Agency’s expenditure is to be paid out of money provided for by Parliament.
- (6) The Agency must, for each financial year, prepare accounts in accordance with directions given to it by the Treasury.
- (7) The Agency’s chief executive is its accounting officer.
- (8) As soon as reasonably practicable after the end of each financial year, the Agency must prepare a report about the performance of its functions during that year and lay that report before both Houses of Parliament.

(9) Regulations under subsection (4) are subject to the affirmative procedure.”

**Member's explanatory statement**

This new clause would create a new body that was principally responsible for coordinating and recording statements and declarations in relation to a person's request for assistance to end their own life.

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**Rebecca Paul**

**NC5**

Rachael Maskell

To move the following Clause—

**“Encouragement**

- (1) For the purposes of this Act, “encouraged” means an act capable of encouraging suicide which would constitute an offence under section 2 (Criminal liability for complicity in another's suicide) of the Suicide Act 1961.
- (2) A person is not rendered ineligible to request assistance to end their own life on the basis of—
  - (a) an act of encouragement that they were unaware of when requesting and going through assisted dying, or
  - (b) an act of encouragement which was not specifically directed at that person.”

**Member's explanatory statement**

This amendment provides a definition of encouragement is consequential on Amendments 82 to 92.

---

**Dr Neil Shastri-Hurst**

**NC6**

Anna Dixon  
Rachael Maskell

To move the following Clause—

**“Advance decision of no effect**

An advance decision, made pursuant to sections 24 to 26 of the Mental Capacity Act 2005, which stipulates that the maker of the decision, having become incapacitated, wishes to be provided with assistance to end their own life in accordance with this Act, shall be null and void and of no legal effect.”

**Member's explanatory statement**

The new clause prohibits an individual from making an advanced directive for voluntary assisted death in the eventuality he or she were to become incapacitated at a future date.

---

**Juliet Campbell**

NC7

Rachael Maskell  
Margaret Mullane

To move the following Clause—

**“Register of Assisted Dying Medical Practitioners**

- (1) The Secretary of State must, by regulation, establish a Register of Assisted Dying Medical Practitioners.
- (2) A medical professional may only carry out the role of co-ordinating doctor or independent doctor under this Act may if they are listed on the Register of Assisted Dying Medical Practitioners.
- (3) Initial discussions under section 4 may only take place with a registered medical practitioner if they are listed on the Register of Assisted Dying Medical Practitioners.
- (4) Regulations made under subsection (1) must provide that the Register of Assisted Dying Medical Practitioners includes all registered practitioners other than those to whom the conditions in subsections (5) and (6) apply.
- (5) The condition in this subsection is that only medical practitioners who have completed such training as required by the Secretary of State by regulation must be listed on the Register.
- (6) The condition in this subsection is that only medical practitioners who wish to provide assistance under the Act must “opt in” to be listed on the Register.
- (7) Regulations under subsection (1) and subsection (5) are subject to the affirmative procedure.
- (8) Before making regulations under subsection (1) and subsection (5), the Secretary of State must consult such persons as they consider appropriate.
- (9) Regulations under subsection (5) must be laid within six months of the passing of this Act.
- (10) Regulations under subsection (1) must be laid within twelve months of the passing of this Act.”

**Member's explanatory statement**

This new clause requires the Secretary of State, by regulation, to create a Register of Assisted Dying Medical Practitioners. Only those who are on the register would be able to hold initial discussions or act as a co-ordinating or independent doctor, or hold initial discussions under section 4 of the Act. Only those who have had training as specified by the Secretary of State in regulations can be on the Register. Registered medical practitioners would only appear on the register if they had “opted in”.

---

**Dame Harriett Baldwin**

**NC9**

Rebecca Paul  
Rebecca Smith  
Saqib Bhatti  
Dame Meg Hillier  
David Mundell

To move the following Clause—

**“Advertising offences: services of coordinating and independent doctors**

- (1) A person who in the course of a business publishes an advertisement, or causes one to be published, for services outlined in subsection (4), is guilty of an offence.
- (2) A person who in the course of a business prints, devises or distributes an advertisement for the promotion of services for the services outlined in subsection (4), or causes such an advertisement to be so printed, devised or distributed, is guilty of an offence.
- (3) Distributing an advertisement includes transmitting it in electronic form, participating in doing so, and providing the means of transmission.
- (4) The services outlined in this subsection are—
  - (a) acting as a coordinating doctor under this Act;
  - (b) acting as an independent doctor under this Act.
- (5) A person guilty of an offence under this section liable—
  - (a) on summary conviction to a fine;
  - (b) on conviction on indictment to imprisonment for a term not exceeding 2 years, or a fine, or both.”

**Member's explanatory statement**

This new clause would make it an offence to publish, print, distribute or devise and advertisement for services of a coordinating doctor or an independent doctor under this Act.

---

**Sarah Olney**

**NC10**

To move the following Clause—

**“Collection of information on assistance**

- (1) The coordinating doctor must, following the provision of assistance under section 18, record information on—
  - (a) how the process of providing assistance was carried out,
  - (b) the time taken from the ingestion or administration of the substance provided under section 18 to the time of death, and
  - (c) any complications or unforeseen circumstances that arose in connection with the ingestion or administration of the substance and how those were managed.

- (2) The record created under subsection (1) must be made available to the relevant Chief Medical Officer.
- (3) In this section “coordinating doctor” includes a doctor authorised by the coordinating doctor to provide assistance under section 19.”

**Member's explanatory statement**

This new clause provides that the coordinating doctor (or other doctor authorised to provide assistance) must collect certain information on the provision of that assistance.

---

**Daniel Francis**

**NC12**

Peter Swallow

To move the following Clause—

**“Obligations related to training**

- (1) No registered medical practitioner or other health professional is under any duty to opt in to undertake specialised training wholly or largely relating to the provision of assisted dying in accordance with this Act.
- (2) No medical practitioner or other health professional who has carried out training as may be specified by the Secretary of State under—
  - (a) section 5(3)(a),
  - (b) section 8(6)(a), or
  - (c) section 19(2)(b),
 is under any duty to participate in the provision of assisted dying under the terms of this Act.”

**Member's explanatory statement**

This new clause would set out that a registered medical practitioner or other health professional is not under any duty to undertake training in relation to the provision of assisted dying. And anyone who undertakes such training is not under a duty to provide assisted dying under the Act.

---

**Daniel Francis**

**NC13**

Peter Swallow

To move the following Clause—

**“Independent information and referral service**

- (1) The Secretary of State must, by regulations, make provision to establish an independent information and referral service to—
  - (a) provide information to persons who are, or may be, eligible for assisted dying in accordance with this Act, and
  - (b) where requested, facilitate the person’s access to assisted dying in accordance with this Act.



- (2) Regulations under subsection (1) are subject to the affirmative procedure.”

**Member's explanatory statement**

This new clause would require the Secretary of State to make provision for an independent information and referral service.

---

**Liz Saville Roberts**

**NC18**

To move the following Clause—

**“Provision of information in English and Welsh**

- (1) Any service, report, declaration or certificate of eligibility provided under this Act to a person seeking assistance to end their own life must either be—
  - (a) in the person’s first language, if that language is English or Welsh, or
  - (b) their preferred language of English or Welsh.
- (2) The person’s choice of language under subsection (1) must be recorded in that person’s medical records.
- (3) Any regulations made under sections 5, 7, 8, 13 or 21 specifying the form and content of declarations or statements must make provision for their being in both the English and Welsh language.
- (4) No regulations that contain provision for the Welsh language under the requirements of subsection (3) may be made unless a draft has been laid before and approved by a resolution of Senedd Cymru.
- (5) The Assisted Dying Review panel must make certificates of eligibility available in either English or Welsh depending on the person’s choice of language under subsection (1).”

---

**Rachael Maskell**

**NC20**

☆ To move the following Clause—

**“Annual impact assessment of assisted dying**

- (1) The Secretary of State must lay before both Houses of Parliament an annual report on the effect of this Act.
- (2) The report in subsection 1 must include an analysis the effect of this Act on people’s access to—
  - (a) healthcare,
  - (b) palliative care, and
  - (c) assisted dying.
- (3) For the purposes of subsection 2, the analysis must include an examination of people’s access by reference to—
  - (a) protected characteristics, and
  - (b) socioeconomic status.

- (4) The first annual report is to be laid before each House on their first sitting day after one calendar year from the passing of this Act.
- (5) Each subsequent report is to be laid on the first sitting day one calendar year after the preceding report."

---

Danny Kruger

NC22

★ To move the following Clause—

**"No obligation for occupiers and operators of premises**

- (1) Any individual, business, organisation, or association who occupies or operates premises has the right to refuse to permit the self-administration of an approved substance on their premises.
- (2) Nothing in subsection (1) confers any right on anyone with an interest in the land but who is not occupying or operating those premises."

**Member's explanatory statement**

This new clause would mean that the owners or occupiers of premises — but not landlords not currently in occupation — are not obliged to permit the self-administration of approved substances on their premises.

---

Rebecca Paul

NC23

★ To move the following Clause—

**"No detriment for care home or hospice not providing assistance**

- (1) No regulated care home or hospice shall be subject to any detriment by a public authority as a result of not—
  - (a) providing assistance in accordance with this Act, or
  - (b) permitting such assistance to take place on their premises.
- (2) No funding given by a public authority to a regulated care home or hospice can be conditional on that care home or hospice—
  - (a) providing assistance in accordance with this Act, or
  - (b) permitting such assistance to take place on their premises."

**Member's explanatory statement**

This new clause would mean that regulated care homes and hospices cannot be subject to any detriment for not providing or permitting assistance in accordance with this Act, and that their funding cannot be conditional on them providing or permitting such assistance.

---

**Claire Hazelgrove**

254

Schedule 1, page 25, line 20, at end insert—

“(2A) I understand that, for the assistance to be provided, the High Court or Court of Appeal must make a declaration under the 2024 Act.”

**Member's explanatory statement**

This amendment would change the wording for the first declaration to align with schedule 4 by specifying that the person understands the need for court approval in order to receive assistance under the Act.

---

**Sarah Bool**

29

Rachael Maskell

Schedule 1, page 25, line 22, after “coerced” insert “, unduly influenced”

**Member's explanatory statement**

This amendment is consequential on Amendment 23.

---

**Rebecca Paul**

88

Rachael Maskell

Schedule 1, page 25, line 22, after “coerced” insert “, encouraged”

**Member's explanatory statement**

This amendment is consequential on Amendment 82.

---

**Juliet Campbell**

118

Rachael Maskell

Schedule 1, page 25, line 22, after “coerced” insert “, manipulated”

**Member's explanatory statement**

This amendment adds a requirement to the first declaration for the person to declare they have not been manipulated. It is linked to Amendment 113.

---

**Mr James Cleverly**

100

Antonia Bance  
 Paulette Hamilton  
 Danny Kruger  
 Ms Diane Abbott  
 Sir Julian Lewis

Melanie Ward  
 Rachael Maskell  
 Margaret Mullane

Mr James Frith  
 Saqib Bhatti

Jess Asato  
 Sarah Smith

Schedule 1, page 25, line 22, at end insert—

“3A I am doing so for my own sake rather than for the benefit of others.”

**Member's explanatory statement**

This amendment is consequential on Amendment 94.

---

**Dr Caroline Johnson**

241

Danny Kruger  
 Rachael Maskell

Schedule 1, page 25, line 22, at end insert—

“3A I wish to be provided with assistance to end my own life for the primary purpose of avoiding physical pain.”

**Member's explanatory statement**

This amendment is consequential on Amendment 235.

---

**Danny Kruger**

403

Sir Julian Smith

Schedule 1, page 25, line 25, at end insert—

- “7. I have—
1. informed my family of my wish to be provided with assistance to end my life and taken their opinions into consideration
  2. decided not to inform my family of my decision
  3. no family to inform of my decision”

---

**Kim Leadbeater**

227

Rachel Hopkins  
 Kit Malthouse

Page 25, line 2, leave out Schedule 1

**Member's explanatory statement**

The amendment is consequential on Amendment 184.

---

**Sarah Olney**

45

Rachael Maskell

Neil Coyle

Schedule 2, page 26, line 36, leave out "capacity" and insert "the ability to make a decision"

---

**Sarah Bool**

30

Rachael Maskell

Schedule 2, page 27, line 11, after "coerced" insert ", unduly influenced"

**Member's explanatory statement**

This amendment is consequential on Amendment 23.

---

**Rebecca Paul**

89

Rachael Maskell

Schedule 2, page 27, line 11, after "coerced" insert ", encouraged"

**Member's explanatory statement**

This amendment is consequential on Amendment 82.

---

**Juliet Campbell**

119

Rachael Maskell

Schedule 2, page 27, line 11, after "coerced" insert ", manipulated"

**Member's explanatory statement**

This amendment requires the coordinating doctor to sign a declaration that to the best of their knowledge they believe that the person has not been manipulated. It is linked to Amendment 113.

---

**Mr James Cleverly**

101

Antonia Bance  
 Paulette Hamilton  
 Danny Kruger  
 Ms Diane Abbott  
 Sir Julian Lewis

Melanie Ward  
 Rachael Maskell  
 Margaret Mullane

Mr James Frith  
 Saqib Bhatti

Jess Asato  
 Sarah Smith

Schedule 2, page 27, line 12, at end insert “, and

- (c) the patient is acting for their own sake rather than for the benefit of others.”

**Member's explanatory statement**

This amendment is consequential on Amendment 94.

---

**Dr Caroline Johnson**

242

Danny Kruger  
 Rachael Maskell

Schedule 2, page 27, line 12, at end insert “, and

- (c) is acting for the primary purpose of avoiding physical pain.”

**Member's explanatory statement**

This amendment is consequential on Amendment 235.

---

**Dame Harriett Baldwin**

262

Schedule 2, page 27, line 12, at end insert—

“and that there is no real risk that the criteria in paragraphs (a) and (b) have not been met.”

**Member's explanatory statement**

This amendment provides that the request for assisted dying will not go ahead if there is a real risk that the eligibility criteria are not met.

---

**Kim Leadbeater**

228

Rachel Hopkins  
 Kit Malthouse

Page 26, line 11, leave out Schedule 2

**Member's explanatory statement**

This amendment is consequential on Amendment 420.

---

**Sarah Olney**

46

Rachael Maskell

Neil Coyle

Schedule 3, page 28, line 1, leave out "capacity" and insert "the ability to make a decision"

---

**Sarah Bool**

31

Rachael Maskell

Sarah Smith

Schedule 3, page 28, line 9, after "coerced" insert ", unduly influenced"

**Member's explanatory statement**

This amendment is consequential on Amendment 23.

---

**Rebecca Paul**

90

Rachael Maskell

Schedule 3, page 28, line 9, after "coerced" insert ", encouraged"

**Member's explanatory statement**

This amendment is consequential on Amendment 82.

---

**Juliet Campbell**

120

Rachael Maskell

Schedule 3, page 28, line 9, after "coerced" insert ", manipulated"

**Member's explanatory statement**

This amendment adds a requirement to the declaration that independent doctor has to sign, that they to the best of their knowledge they believe that the person not been manipulated. It is linked to Amendment 113.

---

**Mr James Cleverly**

102

Antonia Bance  
 Paulette Hamilton  
 Danny Kruger  
 Ms Diane Abbott  
 Sir Julian Lewis

Melanie Ward  
 Rachael Maskell  
 Margaret Mullane

Mr James Frith  
 Saqib Bhatti

Jess Asato  
 Sarah Smith

Schedule 3, page 28, line 10, at end insert “, and

- (c) the patient is acting for their own sake rather than for the benefit of others.”

**Member's explanatory statement**

This amendment is consequential on Amendment 94.

---

**Dr Caroline Johnson**

243

Danny Kruger  
 Rachael Maskell

Schedule 3, page 28, line 10, at end insert “, and

- (c) is acting for the primary purpose of avoiding physical pain.”

**Member's explanatory statement**

This amendment is consequential on Amendment 235.

---

**Dame Harriett Baldwin**

263

Schedule 3, page 28, line 10, at end insert—

“and that there is no real risk that the criteria in paragraphs (a) and (b) have not been met.”

**Member's explanatory statement**

This amendment provides that the request for assisted dying will not go ahead if there is a real risk that the eligibility criteria are not met.

---

**Kim Leadbeater**

229

Rachel Hopkins  
 Kit Malthouse

Page 27, line 15, leave out Schedule 3



**Member's explanatory statement**

This amendment is consequential on Amendment 421.

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**Dr Ben Spencer****67**

Schedule 4, page 28, line 32, leave out from "The" to "has" and insert "First-tier Tribunal"

**Member's explanatory statement**

This amendment is consequential on NC2 and NC3.

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**Sarah Bool****32**

Rachael Maskell

Schedule 4, page 29, line 5, after "coerced" insert ", unduly influenced"

**Member's explanatory statement**

This amendment is consequential on Amendment 23.

---

**Rebecca Paul****91**

Rachael Maskell

Schedule 4, page 29, line 5, after "coerced" insert ", encouraged"

**Member's explanatory statement**

This amendment is consequential on Amendment 82.

---

**Juliet Campbell****121**

Rachael Maskell

Schedule 4, page 29, line 5, after "coerced" insert ", manipulated"

**Member's explanatory statement**

This amendment adds a requirement to the second declaration for the person to declare they have not been manipulated. It is linked to Amendment 113.

---

**Mr James Cleverly**

103

Antonia Bance  
 Paulette Hamilton  
 Danny Kruger  
 Ms Diane Abbott  
 Sir Julian Lewis

Melanie Ward  
 Rachael Maskell  
 Margaret Mullane

Mr James Frith  
 Saqib Bhatti

Jess Asato  
 Sarah Smith

Schedule 4, page 29, line 5, at end insert—

“7A I am doing so for my own sake rather than for the benefit of others.”

**Member's explanatory statement**

This amendment is consequential on Amendment 94.

---

**Dr Caroline Johnson**

244

Danny Kruger  
 Rachael Maskell

Schedule 4, page 29, line 5, at end insert—

“7A I make this second declaration for the primary purpose of avoiding physical pain.”

**Member's explanatory statement**

This amendment is consequential on Amendment 235.

---

**Danny Kruger**

404

Sir Julian Smith

Schedule 4, page 29, line 7, at end insert—

- “10. I have—
1. informed my family of my wish to be provided with assistance to end my life and taken their opinions into consideration
  2. decided not to inform my family of my decision
  3. no family to inform of my decision”

---

**Kim Leadbeater**

230

Rachel Hopkins  
 Kit Malthouse

Page 28, line 13, leave out Schedule 4

**Member's explanatory statement**

The amendment is consequential on Amendment 207.

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**Dr Ben Spencer****68**

Schedule 5, page 30, line 6, leave out from "the" to "made" and insert "First-tier Tribunal"

**Member's explanatory statement**

This amendment is consequential on NC2 and NC3.

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**Dr Ben Spencer****69**

Schedule 5, page 30, line 10, leave out from "the" to end of line and insert "First-tier Tribunal"

**Member's explanatory statement**

This amendment is consequential on NC2 and NC3.

---

**Sarah Olney****47**

Rachael Maskell  
Neil Coyle

Schedule 5, page 30, line 14, leave out "capacity" and insert "the ability to make a decision"

---

**Sarah Bool****33**

Rachael Maskell

Schedule 5, page 30, line 22, after "coerced" insert ", unduly influenced"

**Member's explanatory statement**

This amendment is consequential on Amendment 23.

---

**Rebecca Paul****92**

Rachael Maskell

Schedule 5, page 30, line 22, after "coerced" insert ", encouraged"

**Member's explanatory statement**

This amendment is consequential on Amendment 82.

---

**Juliet Campbell**

122

Rachael Maskell

Schedule 5, page 30, line 22, after 'coerced' insert "manipulated"

**Member's explanatory statement**

This amendment adds a requirement to the declaration that coordinating doctor has to sign, that they to the best of their knowledge they believe that the person not been manipulated. It is linked to Amendment 113.

---

**Mr James Cleverly**

104

Antonia Bance  
Paulette Hamilton  
Danny Kruger  
Ms Diane Abbott  
Sir Julian Lewis

Melanie Ward  
Rachael Maskell  
Margaret Mullane

Mr James Frith  
Saqib Bhatti

Jess Asato  
Sarah Smith

Schedule 5, page 30, line 22, at end insert ", and

- (d) the patient is acting for their own sake rather than for the benefit of others."

**Member's explanatory statement**

This amendment is consequential on Amendment 94.

---

**Dr Caroline Johnson**

245

Danny Kruger  
Rachael Maskell

Schedule 5, page 30, line 22, at end insert ", and

- (d) the patient is acting for the primary purpose of avoiding physical pain."

**Member's explanatory statement**

This amendment is consequential on Amendment 235.

---

**Dame Harriett Baldwin**

264

Sojan Joseph

Schedule 5, page 30, line 22, at end insert—

"and that there is no real risk that the criteria in paragraphs (a) to (c) have not been met."

**Member's explanatory statement**

This amendment provides that the request for assisted dying will not go ahead if there is a real risk that the eligibility criteria are not met.

---

<b>Kim Leadbeater</b>	<b>231</b>
Rachel Hopkins Kit Malthouse	

Page 29, line 25, leave out Schedule 5

**Member's explanatory statement**

The amendment is consequential on Amendment 208.

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<b>Dr Ben Spencer</b>	<b>70</b>
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Schedule 6, page 32, line 3, leave out from "of" to "declaration" and insert "First-tier Tribunal"

**Member's explanatory statement**

This amendment is consequential on NC2 and NC3.

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<b>Claire Hazelgrove</b>	<b>255</b>
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Schedule 6, page 32, line 13, at end insert—

"Means of administration of approved substance ....."

**Member's explanatory statement**

This would add the means of administration to the final statement set out in Schedule 6.

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<b>Kim Leadbeater</b>	<b>232</b>
Rachel Hopkins Kit Malthouse	

Page 30, line 32, leave out Schedule 6

**Member's explanatory statement**

The amendment is consequential on Amendment 214.

Kim Leadbeater

NS1

To move the following Schedule—

“SCHEDULE

Section (*Voluntary Assisted Dying  
Commissioner*)

THE VOLUNTARY ASSISTED DYING COMMISSIONER

*Status*

- 1 (1) The Commissioner is to be a corporation sole.
- (2) The Commissioner is not to be regarded as—
  - (a) the servant or agent of the Crown, or
  - (b) as enjoying any status, immunity or privilege of the Crown.
- (3) The Commissioner’s property is not to be regarded as property of, or property held on behalf of, the Crown.

*General powers*

- 2 The Commissioner may do anything the Commissioner considers appropriate for the purposes of, or in connection with, the Commissioner’s functions.

*Deputy Commissioner*

- 3 (1) The Prime Minister must appoint a person to be the Deputy Voluntary Assisted Dying Commissioner (the “Deputy Commissioner”).
- (2) The person appointed must hold or have held office as a judge of—
  - (a) the Supreme Court,
  - (b) the Court of Appeal, or
  - (c) the High Court.
- (3) The Commissioner may delegate any of the Commissioner’s functions to the Deputy Commissioner, to the extent and on the terms that the Commissioner determines.
- (4) The delegation of a function under sub-paragraph (3) does not prevent the Commissioner from exercising that function.
- (5) The functions of the Commissioner are to be carried out by the Deputy Commissioner if—
  - (a) there is a vacancy in the office of the Commissioner, or
  - (b) the Commissioner is for any reason unable or unwilling to act.

*Appointment and tenure of office*

- 4 (1) A person holds and vacates office as the Commissioner or Deputy Commissioner in accordance with the terms and conditions of their appointment as determined by the Secretary of State, subject to the provisions of this paragraph.

- (2) An appointment as the Commissioner or Deputy Commissioner is to be for a term not exceeding five years.
- (3) A person may not be appointed as the Commissioner or Deputy Commissioner if a relevant appointment of them has been made on two occasions. "Relevant appointment" here means appointment as the Commissioner or Deputy Commissioner.
- (4) The Commissioner or Deputy Commissioner may resign by giving written notice to the Secretary of State.
- (5) The Secretary of State may by notice in writing remove a person from the office of Commissioner or Deputy Commissioner if satisfied that the person—
  - (a) has behaved in a way that is not compatible with their continuing in office, or
  - (b) is unfit, unable or unwilling to properly discharge their functions.

#### *Remuneration*

- 5 The Secretary of State may pay to, or in respect of, the person holding office as the Commissioner or Deputy Commissioner—
  - (a) remuneration;
  - (b) allowances;
  - (c) sums by way of or in respect of pensions.

#### *Staff: appointed by Commissioner*

- 6 (1) The Commissioner may appoint staff.
- (2) Staff are to be appointed on terms and conditions determined by the Commissioner.
- (3) The terms and conditions on which a member of staff is appointed may provide for the Commissioner to pay to or in respect of the member of staff—
  - (a) remuneration;
  - (b) allowances;
  - (c) sums by way of or in respect of pensions.
- (4) In making appointments under this paragraph, the Commissioner must have regard to the principle of selection on merit on the basis of fair and open competition.
- (5) The Employers' Liability (Compulsory Insurance) Act 1969 does not require insurance to be effected by the Commissioner.

#### *Staff: secondment to Commissioner*

- 7 (1) The Commissioner may make arrangements for persons to be seconded to the Commissioner to serve as members of the Commissioner's staff.
- (2) The arrangements may include provision for payments by the Commissioner to the person with whom the arrangements are made or directly to seconded staff (or both).

- (3) A period of secondment to the Commissioner does not affect the continuity of a person's employment with the employer from whose service he or she is seconded.

*Staff: general*

- 8 (1) Before appointing staff under paragraph 6 or making arrangements under paragraph 7(1), the Commissioner must obtain the approval of the Secretary of State as to the Commissioner's policies on—
  - (a) the number of staff to be appointed or seconded;
  - (b) payments to be made to or in respect of staff;
  - (c) the terms and conditions on which staff are to be appointed or seconded.
- (2) A function of the Commissioner may be carried out by any of the Commissioner's staff to the extent authorised by the Commissioner (but this is subject to sub-paragraph (3)).
- (3) Sub-paragraph (2) does not apply in respect of—
  - (a) the Commissioner's function under paragraph 2(1) of Schedule (*Assisted Dying Review Panels*) of making appointments to the list of persons eligible to be panel members;
  - (b) the Commissioner's function of determining applications for reconsideration under section (*Reconsideration of panel decisions refusing certificate of eligibility*).

*Financial and other assistance from the Secretary of State*

- 9 (1) The Secretary of State may—
  - (a) make payments to the Commissioner of such amounts as the Secretary of State considers appropriate;
  - (b) give such financial assistance to the Commissioner as the Secretary of State considers appropriate.
- (2) The Secretary of State may—
  - (a) provide staff in accordance with arrangements made by the Secretary of State and the Commissioner under paragraph 7;
  - (b) provide premises, facilities or other assistance to the Commissioner.

*Accounts*

- 10 (1) The Commissioner must—
  - (a) keep proper accounts and proper records in relation to them, and
  - (b) prepare a statement of accounts in respect of each financial year in the form specified by the Secretary of State.
- (2) The Commissioner must send a copy of each statement of accounts to the Secretary of State and the Comptroller and Auditor General—
  - (a) before the end of August next following the end of the financial year to which the statement relates, or



- (b) on or before such earlier date after the end of that year as the Treasury may direct.
- (3) The Comptroller and Auditor General must—
  - (a) examine, certify and report on the statement of accounts, and
  - (b) send a copy of the certified statement and the report to the Secretary of State.
- (4) The Secretary of State must lay before Parliament each document received under sub-paragraph (3)(b).
- (5) In this paragraph, “financial year” means—
  - (a) the period beginning with the date on which the Commissioner is established and ending with the second 31 March following that date, and
  - (b) each successive period of 12 months.

*Application of seal and proof of documents*

- 11 (1) The application of the Commissioner's seal is to be authenticated by the signature of—
  - (a) the Commissioner, or
  - (b) a person who has been authorised by the Commissioner for that purpose (whether generally or specially).
- (2) A document purporting to be duly executed under the Commissioner's seal or signed on the Commissioner's behalf —
  - (a) is to be received in evidence, and
  - (b) is to be treated as duly executed or signed in that way, unless the contrary is shown.

*Public Records Act 1958*

- 12 In Part 2 of the Table in paragraph 3 of the First Schedule to the Public Records Act 1958 (bodies whose records are public records), at the appropriate place insert—

“The Voluntary Assisted Dying Commissioner.”

*House of Commons Disqualification Act 1975*

- 13 In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 (offices disqualifying person from membership of House of Commons), at the appropriate place insert—

“The Voluntary Assisted Dying Commissioner or the Deputy Voluntary Assisted Dying Commissioner.”

*Freedom of Information Act 2000*

- 14 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (public authorities for the purposes of the Act), at the appropriate place insert—

“The Voluntary Assisted Dying Commissioner.”

*Equality Act 2010*

- 15 In Part 1 of Schedule 19 to the Equality Act 2010 (public authorities subject to public sector equality duty), at the end of the group of entries for bodies whose functions relate to health, social care and social security insert—

“The Voluntary Assisted Dying Commissioner.””

**Member's explanatory statement**

This new Schedule contains provision about the Voluntary Assisted Dying Commissioner and the Deputy Commissioner.

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Kim Leadbeater

NS2

To move the following Schedule—

**“SCHEDULE**

*Section (Referral by Commissioner of case to multidisciplinary panel)*

**ASSISTED DYING REVIEW PANELS***Introduction*

- 5 1 In this Schedule—
- (a) “referral” means a referral under section (*Referral by Commissioner of case to multidisciplinary panel*) or (*Reconsideration of panel decisions refusing certificate of eligibility*) (and similar references are to be construed accordingly);
- 10 (b) “panel” means an Assisted Dying Review Panel.

*List of persons eligible to be panel members*

- 2 (1) The Commissioner must make appointments to a list of persons eligible to sit as members of panels.
- (2) A person may be appointed to the list only if—
- 15 (a) the person (a “legal member”)—
- (i) holds or has held high judicial office,
- (ii) is one of His Majesty’s Counsel, or
- (iii) has (at any time) been requested to act as a judge of the Court of Appeal or the High Court by virtue of section 9(1) of the
- 20 Senior Courts Act 1981,
- (b) the person (a “psychiatrist member”) is—
- (i) a registered medical practitioner,
- (ii) a practising psychiatrist, and
- 25 (iii) registered in one of the psychiatry specialisms in the Specialist Register kept by the General Medical Council, or

(c) the person is registered as a social worker in a register maintained by Social Work England or Social Work Wales (a “social worker member”).

(3) In this paragraph “high judicial office” means office as—

30

- (a) a judge of the Supreme Court,
- (b) a judge of the Court of Appeal, or
- (c) a judge or deputy judge of the High Court.

#### *Tenure of persons appointed to list*

35 3 (1) Subject to the provisions of this paragraph, persons on the list hold and vacate their appointments in accordance with the terms on which they are appointed.

(2) An appointment to the list is to be for a period not exceeding five years.

(3) A person who has held appointment to the list is eligible for re-appointment for one further period not exceeding five years.

40

#### *Membership of panels*

4 (1) The Commissioner must make arrangements for determining the membership of a panel.

(2) The arrangements must ensure that a panel consists of—

45

- (a) a legal member,
- (b) a psychiatrist member, and
- (c) a social worker member.

#### *Decisions of panels*

5 (1) The legal member of a panel is to act as its chair.

50

(2) Decisions of a panel may be taken by a majority vote; but this is subject to sub-paragraph (3).

(3) The panel is to be treated as having decided to refuse to grant a certificate of eligibility if any member votes against a decision to grant such a certificate.

#### *Panel sittings*

55

6 (1) Panels are to determine referrals in public (but this is subject to sub-paragraph (2)).

(2) The chair of a panel may, at the request of the person to whom a referral relates, decide that the panel is to sit in private.

#### *Staff and facilities*

7 The Commissioner may make staff and other facilities available to panels.

60 *Practice and procedure*

- 8 (1) The Commissioner may give guidance about the practice and procedure of panels.
- (2) Panels must have regard to any such guidance in the exercise of their functions.

65 *Reasons*

- 9 Panels must give reasons, in writing, for their decisions.

*Money*

- 10 The Commissioner may pay to or in respect of members of panels—
- (a) remuneration;
- (b) allowances;
- (c) sums by way of or in respect of pensions.

70

*House of Commons Disqualification Act 1975*

- 11 In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 (offices disqualifying persons from membership of House of Commons), at the appropriate place insert—

75

“Person on the list of those eligible for membership of an Assisted Dying Review Panel.” “

**Member's explanatory statement**

This new Schedule contains provision about Assisted Dying Review Panels.

**As Amendments to Kim Leadbeater's proposed New Schedule (Assisted Dying Review Panels) (NS2):—**

**Jess Asato**

NS2(c)

Rachael Maskell  
 Patricia Ferguson  
 Ms Polly Billington  
 John Grady  
 Dr Scott Arthur

Anna Dixon  
 Antonia Bance  
 Mr James Frith

Helen Hayes  
 Maya Ellis

Dame Meg Hillier  
 Marsha De Cordova

Line 44, at end insert—

- “(3) The Commissioner must ensure that each member of a panel has had training in respect of domestic abuse, including coercive control and financial abuse.”

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**Liz Saville Roberts**

**NS2(a)**

Line 46, at end insert—

“(3) Each member of a panel must have fluent proficiency in the Welsh language if services or functions in the Act are to be provided to an individual in Welsh.”

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**Kit Malthouse**

**NS2(d)**

★ Line 54, leave out sub-paragraphs (1) and (2) and insert—

“(1) Panels are to determine referrals in private (but this is subject to sub-paragraph (2)).

(2) The chair of a panel may—

(a) with the approval of the person to whom a referral relates, or

(b) where the person does not approve, for any reason the panel deems necessary or desirable,

decide that the panel is to sit in public.

(3) The panel should only sit in public in exceptional circumstances where there is a clear public interest in doing so.”

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**Catherine Atkinson**

**NS2(b)**

Jess Asato

Dame Meg Hillier

Line 61, leave out sub-paragraphs (1) and (2) and insert—

“(1) The Commissioner must give guidance about the practice and procedure of panels.

(2) Such guidance must prescribe a procedure which in relation to each application appoints a person nominated by the Official Solicitor to act as advocate to the panel.

(3) Panels must have regard to such guidance in the exercise of their functions.”

**Member's explanatory statement**

This amendment would require Assisted Dying Panels to follow an adversarial process to test the evidence by appointing an advocate to the panel.

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## Order of the Committee

[21 January 2025, as amended 28 and 29 January 2025]

That—

1. the Committee shall (in addition to its first meeting at 2.00 pm on Tuesday 21 January) meet—
  - (a) at 9.25am and 2.00pm on Tuesday 28 January;
  - (b) at 9.25am and 2.00pm on Wednesday 29 January;
  - (c) at 11.30am and 1.00pm on Thursday 30 January;
2. during further proceedings on the Terminally Ill Adults (End of Life) Bill, the Committee do meet on Tuesdays and Wednesdays starting on 11 February 2025 while the House is sitting at 9.25am and 2.00pm.
3. the Committee shall hear oral evidence in accordance with the following Table:

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 28 January	Until no later than 10.05am	Sir Chris Whitty (Chief Medical Officer for England), Duncan Burton (Chief Nursing Officer)
Tuesday 28 January	Until no later than 10.45am	The British Medical Association, The General Medical Council
Tuesday 28 January	Until no later than 11.25am	Association of Palliative Care Social Workers, Royal College of Nursing
Tuesday 28 January	Until no later than 3.15pm	Dr Rachel Clark, Dr Sam Ahmedzai (Emeritus Professor at the University of Sheffield), Sue Ryder, Association of Palliative Medicine
Tuesday 28 January	Until no later than 4.15pm	Sir Max Hill KC, Alex Ruck Keene KC (Hon), Sir Nicholas Mostyn
Tuesday 28 January	Until no later than 5.00pm	Dr Ryan Spielvogal (Senior Medical Director for Aid in Dying Services, Sutter Health, USA), Dr Jessica Kaan (Medical Director, End of Life Washington)
Wednesday 29 January	Until no later than 10.25am	Dr Greg Mewett (Specialist Palliative Care Physician, Australia), Dr Clare Fellingham (Deputy Director of Medical Services, Royal Perth Hospital, Australia), Dr Cam McLaren (Oncologist, Australia and New Zealand)
Wednesday 29 January	Until no later than 11.25am	Professor Tom Shakespeare CBE FBA (London School of Hygiene and Tropical Medicine), Dr Miro Griffiths (University of Leeds), Yogi Amin (Partner, Irwin

<i>Date</i>	<i>Time</i>	<i>Witness</i>
		Mitchell), Chelsea Roff (Eat Breathe Thrive)
Wednesday 29 January	Until no later than 3.00pm	Hourglass, Dr Alexandra Mullock (University of Manchester), Professor Allan House (University of Leeds), Professor Aneez Esmail (University of Manchester), Disability Rights UK
Wednesday 29 January	Until no later than 4.00pm	Dr Lewis Graham (University of Cambridge), Baroness Falkner (EHRC), Lord Sumption
Wednesday 29 January	Until no later than 5.00pm	Hospice UK, Dr Jamilla Hussain (Bradford Teaching Hospitals NHS Trust and Hull York Medical School), Dr Jane Neerkin (Consultant Physician in Palliative Medicine), Marie Curie
Thursday 30 January	Until no later than 12.30pm	Dr Chloe Furst (Geriatrician and Palliative Care Physician, Adelaide), Alex Greenwich MP (MP for Sydney, Parliament of New South Wales), Professor Meredith Blake (University of Western Australia)
Thursday 30 January	Until no later than 2.00pm	Dr Amanda Ward, Professor Gareth Owen (Kings College London and South London and Maudsley NHS Trust), Professor Laura Hoyano (Professor of Law, Oxford University and Red Lion Chambers)
Thursday 30 January	Until no later than 3.00pm	Professor Nancy Preston (Lancaster University), Dr Naomi Richards (University of Glasgow), Claire Williams (Head of Pharmacovigilance and Regulatory Services, North West eHealth DipHE Adult Nursing, MSc Pharmacovigilance, and Chair, Greater Manchester Central Research Ethics Committee)
Thursday 30 January	Until no later than 4.00pm	People and families of those with relevant experience
Thursday 30 January	Until no later than 5.00pm	Mencap, Professor Emyr Lewis (Emeritus Professor, Department of Law and Criminology, University of Aberystwyth),

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*Date**Time**Witness*Royal College of General Practitioners,  
Royal College of Psychiatrists

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## Withdrawn Amendments

The following amendments were withdrawn on 5 February 2025:

2, 3, 4, 5 and 224

The following amendments were withdrawn on 7 February 2025:

256

The following amendments were withdrawn on 10 February 2025:

248, 249, 250 and 251

The following amendments were withdrawn on 13 February 2025:

60 (duplicate)

The following amendments were withdrawn on 20 February 2025:

318

The following amendments were withdrawn on 24 February 2025:

246 and 247

The following amendments were withdrawn on 27 February 2025:

194, 194(a) and 196

The following amendments were withdrawn on 3 March 2025:

323, 324, 325, 326, 327 and 328

The following amendments were withdrawn on 4 March 2025:

186(b), 198(a), 329, 330, 331, 332, 333, 334, 405 and 406

The following amendments were withdrawn on 5 March 2025:

NC11

The following amendments were withdrawn on 6 March 2025:

NC16 and NC16(a)