



COMMITTEE SUPPORT

Select Committee on the Inquiry into the
Voluntary Assisted Dying Bill 2023

ANSWER TO QUESTION TAKEN ON NOTICE

Asked by Marisa Paterson on 2 February 2024: Janet Zagari took on notice the following question:

Reference: Hansard [uncorrected] proof transcript 2 February 2024 [PAGE 42-43]

In relation to:

DR PATERSON: So we have talked for a week now about a substance. Is it a substance, or is it a dose of an existing medication, or—how is it regulated? What is it?

Ms Zagari: I think the advice is we take that question on notice around the substance; is it not?

THE CHAIR: Can we actually take that one of—

Ms Cheyne: So we can go to some parts of that question. Not all. So in terms of—

THE CHAIR: Is it just out of—can I ask why we cannot go to all? Is it just because you do not have all the information, or is because there are sensitivities around providing the information publicly?

Ms Zagari: So certainly, there are sensitivities around providing the information publicly, which would not permit us to go to that level of detail.

THE CHAIR: Dr Paterson, would you be comfortable taking the question on notice, and the committee can consider the answer in confidence? Or do you—

Minister for Human Rights: The answer to the Member's question is as follows:

Under clause 56 of the Voluntary Assisted Dying Bill 2023, the Director-General may approve a medicine for use for the purposes of causing an individual's death. The voluntary assisted dying substance/s to be used in the ACT are yet to be determined as this will be considered during the implementation period.

No other Australian jurisdiction specifies what the exact voluntary assisted dying substance/s are in their legislation. Like most other Australian jurisdictions, the substance/s are likely to be Schedule 8 (Controlled Medicines) and/or Schedule 4 (Prescription Medicines).

During the implementation, Pharmacy Protocols will be developed to provide guidance to involved practitioners.

No Australian jurisdiction has published its pharmacy protocols online as this may pose safety risks and may potentially contravene the *Commonwealth Criminal Code Act 1995*, which prohibits using a carriage service to disseminate or access suicide-related material.

The Voluntary Assisted Dying Bill 2023 and the *Medicines, Poisons and Therapeutic Goods Act 2008* will regulate dealings with the substance/s.

Approved for circulation to the Select Committee on the Inquiry into the Voluntary Assisted Dying Bill 2023

Signature:



Date:

13/2/24

By the Minister for Human Rights, Ms Tara Cheyne MLA