

# What is the End of Life Choice Act referendum about? (New Zealand Parliament, 2020c)

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If the End of Life Choice Act 2019 were to come into force, it would give people with a terminal illness the option of requesting assisted dying. The Act sets out criteria for who would be eligible to ask for assisted dying, and sets out the assisted dying process.

This referendum will ask whether you think the Act should come into force. Parliament has passed this Act, but it will only become law if more than 50 percent of voters support it in this referendum.



The Act sets out criteria for who would be eligible to ask for assisted dying, and sets out the assisted dying process.

Source: iStock

## Progress through the House

The Act was passed as a **Member's bill** ([https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL\\_74307/end-of-life-choice-bill](https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL_74307/end-of-life-choice-bill)), which began when it was drawn from the ballot and introduced to Parliament in June 2017. It passed its third reading with 69 votes in favour and 51 votes opposed, and received Royal assent on 16 November 2019. **Watch the bill pass here.** (<https://ondemand.parliament.nz/parliament-tv-on-demand/?itemId=209933>)

There was unprecedented public interest in this important and complex matter. The Justice Committee, which was the select committee that considered the bill, received 39,159 submissions on it from interested groups and individuals. The committee formed four sub-committees to ensure it heard from all people who asked to be heard. Together, oral submissions were heard from 1,350 submitters (77 organisations and 1,273 individuals) at hearings around the country.

**Read the Justice Committee's final report on the bill here** ([https://www.parliament.nz/resource/en-NZ/SCR\\_86640/c5b7adfc7598b85747ff94855bc46fb40470db0](https://www.parliament.nz/resource/en-NZ/SCR_86640/c5b7adfc7598b85747ff94855bc46fb40470db0)).

## What did MPs say about the bill?

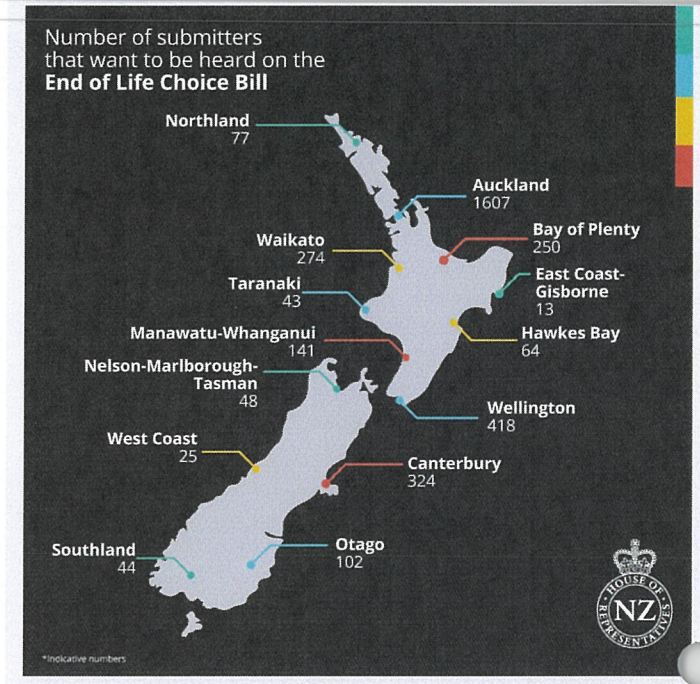
Usually, MPs will debate and vote on a bill in line with their parties' views. However, there are some issues which parties do not form a single party view on. For such issues, members can cast their votes individually. These are called personal votes, but are often referred to as "conscience votes" as they mostly used on issues of conscience—such as alcohol, or gambling.

The End of Life Choice Act was a contentious bill among MPs, and was treated as a conscience issue, so personal votes were used during its progress through the House. **Watch a personal vote on the End of Life Choice Act in action here.** (<https://ondemand.parliament.nz/parliament-tv-on-demand/?itemId=207598>)

**Watch the debates on the bill here** (<https://ondemand.parliament.nz/parliament-tv-on-demand/?keyword=End+of+Life+Choice&from=&to=&subject=&person=&stage=>), and **read the debates here** ([https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL\\_74307/tab/hansard](https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL_74307/tab/hansard)).

These views on assisted dying during the debates on this bill. Here are two differing views on the bill from its sponsor, David Seymour (ACT), and the Hon Maggie Barry

5th



<https://vimeo.com/372789088>



(<https://vimeo.com/372816231>)

## What would the Act do?

The key parts of the Act are around:

- defining who is eligible for assisted dying (the eligibility criteria)
- ensuring that the person requesting assisted dying understands the nature and consequences of their decisions (establishing competence)
- ensuring there is free choice, made without coercion, to engage in the process.

For someone to be eligible, they must meet **all** these criteria:

- be aged 18 years or over
- be a citizen or permanent resident of New Zealand
- suffer from a terminal illness that is likely to end their life within 6 months
- have significant and ongoing decline in physical capability
- experience unbearable suffering that cannot be eased
- be able to make an informed decision about assisted dying

Person is not eligible for assisted dying if the only reason given is that they are suffering from a mental disorder or mental illness, have a disability of any kind, or are of advanced age.

The Act requires that two medical practitioners must agree a person meets all the criteria, and is able to make the request. If eligible, the person chooses how and when they will receive the medication to relieve their suffering by bringing on death. A person can change their mind at any point in the process.

**Read a summary of the End of Life Choice Act 2019 here.** (<https://www.referendums.govt.nz/endoflifechoice/summary.html>)

## What happens after the referendum?

**If more than 50 percent of voters vote 'Yes' in the referendum,** the End of life Choice Act 2019 will come into force 12 months after the date the final votes are announced.

**If more than 50 percent of voters vote 'No' in the referendum,** the current law will remain.

**Learn more about the referendum on this Act here.** (<https://www.referendums.govt.nz/endoflifechoice/index.html>)

[Learn more about the bill here](https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL_74307/end-of-life-choice-bill) ([https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL\\_74307/end-of-life-choice-bill](https://www.parliament.nz/en/pb/bills-and-laws/bills-proposed-laws/document/BILL_74307/end-of-life-choice-bill))

[Read the bill](http://www.legislation.govt.nz/bill/member/2017/0269/latest/DLM7285905.html) (<http://www.legislation.govt.nz/bill/member/2017/0269/latest/DLM7285905.html>)

[Find out more about referendums](https://www.parliament.nz/en/visit-and-learn/parliament-in-election-year/what-is-a-referendum/) (<https://www.parliament.nz/en/visit-and-learn/parliament-in-election-year/what-is-a-referendum/>)

## Did you find this useful?



YES



NO



UNSURE