

Territory Freedoms (Euthanasia) Bill 2018

No. , 2018

Youmaton, Sydney MP

A bill for an Act to repeal and amend certain
legislation in relation to the NT and ACT and for
related purposes

Explanatory Memorandum

The objective of this Act is to repeal the Euthanasia Laws Act 1997 and amend the Australian Capital Territory (Self-Government) Act 1988 and Northern Territory (Self-Government) Act 1978 to give the government's of the Northern Territory and Australian Capital Territory freedom to legislate on the matter of voluntary assisted dying (euthanasia).

Financial Impact

This bill has no financial impact.

Human Rights Impact

This bill is compliant with the UN Human Rights Charter.

Second Reading Speech

Mr Speaker,

I rise in support of this bill, and with it I hope to finally restore this right of the territories. The best way to explain this bill is to give some history about what I am trying to repeal. In 1995, the Northern Territory passed the *Rights of the Terminally Ill Act 1995*, becoming the first jurisdiction in the world to allow the terminally ill to go out on their own terms. However, this was not to last because in 1996, then MP Kevin Andrews proposed the Euthanasia Laws Bill, which would strip the rights of the Northern Territory, the Australian Capital Territory, and the then Territory of Norfolk Island.

In 2017, this parliament legalised euthanasia, or voluntary assisted dying as most call it. This was seen as a victory for the terminally ill, to allow them to end their life on their own terms, rather than having to live with the pain. Despite this, within the two territories self-government acts, they are still not allowed to legislate on this matter as the states are allowed to. If a future parliament were to repeal voluntary assisted dying, the territories would be stuck once again not being able to legislate or even have a formal debate on this issue.

Therefore, I fully support this bill, and hope that my fellow parliamentarians and do the same.

The Parliament of AustraliaSim enacts:

PART 1 - PRELIMINARY

1 - Short Title

This Act may be cited as the Territory Freedoms (Euthanasia) Act 2018.

2 - Commencement

This Act commences on the day that it receives Royal Assent.

3 - Objective of this Act

The objective of this Act is to repeal the Euthanasia Laws Act 1997 and amend the Australian Capital Territory (Self-Government) Act 1988 and Northern Territory (Self-Government) Act 1978 to give the government's of the Northern Territory and Australian Capital Territory freedom to legislate on the matter of voluntary assisted dying (euthanasia).

4 - Schedules

The Acts that are specified in Schedules to this Act are amended as set out in the applicable items in the Schedule concerned, and any other items in the Schedules to this Act have effect according to their terms.

PART 2 - APPLICATION

Schedule 1 - Repeal of the Euthanasia Laws Act 1997

Euthanasia Laws Act 1997

1 - The whole of the act.

Repeal the Act.

Schedule 2 - Amendments

Part 1 - Amendments

Australian Capital Territory (Self-Government) Act 1988

2 - Subsections 23(1A) and (1B)

Repeal the subsections.

Northern Territory (Self-Government) Act 1978

3 - Section 50A

Repeal the section.