

1997
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Moore)

Euthanasia Referendum Bill 1997

A BILL

FOR

**An Act to provide for questions related to laws about
voluntary active euthanasia to be submitted to a
referendum**

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Euthanasia Referendum Act 1997*.

5 Commencement

2. This Act commences on the day on which it is notified in the *Gazette*.

Job No.: 1997/058

Interpretation

3. (1) In this Act—

“voluntary active euthanasia” means the termination of the life of a mentally competent adult person at his or her request if he or she has a terminal illness and is enduring pain or suffering that he or she considers intolerable.

(2) Unless the contrary intention appears, expressions used in this Act that have particular meanings in the *Referendum (Machinery Provisions) Act 1994* have the same respective meanings in this Act.

10 Requirement for referendum

4. (1) Questions related to laws about voluntary active euthanasia shall be submitted to a referendum of electors.

(2) The referendum shall be held on the same day as the polling day for the next general election of members of the Legislative Assembly.

15 Referendum ballot papers

5. (1) Subject to subsection (2), a referendum ballot paper shall be in accordance with a form determined by the Commissioner.

(2) A referendum ballot paper shall—

- (a) contain the questions set out in the Schedule;
- (b) include the note set out at the end of the Schedule;
- (c) invite an answer “yes” or “no” to each question; and
- (d) contain directions as to how an answer should be indicated.

Arguments for and against referendum options

6. The *Referendum (Machinery Provisions) Act 1994* applies in relation to the referendum as if—

- (a) “who voted in favour of the relevant referendum law” had been omitted from paragraph (a) of the definition of “authorised statement” in subsection 8 (2) of that Act and “nominated by the Assembly by resolution for the purpose” substituted; and
- (b) “who voted against the relevant referendum law” had been omitted from paragraph (b) of the definition of “authorised statement” in subsection 8 (2) of that Act and “nominated by the Assembly by resolution for the purpose” substituted.

SCHEDULE

Section 5

REFERENDUM QUESTIONS

Note: In these questions “voluntary active euthanasia” means the termination of the life of a mentally competent adult person at his or her request if he or she has a terminal illness and is enduring pain and suffering that he or she considers intolerable.

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1. Do you believe that voluntary active euthanasia should be permitted by law?

2. Do you support the following statement?

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The people of the ACT call on the Commonwealth Parliament to restore to the ACT Legislative Assembly the power to make laws with respect to voluntary active euthanasia.