

Provision	Victoria	Western Australia	South Australia	Tasmania	Queensland
Name of Act or Bill	Voluntary Assisted Dying Act (2017)	Voluntary Assisted Dying Act (2019)	Voluntary Assisted Dying Act (2021)	End of Life Choices (Voluntary Assisted Dying) Act (2021)	Voluntary Assisted Dying Bill 2021
Residency					
<ul style="list-style-type: none"> Australian resident or citizen 12 months in the state 18 years and over 	✓	✓	✓	✓	✓ State residency review process
Criteria					
<ul style="list-style-type: none"> Decision making capacity Acting voluntarily without coercion Disease, illness or medical condition Causing suffering which cannot be relieved in a manner the person finds tolerable Provided with all palliative care options Mental illness not a criteria Disability not a criteria 	✓	✓	✓	✓ Includes 'injury' as well as disease, illness and medical condition	✓
<ul style="list-style-type: none"> 6 months to live or 12 months for a neurodegenerative condition 	✓	✓	✓	✓	12 months for all illnesses
Process to access VAD					
<ul style="list-style-type: none"> First Request (orally) Assessed by two medical practitioners as eligible Written request - witnessed Final request Contact person appointed Final Review form submitted by Coordinating Medical Practitioner VAD Permit issued 	✓	✓ VAD Permit not required	✓	✓ Second assessment after 2 requests to primary medical practitioner (2 nd request in writing and witnessed)	✓ VAD Permit not required

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Contact Person					
<ul style="list-style-type: none"> Contact person responsible for management and return of drugs after death (for self administration) Appointed at time of Final Request 	✓	✓	✓	✓	✓
VAD Permit					
<ul style="list-style-type: none"> VAD Permit issued after Health Sec checks all processes completed accurately Time limit on issue of VAD Permit by Secretary Doctor must receive VAD Permit from Health Sec before writing prescription 	✓	Not required	✓	Called a VAD substance authorisation	Not required
Witnesses to written declaration					
<ul style="list-style-type: none"> Independent Cannot be employed by institution in which person resides One can be a family member 	✓	✓	✓	✓	✓ Both can be family members
Substance Administration					
<ul style="list-style-type: none"> Self administration 	✓	✓	✓	✓	✓
<ul style="list-style-type: none"> Doctor administration if unable to self administer 	✓	✓	✓	✓	✓ witness required
<ul style="list-style-type: none"> Nurse practitioner administration permitted 		✓		✓ Registered nurse	✓
Doctor qualifications					
<ul style="list-style-type: none"> Doctor must be VAD trained 	✓	✓	✓	✓	✓
<ul style="list-style-type: none"> Doctor cannot be a family member 		✓	✓	✓	✓
<ul style="list-style-type: none"> One doctor must be a specialist in medical condition expected to cause death 	✓	✗	✓	One doctor must have 'experience'	✗

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<ul style="list-style-type: none"> • Doctor cannot initiate discussion on VAD 	✓	Permitted	✓	Permitted	Permitted
Conscientious Objection					
<ul style="list-style-type: none"> • Doctors can conscientiously object to participation in VAD 	✓	✓	✓	✓	✓
Private Hospitals			✓		
<ul style="list-style-type: none"> • Private hospitals can conscientiously object to participating in any aspect of VAD process • Must provide information to patients before admission that VAD not allowed • Must facilitate transfer to an institution where VAD permitted 					
Residential Aged Care			✓		✓
<ul style="list-style-type: none"> • Residential aged care and retirement villages can conscientiously object to VAD • Must allow private medical team to attend resident and carry out all aspects of VAD 					
General					
<ul style="list-style-type: none"> • VAD Review Board 	✓	✓	✓	✓ (Commission)	✓
<ul style="list-style-type: none"> • Statement that VAD is not suicide 		✓	✓	✓	✓
<ul style="list-style-type: none"> • Time limits (days) for each decision by medical practitioners after each step in request process 	✓	✓	✓	✓	✓
<ul style="list-style-type: none"> • Delay before VAD commences 	18 months	18 months	Yes - no time specified	18 months (Oct 2022)	18 months
<ul style="list-style-type: none"> • Review of Act during 4th year after commencement, report in 5th 	✓	✓	✓	✓ During 7 th year, report in 8 th	✓ Review after 3 years

Note:

1. Victoria's Voluntary Assisted Dying Act (2017) used as base; all other states show variation from Victoria
2. Victoria commenced VAD in June 2019; WA commenced July 1 2021
3. A ✓ means the provision applies
4. A ✗ means the provision does not apply
5. A blank square means the legislation is silent on the matter, so the provision does not apply
6. Queensland VAD Bill to be debated September 2021
7. New South Wales Draft Bill to be released July 2021