

23 May 2025

Dear colleague

### Legislative Consent Memorandum for the Terminally Ill Adults (End of Life) Bill

The Health and Social Care Committee has been asked to consider and report on the Legislative Consent Memorandum for the Terminally Ill Adults (End of Life) Bill. The LCM, which has been laid by the Welsh Government, was referred to us by the Senedd's Business Committee, with a reporting deadline of 27 June 2025.

To inform our work, we would welcome your views on the specific provisions contained in that LCM, and have included a number of questions at Annex 1 to this letter.

We will consider the LCM at our meeting on 25 June, when we will hear evidence from the Cabinet Secretary for Health and Social Care. We would, therefore, appreciate your response no later than **11 June 2025** in order that it can inform our questions to the Cabinet Secretary. We understand this is a very tight timescale, but unfortunately this is unavoidable if we are to be able to consider your views and meet our reporting deadline commitments.

Please note that changes are being made to the UK Bill on assisted dying concurrently with the consideration of the LCM in Wales. This may necessitate future, supplementary LCMs to address these updates.

Yours sincerely



Peter Fox MS

Chair, Health and Social Care Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg. We welcome correspondence in Welsh or English.



## Annex 1

To inform the Health and Social Care Committee's scrutiny of the Legislative Consent Memorandum ("the LCM") for the Terminally Ill Adults (End of Life) Bill ("the Bill"), we would welcome your views on any or all of the matters listed below.

### Clause 37: guidance about the operation of the Act

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Clause 37 of the Bill requires the Chief Medical Officer (CMO) for Wales to prepare and publish guidance about the operation of the Act. Before making guidance, the CMO must consult with relevant individuals and groups, including people with learning disabilities, and ensure the guidance is practical and accessible.

1. What are your views on these proposals?
2. What are your views on whether these proposals are sufficient to ensure that the Chief Medical Officer for Wales can effectively oversee the implementation of assisted dying services?
3. What are your views on whether the current proposals for guidance by the Chief Medical Officer provide sufficient safeguards to protect vulnerable individuals under the new assisted dying regulations?

### Clause 39(1), (2), (5) and (6): Voluntary Assisted Dying Services: Wales

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Clause 39 allows the Welsh Ministers to make regulations to support how voluntary assisted dying services work in practice in Wales. These regulations can be tailored to different situations (such as hospitals or care homes), and may include technical or transitional arrangements.

4. What are your views on the proposals to enable Welsh Ministers to provide, by regulations, for voluntary assisted dying services in Wales, determining how the services might be structured, managed and delivered?
5. How do you anticipate the forthcoming regulations by Welsh Ministers on voluntary assisted dying services will (if approved) impact current palliative care practices in Wales, considering the details of these regulations are still to be determined?

### Clause 45: Monitoring by Commissioner

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Clause 45 requires the Voluntary Assisted Dying Commissioner (appointed by the Prime Minister) to monitor the operation of the Act, investigate and report to an appropriate national authority on any matter connected with the operation of the Act which the appropriate national authority refers to the Commissioner, and submit an annual report to each appropriate national authority on the operation of the Act.

6. What are your views on the proposals to:
  - a. enable the Welsh Ministers to refer any matter connected to the operation of the Act to the Voluntary Assisted Dying Commissioner for investigation;
  - b. require the Commissioner to consult with the Chief Medical Officer for Wales when preparing an annual report on the operation of the Act;
  - c. require the Welsh Ministers to publish the annual report submitted by the Voluntary Assisted Dying Commissioner, and prepare and publish a response to that report, which must both be laid before the Senedd.

#### Clause 47(4) – Provision of information in English and Welsh

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Clause 47 requires any service, report, declaration or certificate of eligibility provided under the Act to a person seeking assistance to end their own life must be in the persons first language, if that language is English or Welsh and, if neither of those languages is their first language, must be in their preferred language of English or Welsh.

7. What are your views on whether the Bill adequately ensures information and services are accessible in both English and Welsh? Specifically, what are your views on the proposals that:
  - a. require that any service, report, declaration or certificate of eligibility provided under the Act to a person seeking assistance to end their own life must be in the person's first language, if that language is English or Welsh. If English or Welsh is not their first language, they must be provided in whichever is their preferred language of English or Welsh;
  - b. any regulations containing provision for the Welsh language must be approved by a resolution of the Senedd.

#### Clause 50(1), (2), (5) and (6) – Regulations

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Clause 39 allows the Welsh Ministers to make regulations to support how voluntary assisted dying services work in practice. Clause 50 provides that such regulations must be approved by the Senedd before they can take effect.

8. What are your views on the proposed procedure for regulations made under the Act, and whether it provides the Senedd with an appropriate level of oversight?

#### Clause 54(6), (8) and (9) – Commencement

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Clause 54 deals with the commencement of the Act.

9. What are your views on the proposal that the provisions of the Act (except sections 43, and 49 to 55) will come into force in Wales on the day(s) appointed by the Welsh Ministers by regulations?
10. These regulations will have to be approved by the Senedd. What are your views on the appropriateness of this procedure?
11. What are your views on the possible implications if this legislation were to be commenced at different times in Wales and England?

How to share your views

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Please email your response to [seneddhealth@senedd.wales](mailto:seneddhealth@senedd.wales) no later than **11 June 2025**.

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Please see [guidance for those providing evidence for committees](#).

Please ensure that you have considered the Senedd's [policy on disclosure of information](#) before submitting information to the Committee.