

Serial 155
Care Of The Dying Consultation
Mr Bell

NORTHERN TERRITORY OF AUSTRALIA
CARE OF THE DYING CONSULTATION BILL 1996

TABLE OF PROVISIONS

Clause

PART 1 - PRELIMINARY

1. Short title
2. Commencement

PART 2 - CONSULTATIVE COMMITTEE ON THE CARE
OF THE DYING

3. Establishment of Committee
4. Membership of Committee
5. Functions of Committee
6. Committee to act as select committee
7. Reports of Committee

PART 3 - MISCELLANEOUS

8. Expiration of Act



NORTHERN TERRITORY OF AUSTRALIA

A BILL for AN ACT

to establish a committee to examine health services available to persons suffering terminal illnesses and the law relating to persons suffering terminal illnesses

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

PART 1 - PRELIMINARY

1. SHORT TITLE

This Act may be cited as the *Care of the Dying Consultation Act 1996*.

2. DEFINITIONS

In this Act, unless the contrary intention appears -

"Committee" means the Consultative Committee on the Care of the Dying established by section 3;

"member" means a member of the Committee appointed under section 4.

PART 2 - CONSULTATIVE COMMITTEE ON THE CARE OF THE DYING

3. ESTABLISHMENT OF COMMITTEE

There is established by this section, a committee to be known as the Consultative Committee on the Care of the Dying.

4. MEMBERSHIP OF COMMITTEE

(1) The Committee shall consist of 5 members of the Legislative Assembly of whom -

- (a) 3 shall be nominated by the Chief Minister; and
- (b) 2 shall be nominated by the Leader of the Opposition.

(2) For the purposes of subsection (1), the Chief Minister and the Leader of the Opposition shall, not later than 3 months -

- (a) after this Act comes into force nominate the members of the Legislative Assembly who are to be the members of the Committee; and
- (b) after a vacancy occurs in the office of a member, as the case requires, nominate a member of the Legislative Assembly to fill the vacancy.

5. FUNCTIONS OF COMMITTEE

(1) The functions of the Committee are to examine -

- (a) the extent to which both the health services and the present law provide adequate options for dying with dignity;
- (b) whether there is sufficient public and professional awareness of pain relief and palliative care available to persons facing prolonged pain in a terminal illness;
- (c) whether there is adequate provision of pain relief and palliative services to persons facing prolonged pain in a terminal illness;
- (d) whether there is sufficient public and professional awareness of the *Natural Death Act* and, if not, what measures should be taken to overcome any deficiency;
- (e) to what extent, if any, community attitudes towards death and dying may be changing; and
- (f) to what extent, if any, the law relating to dying needs to be clarified or amended.

(2) In performing its functions, the Committee is to have regard to the reports of the select committee on the law and practice relating to death and dying of the Parliament of South Australia and to the provisions of,

and the policy expressed in, the *Consent to Medical Treatment and Palliative Care Act 1995* of South Australia, specifically the repeal of the *Natural Death Act 1983* of that State (the provisions of which are contained in the *Natural Death Act* of the Territory).

6. COMMITTEE TO ACT AS SELECT COMMITTEE

(1) For the purposes of the Committee performing its functions, it shall be deemed to be a select committee of the Legislative Assembly appointed in accordance with the standing orders of the Legislative Assembly and, subject to this Act, the standing orders and the *Legislative Assembly (Powers*

and Privileges) Act, with the necessary changes, apply to and in relation to the Committee, the members and to witnesses appearing before the Committee as if the Committee were a select committee of the Legislative Assembly.

(2) For the purposes of subsection (1), the Committee shall be deemed to be a select committee authorised to send for and examine persons, papers and records.

7. REPORTS OF COMMITTEE

The Committee shall report to the Legislative Assembly not less than once a year on its examinations for the previous 12 months.

PART 3 - MISCELLANEOUS

8. EXPIRATION OF ACT

(1) Subject to subsection (2), this Act shall expire on the fifth anniversary of its commencement.

(2) Where a report required by section 7 has not been made to the Legislative Assembly before the date referred to in subsection (1), the Act shall remain in force until the report is made, at which time it shall expire.

Last updated: Monday, 13-Mar-00 10:12:36. You are the 100th visitor to this page since the counter was added on 12 April 1999.

[© The Northern Territory of Australia](#)
[Disclaimer of Liability](#)