

Parliamentary Bureau - Legislative Consent Memorandum

Terminally Ill Adults (End of Life) Bill (UK legislation)

Introduction

1. Under Rule 9B.3.5, the Parliamentary Bureau is required to refer any legislative consent memorandum (LCM) that has been lodged with the Parliament to the committee within whose remit the subject matter of the relevant provision falls.

Terminally Ill Adults (End of Life) Bill

2. The Bill was introduced by Kim Leadbeater MP as a Private Member's Bill in the House of Commons on 16 October 2024. It is expected to have its second reading in the House of Lords in September 2025.
3. An LCM was lodged by Neil Gray MSP, Cabinet Secretary for Health and Social Care on 27 August 2025, under Rule 9B.3.1(b) of the Parliament's Standing Orders.
4. The LCM states that the Bill "makes provision for a terminally ill person living in England or Wales, aged 18 and above, with capacity, who has been ordinarily resident in England or Wales for 12 months, and who is registered with a GP practice in England or Wales, to be given - on request - assistance to end their own life".
5. The LCM notes that the Bill was amended during the House of Commons' report stage, which took place from 16 May to 20 June 2025. This included amendment 77, which included several clauses and extended the scope of some of the provisions of the Bill to Scotland. The sponsor of the Bill, Kim Leadbeater, considered that the legislative consent process was not engaged by any of the clauses. The Scottish Government agrees in relation to all but one of the clauses – clause 43 which relates to the prohibition of advertising.
6. The LCM states that clause 43 "makes provision requiring the Secretary of State to make regulations prohibiting the publication, printing, distribution or designing (anywhere) of advertisements whose purpose or effect is to promote a voluntary assisted dying (VAD) service, and prohibiting causing the publication, printing, distribution or designing of such advertisements."
7. The LCM indicates that the Scottish Government intends to lodge a motion seeking the Scottish Parliament's consent for the UK Government to consider all relevant provisions in the Bill as introduced, and subsequently amended, relating to the prohibition on advertising of the England and Wales Voluntary Assisted Dying Service, so far as they fall within the legislative competence of the Scottish Parliament.

Designation of lead committee

8. The relevant provisions in the Bill appear to fall within the remit of the Health, Social Care and Sport Committee. The Committee's remit is to consider all matters falling within the responsibility of the Cabinet Secretary for Health and Social Care, who lodged the LCM.
9. The Health, Social Care and Sport Committee is also the lead committee for the Assisted Dying for Terminally Ill Adults (Scotland) Bill, which is currently being considered in the Scottish Parliament.
10. The LCM may also be considered by the Delegated Powers and Law Reform Committee in relation to any provisions in the Bill conferring powers on the Scottish Ministers to make subordinate legislation.

Recommendation

11. The Bureau is invited to refer the LCM to the Health, Social Care and Sport Committee under Rule 9B.3.5, as lead committee.

Parliamentary Business Team

August 2025