

SUPPLEMENTARY LEGISLATIVE CONSENT MEMORANDUM (MEMORANDUM NO 3)

TERMINALLY ILL ADULTS (END OF LIFE) BILL

1. This Legislative Consent Memorandum (“LCM”) is laid under Standing Order (“SO”) 29.2. SO29 prescribes that an LCM must be laid, and a legislative consent motion may be tabled, before Senedd Cymru in relation to any UK Private Member’s Bill under consideration in the UK Parliament which makes provision in relation to Wales that has regards to devolved matters.
2. The Terminally Ill Adults (End of Life) Bill (“the Bill”) was introduced in the House of Commons on 16 October 2024. I laid an LCM on 9 April 2025 and a Supplementary Legislative Consent Memorandum (“SLCM”) on 4 July 2025.
3. The Bill completed the Commons Report stage and Third Reading on 20 June 2025. The First Reading at the House of Lords took place on 23 June 2025 and the Second Reading was held over two sessions on 12 and 19 September 2025. Committee Stage has now begun, with the first session taking place on 14 November 2025. This follows a Select Committee’s consideration of the Bill through October 2025 and marked the beginning of detailed scrutiny of individual clauses and proposed amendments. This SLCM covers amendments proposed by the Bill Sponsor during Committee Stage, of which have regard to devolved matters. The latest version of the Bill is available at: [Terminally Ill Adults \(End of Life\) Bill](#).

Amendments

4. Between 14 November 2025 to 18 December 2025, a total of 1,159 amendments have been tabled in the Lords, and as the Bill continues through Committee Stage, this number is expected to rise. The Bill Sponsor has, up to 16 December 2025, tabled 36 amendments. Of these, 5 amendments have been identified as having regard to devolved matters. All amendments tabled are published on the [Bill website](#).
5. This SLCM is laid at a point where the amendments identified above have been tabled by the Bill Sponsor but have not yet been formally agreed by the House of Lords. This reflects the exceptionally high volume of amendments under consideration and the extended Committee Stage timetable. Laying the Memorandum at this stage is intended to ensure that Senedd Cymru has a meaningful opportunity to scrutinise and debate those proposed amendments most likely to engage devolved matters, and to mitigate the risk that consent could not be sought within the available parliamentary timetable were the Memorandum delayed until later stages of the Bill.

6. The amendments that make provisions which have regard to devolved matters, are detailed in paragraphs 13 to 16 below.

Policy Objective(s)

7. The policy objective relates to choice at the end of life, to allow adults who are terminally ill to request to be provided with assistance to end their own life. The UK Government (“UKG”) remains neutral on the issue citing the long-standing convention for issues of conscience. Guidance was issued to UKG Ministers on 3 October 2024 stating that “*The UK Government will therefore remain neutral on the passage of the Bill and on the matter of assisted dying.*”

Summary of the Bill

8. The Bill is a Private Member’s Bill sponsored by Kim Leadbeater MP in the House of Commons and Lord Falconer of Thoroton in the House of Lords.
9. It seeks to allow adults who are terminally ill, subject to safeguards and protections, to request and be provided with assistance to end their own life.
10. A summary of the Bill’s provisions was provided in the preceding LCMs and remains accurate. This Supplementary LCM should be read alongside those summaries, which continue to reflect the key features and scope of the Bill.

Update on the position since the publication of the first Legislative Consent Memorandum and first Supplementary LCM

11. Since the first LCM published on 9 April 2025 and a SLCM on 4 July 2025, the Bill has completed all stages in the House of Commons and progressed to the House of Lords. It had its First Reading on 23 June 2025, and its Second Reading took place over two sessions on 12 and 19 September. Committee Stage began on 14 November 2025 and is currently expected to conclude on 24 April 2026, with its Report Stage and Third Reading anticipated to begin shortly thereafter.

Amendments tabled to the Bill during Committee Stage for which consent is required if agreed

12. Our assessment of the Bill as amended to date (up to 18 December 2025) in the House of Lords Committee Stage has concluded that the test in Standing Order 29 is met and the consent of Senedd Cymru is required in respect of amendments to clauses 47, 49, 50 and 55. The following is a summary of these provisions of the Bill that meet the test under SO29.2(iii) and therefore trigger the requirement for consent.
13. **Clause 47 (as amended by amendment 784) – Reporting on the Implementation of Act.** This clause requires the Secretary of State to prepare and publish, and lay before Parliament, a report on the implementation of the Act after

the end of each reporting period, including progress made and plans for future implementation. The amendment inserts a new subsection (3A) requiring the Secretary of State to consult the Welsh Ministers when preparing a report under this section.

14. **Clause 49 (as amended by amendments 804 and 809) – Monitoring by Commissioner.** Clause 49 places a duty on the Commissioner to monitor the operation of the Act, including compliance with its provision and any regulations or code of practice made under it. The Commissioner must investigate matters referred by an appropriate national authority and submit an annual report on the operation of the Act to both the Secretary of State and the Welsh Ministers. The annual report must include specific information, such as occasions where eligibility assessments did not meet statutory requirements, refusals by panels to grant certificates, and the application of the Act in relation to persons with protected characteristics. The Commissioner must also consult the Chief Medical Officers for England and Wales and relevant stakeholders when preparing the report. The first amendment (804) adds a new requirement that the Commissioner's annual report must include the most recent report of the Disability Advisory Board, established under the new clause replacing Clause 48. The second amendment (809) requires the Commissioner to consult the Disability Advisory Board when preparing the annual report.
15. **Clause 50 (as amended by amendment 824) – Review of this Act.** Clause 50 requires the Secretary of State, during the 12 months following the initial five-year period after the Act is passed, to undertake a review of the operation of the Act, prepare a report on that review, and publish and lay the report before Parliament. The review must assess the extent to which the Act has met its aim of allowing terminally ill adults, subject to safeguards, to request and receive assistance to end their lives, and include evaluations of palliative and end-of-life care services, the impact on persons with learning disabilities, and any concerns raised about the Act's operation, along with the Secretary of State's response and recommendations. The amendment adds a requirement for the Secretary of State to consult the Welsh Ministers when undertaking the review under subsection (1)(a).
16. **Clause 55 (as amended by an unnumbered amendment to be confirmed) – Duty to consult before making regulations.** Clause 42 ("Voluntary assisted dying services: Wales") makes provision about voluntary assisted dying services in Wales. Clause 42(1) confers a broad power on the Welsh Ministers to make regulations about voluntary assisted dying services, including securing arrangements for the provision of such services. Regulations under this clause may include any provision that could be made by an Act of Senedd Cymru and would be within devolved competence. Clause 55 (duty to consult before making regulations) imposes consultation requirements on the Secretary of State to

consult before making regulations under specified sections of the Bill. This amendment inserts a new subsection (3) into clause 55 requiring that, before making regulations under section 42(1), the Welsh Ministers must consult such persons as they consider appropriate.

UK Government view on the need for consent

17. The UKG has not confirmed their position as to whether they believe the consent of the Senedd is required for this Bill as amended at the House of Commons Report stage but have acknowledged that some clauses do cut across devolved matters. I agree with this assessment and will continue to liaise with UKG and assess this position as the Bill progresses in the remaining stages of the Lords.
18. As referred to in paragraph 12 above, my assessment is that an LCM is required in relation to amendments to clauses 47, 49, 50 and 55.

Provisions Relating to Wales in the Terminally Ill Adults (End of Life) Bill

19. This Bill seeks to allow adults who are terminally ill, subject to safeguards and protections, to request and be provided with assistance to end their own life.
20. The primary mechanism through which the Bill achieves this is via amendments to the Suicide Act 1961, which is restricted by Schedule 7B.
21. Clauses 47, 49, 50 and 55, as proposed to be amended by the Bill Sponsor during Lords Committee Stage, make provision that has regard to devolved matters.

Financial Implications

22. Financial implications have been identified in the UKG's impact assessment, as previously set out in the preceding LCMs. These include estimated costs for England and Wales, with no specific breakdown for Wales. The financial estimates, as well as projected applicant and assisted death numbers for Wales, remain as outlined in those earlier LCMs. We will continue to consider any potential financial implications as the Bill passes through Parliament.

Conclusion

23. Welsh Government remains neutral on the issue of voluntary assisted dying, and by extension the appropriateness of this matter and its inclusion in a UK Bill.

Jeremy Miles MS
Cabinet Secretary for Health and Social Care
23 December 2025