|  | Victoria | Western Australia | Tasmania | South Australia | Queensland | New South Wales |
| --- | --- | --- | --- | --- | --- | --- |
| Start date | 19 June 2019 | 1 July 2021 | 23 October 2022 | 31 January 2023 | 1 January 2023 | 28 November 2023 |
| General criteria |
| Voluntary assisted dying not suicide | No | Yes | Yes | Yes | Yes | Yes |
| 18 years or older | Yes | Yes | Yes | Yes | Yes | Yes |
| Medical eligibility criteria |
| Disease is incurable, advanced and progressive | Yes | Yes | Yes | Yes | Yes | Yes |
| Disease, illness or medical condition is expected to cause death within a specified timeframe (6 months, 12 months for neuro-degenerative disease) | Yes  | Yes  | Yes (Ability to apply for an exemption to the commission) | Yes  | 12 months all conditions(Will “most likely” cause death within timeframe) | Yes (Will “on the balance of probabilities” cause death within timeframe) |
| Person has decision-making capacity in relation to assisted dying | Yes | Yes | Yes | Yes | Yes | Yes |
| Mental health as sole diagnosis allowable | No | No | No | No | No | No |
| All criteria must be met | Yes | Yes | Yes | Yes | Yes | Yes |
| Medical assessment required | Yes | Yes | Yes | Yes | Yes | Yes |
| Suffering cannot be relieved in a manner the person considers tolerable | Yes  | Yes  | Yes  (Can be mental or physical) | Yes  | Yes  (Can be mental or physical) | Yes  |
|  |  |  |  |  |  |  |
| Residency eligibility criteria |
| Must be a resident in the jurisdiction | Yes (12 months) | Yes (12 months) | Yes (3 continuous years in Australia and 12 months in Tasmania) | Yes (12 months) | Yes (3 continuous years in Australia and 12 months in Queensland) | Yes (3 continuous years in Australia and 12 months in New South Wales) |
| Process to access voluntary assisted dying |
| Coercion prevention - Person must make three requests. One request must be in writing. There must be two witnesses to the written request. | Yes  | Yes  | Yes  | Yes  | Yes  | Yes  |
| Review by tribunal of some criteria (e.g. reviews of residency, decision making capacity, or voluntariness) | Yes | Yes | Yes | Yes  | Yes  | Yes  |
| Waiting period between first and final requests | Yes | Yes | Yes | Yes | Yes | Yes |
| Person may withdraw request at any time | Yes | Yes | Yes | Yes | Yes | Yes |
| Medical professional requirements |
| Referral to another medical practitioner if eligibility cannot be determined (e.g. uncertainty about a person’s diagnosis or decision making capacity) | Yes | Yes | Yes | Yes | Yes | Yes |
| Medical practitioners must complete training before assessing person | Yes | Yes | Yes | Yes | Yes | Yes |
| Medical professionals must report at points throughout the assisted dying process | Yes | Yes | Yes | Yes | Yes | Yes |
| Medical practitioner allowed to initiate discussion about assisted dying | No  | Yes (Other treatment options must also be discussed)  | Yes (Other treatment options must also be discussed) | No  | Yes(Other treatment options must also be discussed) | Yes (Other treatment options must also be discussed) |
| Substance administration |
| Patient or practitioner can administer the voluntary assisted dying substance | Yes (Self-administration is default) | Yes | Yes (Self-administration certificate required) | Yes (Application may be made for a practitioner administration permit) | Yes (Can only choose practitioner administration if self-administration is inappropriate)  | Yes |
| Nurse practitioner allowed to administer the voluntary assisted dying substance | No | Yes | Yes | Yes | Yes | Yes |
| Conscientious objection |
| Medical practitioners must notify the patient of conscientious objection immediately | No (Must respond to request in 7 days, do not need to provide information) | Yes  | No (Must respond to request in 7 days, do not need to provide information) | No (Do not need to provide information) | No (Required to provide details of navigator service) | Yes |
| Entity (such as nursing home or hospital) may refuse voluntary assisted dying service delivery | (Not specified) | (Not specified) | (Not specified) | No (Some obligations) | Yes(Some obligations) | No  (Some obligations) |
| Legal criteria |
| Maximum penalty for inducing another person to request VAD  | 5 years imprisonment or 600 penalty units or both | Life imprisonment | 5 years imprisonment | 5 years imprisonment | 7 years imprisonment |  |
| Maximum penalty for falsifying form or record/false or misleading information | 5 years imprisonment or 600 penalty units or both | 7 years | 2 years imprisonment or 200 penalty units | 5 years imprisonment | 5 years imprisonment | Statutory duty, contravention of Act may constitute breach of professional conduct |
| Maximum penalty for unauthorised administration of voluntary assisted dying substance | Life imprisonment | Life imprisonment |  | Life imprisonment | 14 years imprisonment |  |
| Maximum penalty for contact person not returning unused or remaining voluntary assisted dying substance | 12 months | 12 months | 100 penalty units | 12 months |  | 12 months |
| Maximum penalty for inducing another person to self-administer voluntary assisted dying substance | 5 years imprisonment or 600 penalty units or both |  |  | 5 years imprisonment | 7 years imprisonment |  |