

Voluntary Assisted Dying (Oversight Board) Appointment 2025 (No 2)

Disallowable instrument DI2025–227

made under the

Voluntary Assisted Dying Act 2024, s 112 (Appointment of members) and s 114 (Appointment of deputy chair)

EXPLANATORY STATEMENT

This instrument is one of seven which make the inaugural appointments to the Voluntary Assisted Dying Oversight Board (the Oversight Board) under the *Voluntary Assisted Dying Act 2024* (the Act).

Under section 112 of the Act, the Minister for Health has portfolio responsibility for making appointments to the Oversight Board and must be satisfied that each board member has the necessary qualifications or experience.

Under section 114 of the Act, the Minister for Health has portfolio responsibility for appointing a Deputy Chair to the Oversight Board.

This appointment is for Robert Farrugia as Member and Deputy Chair of the Oversight Board. Robert Farrugia is not an ACT public servant and meets the requirements of the position. Robert Farrugia has knowledge and expertise in Nursing, Health care consumer representation or advocacy and Disability or carer representation or advocacy as demonstrated through his 40 years' experience in clinical, management and governance roles. Division 19.3.3 of the *Legislation Act 2001* applies to this appointment. Prior to making this appointment, in accordance with section 228 of the *Legislation Act 2001*, the Standing Committee on Social Policy was consulted on this appointment.

The Act specifies that the Oversight Board consists of between four and seven members, including a Chair and Deputy Chair (if a Deputy Chair is appointed). Board members must have knowledge and expertise in one or more of the following areas or is likely to make a valuable contribution to the Oversight Board because of the individual's experience, knowledge and skills; Medicine, Nursing, Pharmacy, Psychology, Social work, Ethics, Law, Health care consumer representation or advocacy, Disability or carer representation or advocacy, or any other area the Minister for Health considers relevant to the performance of the Oversight Board's function. In addition, board members must not have been bankrupt, personally insolvent or convicted or found guilty of an indictable offence.

The Minister for Health has made this appointment while giving regard to the overall composition of the Oversight Board. This is to ensure the Oversight Board includes people with a range of experience, knowledge and skills relevant its work, and its composition takes into account the social, cultural and geographic characteristics of the ACT community, as required by the Act.

As defined by the Act, a member, including the Chair and Deputy Chair must be appointed for not longer than 3 years.

Section 229 of the *Legislation Act 2001* provides that the instrument is a disallowable instrument.