




Process Map - Voluntary Assisted Dying at the ACT Civil and Administrative Tribunal


ACAT can review some decisions made by either a medical practitioner or the Director-General concerning an individual's eligibility to access voluntary assisted dying in the ACT. If you're affected by, and disagree with, a decision made, you can lodge an application for review with ACAT. The flow chart below illustrates what you can expect if you choose to lodge an application.


START


 A person disagrees with a decision made by a voluntary assisted dying medical practitioner or the Director-General, and applies to ACAT for review of the decision

 ACAT will review the application. If the application meets the legal requirements, ACAT will list the matter for a hearing, and request information from relevant people

 At the hearing, ACAT will generally invite the people present to share more information, discuss with the parties how to progress the matter, and/or make interim or final orders

 **Interim order/s made**
These may require, for example, the persons involved to submit additional information, or to attend another hearing

 An additional hearing or hearings may be held to ensure ACAT has the information it needs to make an appropriate order/s

 **Final orders made**
Once ACAT has heard from the relevant people and considered the information shared with it, it will make its final orders

An individual does or does not have decision-making capacity

An individual is or is not acting voluntarily and without coercion

An individual has or has not lived in the ACT for at least the previous 12 months

An individual is exempt from the residency requirement

Decisions ACAT can review include:

- *Decisions by an authorised medical practitioner:*
 - *Whether an individual has decision-making capacity*
 - *Whether an individual is acting voluntarily and without coercion*
 - *Whether an individual has lived in the ACT for at least the previous 12 months*
- *Decisions by the Director-General:*
 - *Whether to grant an individual a residency exemption.*

You can attend a hearing in person or remotely. Hearings will be held in private. Depending on the information and evidence available, ACAT may decide it has enough information to make a final order. If additional information is required, interim order(s) may be made and another hearing may be listed.

If you disagree with an ACAT decision on a question of fact or law, you can lodge an appeal.

ACAT may also make other final orders, such as an order to dismiss the application if, for example, the application was not submitted in time or the applicant is not an affected person