**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 1280**

**DATE OF QUESTION: 26 APRIL 2018**

**DATE OF SUBMISSION: 14 MAY 2018**

**Ms D Carter (Cope) to ask Minister of Justice and Correctional Services:**

1. With regard to the project undertaken by the SA Law Commission in 1998 at the behest of the former President, Mr Nelson R Mandela, into end-of-life-decisions that, following extensive consultation, resulted in the compilation of a draft Bill on end-of-life-decsions that was presented to the executive, but never acted upon, why was the specified draft Bill never processed any further;
2. whether he intends to revise and re-introduce the draft Bill; if not, why not?

**NW1380E**

**REPLY:**

1. The South African Law Commission (as it then was) submitted its report on euthanasia and artificial preservation of life (which included the Bill on end of life decisions) to the former Minister of Justice, AM Omar, in terms of section 7(1) of the South African Law Commission Act, 1973. He, in turn, referred the report to the then Minister of Health, Dr NCD Zuma, for her attention on 15 June 1999.

Minister Omar’s recommendation to the Minister of Health reads as follows:

“The sections of the Bill dealing with the cessation of treatment, palliative care and living wills are of vital importance to the medical profession and patients and I realise that their enactment should not be unnecessarily delayed. However, in order to ensure public participation on the question whether provision should be made for active euthanasia and if so, on what basis, I would like to recommend for your consideration that an appropriate ad-hoc select committee of Parliament be appointed to consider the issue of active euthanasia as set out in section 5 of the Bill.”

1. No, this matter is within the competence of the Minister of Health.