

Assisted Dying for Terminally Ill Adults (Scotland) Bill

Stage 3 - members update

6th March 2026

Summary

The Assisted Dying for Terminally Ill Adults (Scotland) Bill is at the final Stage 3 of the scrutiny process. The bill will be considered by the Scottish Parliament over the next two weeks:

- **Tuesday 10th March** - MSPs will debate and vote on further amendments to the bill
- **Tuesday 17th March** - MSPs will debate and vote on the final version of the bill. This is the final decision point for the Scottish Parliament on whether this bill becomes law. If the Bill is not passed, it 'falls' and can't become law. If the Bill is passed, it will become an Act of the Scottish Parliament after it receives Royal Assent.

Amendments

The deadline for MSPs to lodge amendments at Stage 3 was 3 March. Over 300 amendments have been put forward in total. A number of these are technical or "tidying up" amendments relating to changes made at Stage 2 but there are also further substantial changes proposed to the bill.

Scottish Parliament has published a [grouped list of amendments](#) that themes amendments into similar areas and shows the order in which the amendments will be debated. They have also published a [marshalled list of amendments](#), which shows the order that amendments will be voted on.

Hospice UK amendments

Our priority throughout the progress of the Bill has been to ensure that:

- 1) anyone considering an assisted death is making a fully informed choice and is aware the impact palliative care could have in managing complex symptoms, and
- 2) that the impact of assisted dying legislation on the hospice sector is assessed and mitigated.

We achieved substantial success during the Stage 2 (committee-stage) amendments process, with:

- the introduction of Section 22A 'Assessment of likely impact of Act on palliative and end of life care services'

- the introduction of 22B of the Bill ' Code of practice on interaction with palliative and end of life care services',
- changes to Section 7 to ensure that people seeking a death are informed that they can be referred for a palliative care assessment to explore whether any additional support could be provided to them.

Hospice UK's priority at Stage 3 is to protect and strengthen our existing amendments, particularly relating to the Code of Practice introduced by Section 22B. We have worked with Jackie Baillie MSP to lodge the following amendments at Stage 3:

Amendments 258 and 129, which will ensure that public authorities need to give due regard to the code of practice once created.

258: *In section 22B, page 16, line 5, at end insert—
<() Public authorities specified by the Scottish Ministers in regulations must have due regard to the code of practice prepared under subsection (1) in exercising their duties under this Act.>*

Amendment 132, which will ensure that section 22B on the Code of Practice will come into force after the bill receives Royal Assent.

Amendment 118, which ensures that the current provisions in the bill around reviewing the operation of assisted dying after 5 years also include a focus on the Code of Practice and any further action needed.

118: *In section 27, page 19, line 13, at end insert—
<() how the code of practice prepared under section 22B has supported hospices and providers of palliative and end of life care, and whether further action is required,>*

To note, a number of other MSPs have lodged amendments that may either impact our existing changes to the Bill, or could potentially introduce wider implications to the hospice sector. We are analysing these and the potential impact these could have on the hospice sector and will brief MSPs accordingly.

Reserved matters

The Scottish Government has [set out](#) its intended approach around elements of the Bill which relate to matters reserved to the UK Government. Cabinet Secretary Neil Gray has advised the Health, Social Care and Sport Committee that the provisions in the Bill relating to the regulation of health professionals and employment protections (i.e. in relation to individuals who refuse to participate in assisted dying) are beyond the legislative competence of the Scottish Parliament and are reserved to the UK Parliament.

The Cabinet Secretary has therefore said that the conscientious objection provisions will need to be amended out of the Bill at Stage 3, and be legislated for later (if the Scottish Bill receives Royal Assent) by the UK Government via a section 104 order. At the request of Scottish Government, Liam McArthur MSP has lodged amendments that relate to these issues. This includes an amendment that **removes Section 18 in full**, which covers

conscientious objection and no detriment provisions for both individuals and for organisations.

Liam McArthur MSP has shared updates aimed at providing assurances that the legal right of staff not to participate and associated employment protections will still be tightly safeguarded. Section 104 orders are a standard part of constitutional and legislative practice and he has said that other amendments he has lodged mean that the Bill would not come into force until such measures are implemented via the section 104 process, which are also subject to further scrutiny at Westminster.

Independent legal advice obtained by Hospice UK sets out that there is no guarantee a Section 104 order would mirror the Bill's current provisions on conscientious objection; protections could be weakened (or potentially strengthened). There is also no assurance that the UK Government would agree to a Section 104 order at all. We will continue to monitor this and keep members updated. The legal advice also notes that the provisions on organisational conscientious objection in Section 18 may not need to be removed, as they do not relate to identified reserved matters.

Scottish Government (via Neil Gray) has put forward amendments relating to the other area of reserved matters around substances and devices that could be used in the assisted dying process. The Scottish Government has not put forward any other amendments to the bill.

Financial memorandum

Cabinet Secretary Neil Gray has recently provided Scottish Government's views on the revised financial memorandum of the Bill: [Memorandum in regards to the Assisted Dying Bill from the Cabinet Secretary Health and Social Care](#)

Parliamentary Process

Decision time is currently scheduled for 10pm on Tuesday 10th March. If not all of the amendments can be dealt with in time then the debate may be carried over to Wednesday 11th or Thursday 12th March.

Decision time on Tuesday 17th March, when the final bill will be voted on, is currently scheduled for 8pm, though we expect this may be moved later to 10pm.

Further background information

Information on assisted dying legislation across the British Isles and links to all previous briefings and webinars are available on our members' hub: [Assisted dying: information for members | Hospice UK](#)

Our most recent briefing on the Scottish bill is available here: [Scottish AD Bill - Stage 2 Complete - Nov 2025 Briefing.pdf](#) and a recording of our most recent webinar is also available: [Assisted Dying Legislation Scottish Parliament Big Conversation - YouTube](#)

Detailed information relating to the Bill and parliamentary process is available on the [Parliament website](#).

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