



Andrew Bowie MP, Stephen Gethins MP, and Susan Murray MP
UK Parliament
London
SW1A 0AA

16 December 2025

Dear Andrew, Stephen, and Susan,

ASSISTED DYING FOR TERMINALLY ILL ADULTS (SCOTLAND) BILL

The Scottish Parliament is considering a Members' Bill - introduced by Liam McArthur MSP - that if passed would introduce an assisted dying regime in Scotland. The Scottish Government considers that certain areas of the Assisted Dying for Terminally Ill Adults (Scotland) Bill are beyond the legislative competence of the Scottish Parliament and have requested that the UK Government take action to address these.

I am writing to inform you that the UK Government intends to lay a section 30 Order in Parliament tomorrow.

After engagement with the Scottish Government, we have agreed to make a limited and temporary technical change to the Scotland Act 1998. This change, made in the spirit of good intergovernmental relations, will allow the Scottish Parliament to provide for the approval and regulation of substances and devices to be used in an assisted dying regime in Scotland, should it wish to do so.

The change to legislative competence is designed to ensure that UK Ministers retain an appropriate role in the overarching regulation of medicines and medical devices across the UK, which is a reserved matter. This is extremely important as it underpins the supply of medicines to patients and the limited nature of the change will ensure that the overall integrity of the UK-wide medicines regime is retained whether or not the Scottish Parliament approves Liam McArthur MSP's Bill.

The UK Government remains neutral on the matter of assisted dying - it is for MSPs in the Scottish Parliament to determine whether there should be an assisted dying regime in Scotland. This is a sensible and proportionate action which protects the devolution settlement, retains the integrity of the UK-wide medicines and medical devices regime, and enables MSPs to vote on the matter of assisted dying with an understanding of how provisions considered outside of competence will be handled.

This section 30 Order will need to be debated and approved by both the UK Parliament and Scottish Parliament for it to have effect.

I am copying this letter to the Minister for the Cabinet Office, the Minister of State for Care, and the Minister of State for Trade. I will deposit a copy of this letter in the Library of the House.

yours sincerely,
Kirsty McNeill

KIRSTY MCNEILL MP
PARLIAMENTARY UNDER-SECRETARY OF STATE FOR SCOTLAND