

GUERNSEY STATUTORY INSTRUMENT

2008 No. 69

**The Health Service (Payment of Authorised
Appliance Suppliers) (Amendment No. 2) Regulations, 2008**

Made 1st December 2008

Laid before the States

Coming into operation 1st January 2009

THE GUERNSEY SOCIAL SECURITY AUTHORITY, in exercise of the powers conferred upon it by sections 19 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990, as amended¹, and of all other powers enabling it in that behalf, hereby orders:-

Amendments

1. The three Schedules to the Health Service (Payment of Authorised Appliance Suppliers) Regulations, 2003² are revoked and replaced by the three Schedules set out in the Schedule to these Regulations.

Interpretation

2. (1) Except where the context otherwise requires, any reference in these regulations to any enactment or regulations shall be construed as including a reference to that enactment or those regulations, as the case may be, as amended, repealed, replaced, revoked, extended or applied, by or under any other enactment or by any other regulations.

(2) The Interpretation Guernsey Law, 1948³ shall apply to the interpretation of these Regulations as it applies to the interpretation of a Guernsey enactment.

Citation

3. These Regulations may be cited as the Health Service (Payment of Authorised Appliance Suppliers) (Amendment No. 2) Regulations, 2008.

¹ Ordres en Conseil Vol. XXXII, p. 192; amended by Order in Council No. IX of 2003 and by Ordinance Nos. XLIV and XLVI of 1990, No. XVII of 1991, No. XIV of 1993; Nos. XXXIV, XXXV, XXXVI, XL and XLI of 1995, No. XI of 1997, No. I of 1998, Nos. XXII, XXVII, XXIX and XXXIII of 2002, No. XXI of 2003, No. XLI of 2004 and No. XLII of 2006. Extended to Alderney with modification by Ordinance No. XLVI of 1990.

² S.I. No. 52 of 2003, S.I. No. 46 of 2007 and S.I. No. 5 of 2008.

³ Ordres en Conseil Vol. XIII, p.355.

Commencement

4. These Regulations shall be deemed to have come into force on the 1st day of January 2009.

Dated this 1st day of December 2008.



M H Dorey
Minister of the Social Security Department
for and on behalf of the Department

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend the First Schedule to the Health Service (Payment of Authorised Appliance Suppliers) Regulations, 2003.

SCHEDULE

Regulation 1

"FIRST SCHEDULE

Regulations 2(1)(b)

Dispensing Fees for Part I and Part II appliances.

| (1) | (2) |
|--|---|
| Classes of authorised appliance supplier | Dispensing Fee per appliance |
| <p>A medical practitioner; or a pharmacist employed by a medical practice;</p> <p style="padding-left: 40px;">where the number of relevant items does not exceed 3,000</p> <p style="padding-left: 40px;">where the number of relevant items exceeds 3,000 but does not exceed 6,000</p> <p style="padding-left: 40px;">where the number of relevant items exceeds 6,000</p> | <p>85p per appliance</p> <p>85p per appliance for 3,000 relevant items and 79p for each additional appliance</p> <p>85p per appliance for 3,000 relevant items. 79p per appliance for 3,000 relevant items and 73p for each additional appliance.</p> |
| <p>A pharmacist employed by the Board of Health</p> | <p>0p per appliance.</p> |
| <p>A pharmacist not employed by a medical practice or the Board of Health ;</p> <p style="padding-left: 40px;">where the number of relevant items does not exceed 1,500</p> <p style="padding-left: 40px;">where the number of relevant items exceeds 1,500</p> | <p>£2.55 per appliance</p> <p>£2.55 per appliance for 1,500 relevant items and £1.26 for each additional appliance</p> |

SECOND SCHEDULE**Regulation 6****PART I**

Specified percentage payable in respect of Part III appliances.

| (1) | (2) |
|--|----------------------|
| Classes of authorised appliance supplier | Specified percentage |
| A medical practitioner | 0 per centum |
| A pharmacist: | |
| (a) employed by a medical practice | 0 per centum |
| (b) employed by the Board of Health | 0 per centum |
| (c) not employed by a medical practice or the Board of Health. | 20.8 per centum |
| Any other class of authorised appliance supplier | 20.8 per centum |

PART II

Dispensing fees for Part III appliances.

| (1) | (2) |
|--|------------------------------|
| Classes of authorised appliance supplier | Dispensing fee per appliance |
| A medical practitioner | 37p |
| A pharmacist: | |
| (d) employed by a medical practice | 37p |
| (e) employed by the Board of Health | 0p |
| (f) not employed by a medical practice or the Board of Health. | 54p |
| Any other class of authorised appliance supplier | 54p |

THIRD SCHEDULE

Regulation 3

Additional dispensing fees payable in respect of Part I or Part II appliances supplied on an appliance prescription claim form endorsed "URGENT" or "DISPENSED URGENTLY" in accordance with Regulation 3 of these Regulations; or Part III and Part IV appliances supplied on an appliance claim form endorsed "DISPENSED URGENTLY"

| (1) | (2) |
|---|----------------|
| Time of Supply | Dispensing fee |
| On any day, other than a non-business day, between the time the premises of the authorised appliance supplier are closed for the supply of medical appliances and 11pm. | £20.96 |
| On a non-business day, between 9am and 11pm, except whilst the premises are open for the purposes of any scheme prepared by the Authority under Part II of the Schedule to the Health Service (Authorised Appliance Suppliers) Regulations, 1990. | £26.49 |
| On any day between 11pm and 9am of the next day or such earlier time at which the premises are opened for the supply of medical appliances (on any day except a non-business day). | £68.79 |