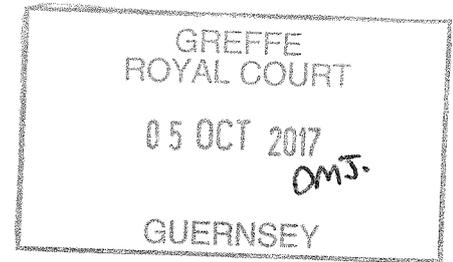


GUERNSEY STATUTORY INSTRUMENT

2017 No. 79



**The Health Service (Pharmaceutical Benefit)
(Amendment) Regulations, 2017**

<i>Made</i>	<i>3rd October, 2017</i>
<i>Coming into operation</i>	<i>1st November, 2017</i>
<i>Laid before the States</i>	<i>, 2017</i>

THE COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY, in exercise of the powers conferred on it by sections 11 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990^a and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Amendment of the 1990 Regulations.

1. The Health Service (Pharmaceutical Benefit) Regulations, 1990^b are amended as follows.

2. For regulation 1(1) of those Regulations, substitute the following paragraph –

^a Ordres en Conseil Vol. XXXII, p. 192 to which there are amendments not relevant to these regulations. The Law is applied, with modifications to the Island of Alderney by Recueil d'Ordonnances Tome XXV, p. 204. See also the Health Service (Benefit) (Approved Prescribers) Ordinance, 2017 (Ordinance No. XXV of 2017).

^b G.S.I No. 36 of 1990; as amended by No. 13 of 1991; No. 25 of 1994; Nos. 4 and 17 of 1995; No. 6 of 1996; No. 39 of 1999; No. 30 of 2000; No. 28 of 2005; No. 92 of 2009; No. 79 of 2013; and Nos. 32 and 76 of 2016.

"(1) In these regulations –

"**approved prescriber**" has the meaning given by section 1(3) of the Health Service (Benefit) (Approved Prescribers) Ordinance, 2017, and

"**the Law**" means the Health Service (Benefit) (Guernsey) Law, 1990.

3. In regulation 2(1)(e) of those Regulations, for "a nurse prescriber", substitute "an approved prescriber".

4. In regulation 3 of those Regulations –

(a) in paragraphs (1), (8) and (9)(b), for "nurse prescriber" in each place where the expression occurs, substitute "approved prescriber", and

(b) in paragraphs (5), (6) and (9), for "a nurse prescriber" in each place where the expression occurs, substitute "approved prescriber".

5. For Part VI of the First Schedule to those Regulations, substitute the Part set out in the Schedule to these Regulations.

Interpretation.

6. (1) In these Regulations, unless the context requires otherwise –

"**enactment**" includes a Law, an Ordinance and any subordinate legislation and includes any provision or portion of a Law, an Ordinance or any subordinate legislation,

"**subordinate legislation**" means any regulation, rule, order, rule of

court, resolution, scheme, byelaw or other instrument made under any statutory, customary or inherent power and having legislative effect, but does not include an Ordinance, and

other expressions have the same meanings as in the Health Service (Benefit) (Guernsey) Law, 1990.

(2) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of these Regulations.

(3) Any reference in these Regulations to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation and commencement.

7. These Regulations may be cited as the Health Service Benefit (Pharmaceutical Benefit) (Amendment) Regulations, 2017 and shall come into force on the 1st November, 2017.

Dated this 3rd day of October, 2017



M. K. LE CLERC

President of the States Committee for Employment & Social Security
For and on behalf of the Committee

^c Ordres en Conseil Vol. XIII, p. 355.

SCHEDULE

Reg. 5

"PART VI

Form of medical prescription for use by an approved prescriber

STATES OF GUERNSEY, SOCIAL SECURITY

Pharmacy Stamp	Age D.o.B.	Title, Forename, Surname & Address
<i>Date of dispensing:</i>		
Endorsements	APPROVED PRESCRIBERS ONLY	
Signature of Approved Prescriber		
For dispenser: No. of Prescs. on form		

PS2016

IMPORTANT Complete appropriate declaration overleaf, if applicable.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Health Service (Benefit) (Approved Prescribers) Ordinance, 2017 authorises approved prescribers, including nurse prescribers, to issue medical prescriptions for pharmaceutical benefits.

The Health Service (Pharmaceutical Benefit) Regulations, 1990 ("1990 Regulations") set out forms to be used by professionals entitled to issue the medical prescriptions for pharmaceutical benefits, including a form to be used by nurse prescribers.

These Regulations amend the 1990 Regulations to replace the form required to be used by nurse prescribers with a form to be used by *all* approved prescribers, including nurse prescribers.

These Regulations also extend provisions of the 1990 Regulations relating to medical prescriptions to medical prescriptions issued by any approved prescriber (including a nurse prescriber).

These Regulations come into force on the 1st November, 2017.