

GUERNSEY STATUTORY INSTRUMENT

2017 No. 113

GREFFE  
ROYAL COURT

13 DEC 2017  
DMS.

GUERNSEY

**The Health Service (Medical Appliances) (Amendment)  
Regulations, 2017**

<i>Made</i>	<i>12th December, 2017</i>
<i>Coming into operation</i>	<i>1st January, 2018</i>
<i>Laid before the States</i>	<i>, 2018</i>

THE COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY, in exercise of the powers conferred on it by sections 18 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990<sup>a</sup>, and of all other powers enabling it in that behalf, hereby makes the following Regulations:-

**Amendment of the 1990 Regulations.**

1. The Health Service (Medical Appliances) Regulations, 1990<sup>b</sup> are amended as follows.

2. For the Third Schedule to those Regulations, substitute the schedule set out in the Schedule to these Regulations.

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<sup>a</sup> Ordres en Conseil Vol. XXXII, p. 192 as amended by Order in Council No. IX of 2003 and Ordinance No. IX of 2016 and to which there are other amendments not relevant to these Regulations.

<sup>b</sup> G.S.I. No. 39 of 1990 as amended by Nos. 14 and 59 of 1991, Nos. 3, 20 and 34 of 1993 No. 11 of 1994, Nos. 18 and 24 of 1995 Nos. 7 and 24 of 1996, Nos. 16 and 35 of 1997, No. 29 of 1998 Nos. 13 and 38 of 1999, No. 27 of 2000, Nos. 2019, 36 and 53 of 2001, Nos. 44 and 59 of 2002, No. 50 of 2003, No. 41 of 2004, Nos. 20, 27 and 39 of 2005 Nos. 17 and 47 of 2006, No. 45 of 2007, No. 67 of 2008, No. 94 of 2009, No. 118 of 2010, No. 53 of 2011, No. 71 of 2012, No. 77 of 2014, No. 107 of 2015, and No. 60 of 2016.

### **Interpretation.**

3. (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, and

"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.

- (2) 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.

- (3) The Interpretation (Guernsey) Law, 1948<sup>c</sup> applies to the interpretation of these Regulations as it applies to the interpretation of an enactment.

### **Revocation of the 2016 Regulations.**

4. Regulation 4 of the Health Service (Medical Appliances) (Amendment) Regulations, 2016 is revoked<sup>d</sup>.

### **Citation, commencement and extent.**

5. (1) These Regulations may be cited as the Health Service (Medical Appliances) (Amendment) Regulations, 2017 and shall come into force on the 1st January, 2018.

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<sup>c</sup> Ordres en Conseil Vol. XIII, p. 355.

<sup>d</sup> G.S.I. No. 60 of 2016.

(2) These Regulations shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

Dated this 12th day of December, 2017

A handwritten signature in black ink, consisting of stylized initials 'MLC' followed by a long horizontal stroke that curves upwards at the end.

M. LE CLERC

President of the States Committee for Employment & Social Security

For and on behalf of the Committee

SCHEDULE

Regulation 2

"THIRD SCHEDULE

Regulation 5

Appliance Charges in respect of Medical Appliances  
from 1st January 2018

(1)	(2)
Description of Appliance	Appliance Charges
<u>Part I and Part II Appliances supplied in Guernsey or Alderney</u>	
For each appliance	£3.90
<u>Part III Appliances Supplied in Guernsey or Alderney</u>	
For each appliance	£3.90
<u>Part IV Appliances supplied in Guernsey or Alderney</u>	
For each appliance	No Charge

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EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the Health Service (Medical Appliances) Regulations, 1990, as amended, by increasing the charges payable to authorised appliance suppliers in Guernsey and Alderney by persons supplied with Part I, II or III medical appliances, who are not exempt from such charges. The increased charges amount to £3.90 for each appliance.

These Regulations come into force on the 1st day of January, 2018.