

GUERNSEY STATUTORY INSTRUMENT

ENTITLED

The Health Service (Pharmaceutical Benefit) Regulations, 1990 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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*

G.S.I. No. 36 of 1990; as amended by the Guernsey Social Security Authority (Transfer of Functions) Ordinance, 1993 (Recueil d'Ordonnances Tome XXVI, p. 177); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); the Machinery of Government (Transfer of Functions) Ordinance, 2020 (No. ** of 2020); the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1991 (G.S.I. No. 13 of 1991); the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1994 (G.S.I. No. 25 of 1994); the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1995 (G.S.I. No. 4 of 1995); the Health Service (Pharmaceutical Benefit) (Amendment) (No. 2) Regulations, 1995 (G.S.I. No. 17 of 1995); the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1996 (G.S.I. No. 6 of 1996); the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1999 (G.S.I. No. 39 of 1999); the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2000 (G.S.I. No. 30 of 2000); the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2005 (G.S.I. No. 28 of 2005); the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2009 (G.S.I. No. 92 of 2009); the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2013 (G.S.I. No. 79 of 2013); the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2016 (G.S.I. No. 32 of 2016); the Health Service (Pharmaceutical Benefit) (Amendment) (No. 2) Regulations, 2016 (G.S.I. No. 76 of 2016); the Health Service Benefit (Pharmaceutical Benefit) (Amendment) Regulations, 2017 (G.S.I. No. 79 of 2017); the Health Service Benefit (Pharmaceutical Benefit) (Amendment) Regulations, 2019 (G.S.I. No. 54 of 2019); Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2024 (G.S.I. No. 108 of 2024). See also the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009 (No. VII of 2010).

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The Health Service (Pharmaceutical Benefit) Regulations, 1990

ARRANGEMENT OF REGULATIONS

1. Interpretation.
2. Form of medical prescriptions.
3. Provisions relating to the use of medical prescriptions.
4. Supply of pharmaceutical benefit otherwise than on medical prescriptions.
5. Declaration of entitlement to exception from liability to pay prescription charges.
6. Restriction of meaning of "medicinal purpose" in the Law.
7. Chemical reagents to be included in the expressions "drug" and "medicine".
8. Water.
9. Extent.
10. Citation and commencement.

FIRST SCHEDULE	Forms of medical prescription and declaration.
Part I	Form of medical prescription for use by an approved medical practitioner.
Part II	Form of medical prescription for use by an approved dentist.
Part III	...
Part IV	Form of medical prescription for use by an approved medical practitioner for ordering items containing Methadone Hydrochloride as part of an approved Methadone maintenance programme.
Part V	Form of medical prescription to be used by an approved medical practitioner at the Primary Care Centre.
Part VI	Form of medical prescription for use by an approved prescriber.
SECOND SCHEDULE	Chemical Reagents, diagnostic preparations and processes.

Explanatory Note.

(Made on 18th December, 1990.)

The Health Service (Pharmaceutical Benefit) Regulations, 1990

THE STATES INSURANCE AUTHORITY, in exercise of the powers conferred upon it by sections 11, 13 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990^a, and of all other powers enabling it in that behalf, hereby orders: –

Interpretation.

[**1.** (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.]

(2) 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.

(3) The Interpretation (Guernsey) Law, 1948^b, shall apply to the interpretation of these regulations as it applies to the interpretation of a Guernsey

a Ordres en Conseil No. XLVIII of 1990.

b Ordres en Conseil Vol. XIII, p. 355.

enactment.

[(4) In these Regulations "**an approved Methadone maintenance programme**" is a programme –

- (i) which is recognised by the [Committee for Health & Social Care], and
- (ii) in which [the Committee for Health & Social Care] has given approval for medical practitioners operating the programme to use the form of medical prescription contained in Part IV of the First Schedule to these Regulations.]

[(5) In these Regulations "**outside of normal pharmacy opening hours**" shall mean any time where the time of supply would otherwise attract an urgent fee as specified in the Third Schedule of the Health Service (Payment of Authorised Suppliers) Regulations, 1990, as amended^{ba}.]

NOTES

In regulation 1,

paragraph (1) was substituted by the Health Service Benefit (Pharmaceutical Benefit) (Amendment) Regulations, 2017, regulation 2, with effect from 1st November, 2017;¹

paragraph (4) was inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1996, regulation 1(1), with effect from 1st March, 1996;

the words in the first pair of square brackets within paragraph (4)

ba S.I. 1990 No. 38; S.I. 1991 Nos. 35 and 60; S.I. 1992 No. 9; S.I. 1993 No. 9; S.I. 1995 Nos. 19, 22, 33 and 42; S.I. 1997 Nos. 4 and 17; S.I. 1998 Nos. 4 and 33; S.I. 1999 No. 41.

were substituted by the *Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 5 and section 4, with effect from 1st May, 2016;*²

*the words in the second pair of square brackets within paragraph (4) were substituted by the Machinery of Government (Transfer of Functions) Ordinance, 2020, section 2 and section 4, with effect from 1st June, 2020;*³

paragraph (5) was inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2000, regulation 1(1), with effect from 1st January, 2001.

*The functions, rights and liabilities of the Health and Social Services Department and of its Minister or Deputy Minister arising under or by virtue of these Regulations were transferred to and vested in, respectively, the Committee for Health & Social Care and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 5 and section 4, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.*⁴

*The functions, rights and liabilities of the Committee for Employment & Social Security arising under Parts II to VI, sections 21 to 23, and Parts VIII to X of the Health Service (Benefit) (Guernsey) Law, 1990 (other than in the definitions of "approved primary care mental health and wellbeing service arrangement" and "approved visiting medical specialist arrangement" in section 39(1) of that Law, as that Law applies in relation to specialist medical benefit by virtue of the Health Service (Specialist Medical Benefit) Ordinance, 1995) were transferred to and vested in the Committee for Health & Social Care by the provisions of the Machinery of Government (Transfer of Functions) Ordinance, 2020, section 1(a) and section 4, with effect from 1st June, 2020 and subject to, first, the savings and transitional provisions in section 3 and, second, the exceptions in section 5 of the 2020 Ordinance.*⁵

The Health Service (Payment of Authorised Suppliers) Regulations, 1990 have since been revoked by the Health Service (Payment of Authorised Suppliers) Regulations, 2003, regulation 6, with effect from 1st January, 2004.

Form of medical prescriptions.

2. (1) Subject to the provisions of paragraph (4) of the next following regulation, a medical prescription issued by –

- (a) an approved medical practitioner shall be in the form set out in Part I of the First Schedule to these

regulations [(including the declaration on the reverse side of that form)] and shall contain the particulars required therein, [...]

(b) an approved dentist shall be in the form set out in Part II of the First Schedule to these regulations [(including the declaration on the reverse side of that form)] and shall contain the particulars required therein, [...]

[(c) an approved medical practitioner to order any item containing Methadone Hydrochloride as part of an approved Methadone maintenance programme shall be in the form set out in Part IV of the First Schedule to these Regulations and shall contain the particulars required therein], [...]

[(d) an approved medical practitioner, for the time being working at Primary Care Centre at the Princess Elizabeth Hospital shall be in the form set out in Part V of the First Schedule to these Regulations and shall contain the particulars required therein], [and]

[(e) [an approved prescriber] shall be in the form set out in Part VI of the First Schedule to these regulations [(including the declaration on the reverse side of that form)] and shall contain the particulars required therein.]

(2) ...

(3) A medical prescription as specified in Part I of the First

Schedule to these Regulations may be used by an approved medical practitioner for ordering the supply of pharmaceutical benefit or Part I or Part II appliances as defined in the Health Service (Payment of Authorised Appliance Suppliers) Regulations, 1990^c.

[(4) A medical prescription as specified in Part IV of the First Schedule to these Regulations may only be used by an approved medical practitioner for ordering the supply of items containing Methadone Hydrochloride as part of an approved Methadone maintenance programme.]

[(5) A medical prescription as specified in Part V of the First Schedule to these Regulations may only be written –

- (a) by an approved medical practitioner,
- (b) outside of normal pharmacy opening hours,
- (d) for ordering the supply of items approved by [the Committee for Health & Social Care], and
- (e) for an amount not exceeding that approved by [the Committee for Health & Social Care] for each item, where that approved quantity shall not exceed an amount requisite for treatment of the patient for [28] days,

and may only be dispensed by an authorised supplier being a pharmacist for the time being employed by the [Committee for Health & Social Care].]

^c S.I. 1990 No. 41.

NOTES

In regulation 2,

first, the parentheses and words "(including the declaration on the reverse side of that form)" in square brackets, wherever occurring, were inserted and, second, paragraph 2 was revoked by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2024, respectively regulation 1(2)(a) and regulation 1(2)(b), with effect from 1st January, 2025, subject to the transitional provision in regulation 2 of the 2024 Regulations;

first, the word omitted in the second pair of square brackets in paragraph (1)(a) was revoked, second, paragraph (1)(c) was inserted and, third, paragraph (4) was inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1996, regulation 1, respectively paragraph (2), paragraph (3) and paragraph (4), with effect from 1st March, 1996;

first, the word omitted in the second pair of square brackets in paragraph (1)(b) (which word was originally inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1996, regulation 1(3), with effect from 1st March, 1996) was revoked, second, paragraph (1)(d) and the word in square brackets immediately after paragraph (1)(c) were inserted and, third, paragraph (5) was inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2000, regulation 1, respectively paragraph (2), paragraph (3) and paragraph (4), with effect from 1st January, 2001;

first, the word omitted in square brackets in paragraph (1)(c) (which word was originally inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2000, regulation 1(3), with effect from 1st January, 2001) was revoked and, second, paragraph (1)(e) and the word in square brackets immediately after paragraph (1)(d) were inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2013, regulation 3, respectively paragraph (a) and paragraph (b), with effect from 1st January, 2014;

the words in the first pair of square brackets within paragraph (1)(e) were substituted by the Health Service Benefit (Pharmaceutical Benefit) (Amendment) Regulations, 2017, regulation 3, with effect from 1st November, 2017;

the words "the Committee for Health & Social Care" in square brackets, wherever occurring, were substituted by the Machinery of Government (Transfer of Functions) Ordinance, 2020, section 2 and section 4, with effect from 1st June, 2020;⁶

the figures in square brackets within paragraph (5)(e) were substituted by the Health Service (Pharmaceutical Benefit) (Amendment)

Regulations, 2005, regulation 1(a), with effect from 1st September, 2005;

the words in the fourth pair of square brackets within paragraph (5) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 5 and section 4, with effect from 1st May, 2016.⁷

The functions, rights and liabilities of the Health and Social Services Department and of its Minister or Deputy Minister arising under or by virtue of these Regulations were transferred to and vested in, respectively, the Committee for Health & Social Care and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 5 and section 4, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.⁸

The Health Service (Payment of Authorised Suppliers) Regulations, 1990 have since been revoked by the Health Service (Payment of Authorised Suppliers) Regulations, 2003, regulation 6, with effect from 1st January, 2004.

Provisions relating to the use of medical prescriptions.

3. [(1) A medical prescription shall be completed in writing or print and in ink or other indelible substance, shall be signed by the approved medical practitioner[, approved dentist or [approved prescriber]] issuing the same and shall be dated.]

(2) A medical prescription shall not be written in such manner as to necessitate reference on the part of an authorised supplier to a previous medical prescription.

(3) Subject to the provisions of the next following paragraph, a single medical prescription shall not be used for ordering the supply of pharmaceutical benefit under the Law for more than one person.

(4) [The Committee for Health & Social Care] may authorise an approved medical practitioner to issue a single medical prescription ordering pharmaceutical benefit under the Law for two or more persons who are normally

resident in a school or institution and for whose treatment he is responsible; and, where a medical prescription is so issued, the approved medical practitioner shall enter thereon, instead of the names of the said persons, the name of the school or institution.

(5) Subject to the provisions of the next following paragraph, an approved medical practitioner or approved dentist [or [approved prescriber]] shall not order the supply of any item of pharmaceutical benefit under the Law for any person in a quantity exceeding that which is requisite for that person's treatment and shall not, in any event, order the supply of any item of pharmaceutical benefit under the Law for any person in a quantity exceeding the quantity requisite for that person's treatment for a period of [28] days.

(6) Where pharmaceutical benefit is required for the treatment of a person for a period exceeding [28] days, an approved medical practitioner or approved dentist [or [approved prescriber]] may attach to the medical prescription on which the pharmaceutical benefit is ordered by him for that person under the Law not more than [five] copies thereof; and any such copy shall, on presentation to an authorised supplier, be sufficient authority for the supply of pharmaceutical benefit under the Law.

(7) For the purposes of these regulations, the expression "**medical prescription**" shall, except where the context otherwise requires, be deemed to include a copy of a medical prescription issued in pursuance of the provisions of the last foregoing paragraph.

[(8) A copy of a medical prescription issued in pursuance of the provisions of paragraph (6) of this Regulation shall be signed by the approved medical practitioner[, approved dentist or [approved prescriber]] issuing the same and shall be dated so that the date thereof is not earlier than the twenty-eighth day and not later than the thirty-first day next following the data of the original medical

prescription or of the first or second copy thereof, as the case may be.]

(9) Except in any case to which the provisions of the next following regulation apply and subject to the provisions of the next following paragraph, upon the completion of a medical prescription by an approved medical practitioner or approved dentist [or [approved prescriber]], he or his servant shall issue the same in the following manner, that is to say –

- (a) by delivering it by hand to the person in respect of whom it is required or to his parent, guardian or other representative, or
- (b) by making it available for collection by that person or by his parent, guardian or other representative at the surgery of the approved medical practitioner or approved dentist [or the normal place of practice of the [approved prescriber]], as the case may be, or
- (c) by sending it by post addressed to that person or to his parent, guardian or other representative, at his usual place of residence.

(10) In the case where a medical prescription is issued in pursuance of the provisions of paragraph (4) of this regulation for ordering the supply of pharmaceutical benefit for two or more persons resident in a school or institution, the provisions of the last foregoing paragraph shall have effect as if for the references therein to the person in respect of whom a medical prescription is required, his parent, guardian or other representative, there were substituted references to the person in charge of that school or institution or a person acting on his behalf, and for the reference in sub-paragraph (c) thereof to his usual place of residence there were substituted a reference to that school or institution, as the case may be.

[(11) Subject to the provisions of the next following paragraph and without prejudice to the provisions of section 4 of the Health Service (Benefit) Ordinance, 1990 as amended^{ca}, and section 12 of the Misuse of Drugs (Bailiwick of Guernsey) Ordinance, 1976^{cb} an authorised supplier may supply pharmaceutical benefit on a copy medical prescription within a period of 4 days immediately preceding the date specified in the copy prescription.

(12) Without prejudice to the provisions of section 4 of the Health Service (Benefit) Ordinance, 1990, as amended^{ca}, and section 12 of the Misuse of Drugs (Bailiwick of Guernsey) Ordinance, 1976^{cb}, an authorised supplier may supply pharmaceutical benefit on a copy medical prescription within a period of [28] days immediately preceding the date specified in the copy prescription, where the person, in respect of whom the medical prescription is required, will be temporarily absent from Guernsey or Alderney, as the case may be, on the date specified on the copy medical prescription.]

NOTES

In regulation 3,

paragraph (1) and paragraph (8) were substituted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1991, regulation 1, with effect from 1st June, 1991;

first, the words and punctuation in square brackets within paragraph (1) and paragraph (8) were substituted, second, the word "or" in square

^{ca} Ordinance No. XLV of 1990; Ordinance Nos. XVII and XXX of 1991; Ordinance No. XXI of 1993; Ordinance No. XXVI of 1994.

^{cb} Recueil d'Ordonnances Tome XX, p. 272.

^{ca} Ordinance No. XLV of 1990; Ordinance Nos. XVII and XXX of 1991; Ordinance No. XXI of 1993; Ordinance No. XXVI of 1994.

^{cb} Recueil d'Ordonnances Tome XX, p. 272.

brackets, wherever occurring in paragraphs (5), (6) and (9) were inserted and, third, the words in square brackets in paragraph (9)(b) were inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2013, regulation 4, respectively paragraph (a), paragraph (b) and paragraph (c), with effect from 1st January, 2014;

the words "approved prescriber" in square brackets, wherever occurring in paragraph (1), paragraph (8) and paragraph (9)(b) were substituted by the Health Service Benefit (Pharmaceutical Benefit) (Amendment) Regulations, 2017, regulation 4(a), with effect from 1st November, 2017;

the words in square brackets in paragraph (4) were substituted by the Machinery of Government (Transfer of Functions) Ordinance, 2020, section 2 and section 4, with effect from 1st June, 2020;⁹

the words "approved prescriber" in square brackets, wherever occurring in paragraph (5), paragraph (6) and paragraph (9) (save in paragraph (9)(b)) were substituted by the Health Service Benefit (Pharmaceutical Benefit) (Amendment) Regulations, 2017, regulation 4(b), with effect from 1st November, 2017;

the figures "28" in square brackets, wherever occurring in paragraph (5) and paragraph (6), were substituted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2005, regulation 1(b), with effect from 1st September, 2005;

the word in the third pair of square brackets in paragraph (6) was substituted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1999, regulation 1, with effect from 1st January, 2000;

paragraph (11) and paragraph (12) were inserted by the Health Service (Pharmaceutical Benefit) (Amendment) (No. 2) Regulations, 1995, regulation 1, with effect from 12th July, 1995;

the figures in square brackets within paragraph (12) were substituted by the Health Service (Pharmaceutical Benefit) (Amendment) (No. 2) Regulations, 2016, regulation 1, with effect from 20th December, 2016.

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 1, with effect from 4th January, 2010, the references in this regulation to "parent" shall mean, in relation to a child and subject to the conditions in paragraph (a) and (b) of subsection (1) and the exceptions in paragraph (a) and (b) of subsection (2) of that section, a father or mother who has parental responsibility in respect of the child.

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 2, with

effect from 4th January, 2010, and having regard to the reference in this regulation to "guardian", a guardian or person referred to as such has parental responsibility in respect of a child if the conditions in subsection (1) or subsection (2) of that section are satisfied.

Supply of pharmaceutical benefit otherwise than on medical prescriptions.

4. (1) An approved medical practitioner or approved dentist, whether or not he is an authorised supplier, may supply pharmaceutical benefit under the Law otherwise than on a medical prescription to a person who is being treated by him (hereafter in this regulation referred to as "**the patient**") where the pharmaceutical benefit is required for immediate administration or application to the patient by that approved medical practitioner or approved dentist, as the case may be, under his direct supervision and in his presence; and, in that event, that approved medical practitioner or approved dentist shall, as soon as may be thereafter, complete a medical prescription in all respects as if the prescription were to be issued to the patient; and the pharmaceutical benefit so supplied shall, for the purposes of the Law and of any regulations made thereunder, be deemed to have been supplied on that medical prescription.

(2) Where pharmaceutical benefit is supplied under and in accordance with the provisions of paragraph (1) of this regulation by an approved medical practitioner or approved dentist who is not an authorised supplier, the patient shall be liable to pay to him a prescription charge as specified in the Health Service (Benefit) Ordinance, 1990^d in respect of each item of pharmaceutical benefit so supplied unless it is declared to him that the patient is a person in respect of whom a certificate of exception for the time being in force has been granted; and any charge payable under this paragraph to an approved medical practitioner or approved dentist may be recovered by him as a civil debt.

(3) An authorised supplier who is a pharmacist may supply

^d Ordinance No. XLV of 1990.

pharmaceutical benefit under the Law to any person otherwise than on a medical prescription –

- (a) if that authorised supplier is reasonably satisfied that the person ordering the same is an approved medical practitioner or approved dentist who is, by reason of some emergency, unable to issue a medical prescription immediately; and
- (b) the person ordering the same undertakes to furnish that authorised supplier with a medical prescription within the twenty-four hours next following.

(4) Where an approved medical practitioner or approved dentist is required to complete or furnish a medical prescription under this regulation, he shall, if it is declared to him by or on behalf of the patient that the patient is a person in respect of whom a certificate of exception for the time being in force has been granted, complete the form of declaration to that effect on the reverse side of the medical prescription.

(5) Nothing in this regulation contained shall be construed as affecting any restriction or prohibition imposed by or under the provisions of any other enactment.

Declaration of entitlement to exception from liability to pay prescription charges.

5. Subject to the provisions of regulation 4 of these regulations, where exception from liability to pay prescription charges is claimed in respect of the supply of pharmaceutical benefit, the form of declaration on the reverse side of the medical prescription on which the pharmaceutical benefit is ordered shall be duly completed by or on behalf of the claimant before the medical prescription is presented to an

authorised supplier.

Restriction of meaning of "medicinal purpose" in the Law.

6. Notwithstanding the provisions of section 38(2) of the Law the expression "**medicinal purpose**" in the Law shall not include anaesthesia or contraception [or immunisation for the purpose of holiday or business travel] [or prophylaxis against Malaria for the purpose of holiday or business travel.]

NOTES

In regulation 6,

the words in the first pair of square brackets were inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1994, regulation 1, with effect from 1st January, 1995;

the words in the second pair of square brackets were inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1995, regulation 1, with effect from 1st April, 1995.

Chemical reagents to be included in the expressions "drug" and "medicine".

7. The expressions "drug" and "medicine" in the Law shall include any chemical reagent, diagnostic preparation or process specified in the Second Schedule to these regulations.

Water.

8. (1) Where the expression "aqua" is used in a medical prescription without qualification, that expression shall be construed as meaning wholesome drinking water.

(2) The expression "drug" and the expression "medicine" in the Law shall not include –

- (a) wholesome drinking water,

- (b) purified water B.P., except in any case where it is specified in a medical prescription or where its use is necessary in conformity with standard dispensing practice.

Extent.

9. These regulations shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

Citation and commencement.

10. (1) These regulations may be cited as the Health Service (Pharmaceutical Benefit) Regulations, 1990.

(2) These regulations shall come into operation on the first day of January 1991.

FORMS OF MEDICAL PRESCRIPTION AND DECLARATION

PART I

Form of medical prescription for use by an approved medical practitioner

STATES OF GUERNSEY					
Pharmacy Stamp	<table border="1" style="width: 100%;"><tr><td style="width: 30%; vertical-align: top;">Age</td><td style="vertical-align: top;">Title, Forename, Surname & Address</td></tr><tr><td style="vertical-align: top;">D.c.D.</td><td></td></tr></table>	Age	Title, Forename, Surname & Address	D.c.D.	
Age	Title, Forename, Surname & Address				
D.c.D.					
Date of dispensing:					
Endorsements					
Signature of Doctor	Date				
For dispenser: No. of Prescns. on form					
<small>IMPORTANT: Complete appropriate declaration overleaf, if applicable.</small>					

This form is the property of the States of Guernsey, Health & Social Care

Section 1. Important Notes for the Patient

- If the patient does not require one or more medications on this form the patient or the patient's representative must put a line through the medication in ink or ask the pharmacist to do so.
- These changes cannot be reversed by the pharmacist.
- This prescription may be dispensed by any pharmacy in Guernsey or Alderney, unless otherwise specified by the States of Guernsey.
- All patients must pay the prescription charge for each item dispensed unless the patient is entitled to exemption from the charge.
- If the patient is not required to pay the prescription charge, please complete, sign and date section 2.

Section 2. Claim for Exemption from Prescription Charge

The patient named overleaf does not have to pay the Prescription Charge because he/she:

- A. has attained Guernsey pension age on the date of dispensing
- B. is covered under the Income Support Scheme or in receipt of severe disability benefit
- C. has a valid exemption certificate



For options B and C please clearly complete the declaration below.

I (your full name)

Date of Birth:

confirm that the patient named overleaf does not have to pay the prescription charge.

And that I am:

- the patient the patient's parent or guardian the patient's representative

I declare that to the best of my knowledge and belief the information I have given on the form is true and complete. I understand that checks are made and to give false information may lead to prosecution.

Sign:

Date:

Address if different from overleaf: _____

Section 3. If collecting Schedule 2 and/or 3 Controlled Drugs please complete:

Full Name: _____ Date of Birth: _____

Sign: _____ Date: _____

Section 4. How we collect and use information

 The Committee for Health & Social Care processes personal information for various purposes to carry out functions relating to its services and the associated legislation it administers. The personal data collected through this form will be processed in accordance with the Data Protection (Bailiwick of Guernsey) Law, 2017. For more information on how your personal data will be processed for this purpose, please see our fair processing notice on www.gov.gg/fp, or a hard copy can be requested from data.protection@gov.gg or 01481 210012.

PART II

Form of medical prescription for use by an approved dentist

STATES OF GUERNSEY	
Pharmacy Stamp	Age Title, Forename, Surname & Address
	D.O.B.
Date of dispensing:	
Endorsements	DENTAL ONLY
Signature of Dentist	Date
For dispenser: No. of Prescriptions on form	555555
IMPORTANT: Complete appropriate declaration every time if applicable.	

This form is the property of the States of Guernsey, Health & Social Care

Section 1. Important Notes for the Patient

- If the patient does not require one or more medications on this form the patient or the patient's representative must put a line through the medication in ink or ask the pharmacist to do so.
- These changes cannot be reversed by the pharmacist.
- This prescription may be dispensed by any pharmacy in Guernsey or Alderney, unless otherwise specified by the States of Guernsey.
- All patients must pay the prescription charge for each item dispensed unless the patient is entitled to exemption from the charge.
- If the patient is not required to pay the prescription charge, please complete, sign and date section 2.

Section 2. Claim for Exemption from Prescription Charge

The patient named overleaf does not have to pay the Prescription Charge because he/she:

- A has attained Guernsey pension age on the date of dispensing
- B is covered under the Income Support Scheme or in receipt of severe disability benefit
- C has a valid exemption certificate



For options B and C please clearly complete the declaration below:

I (your full name) _____ Date of Birth: _____

confirm that the patient named overleaf does not have to pay the prescription charge.

And that I am

- the patient the patient's parent or guardian the patient's representative

I declare that to the best of my knowledge and belief the information I have given on the form is true and complete. I understand that checks are made and to give false information may lead to prosecution.

Sign: _____ Date: _____

Address if different from overleaf: _____

Section 3. If collecting Schedule 2 and/or 3 Controlled Drugs please complete:

Full Name: _____ Date of Birth: _____

Sign: _____ Date: _____

Section 4. How we collect and use information

 The Committee for Health & Social Care processes personal information for various purposes to carry out functions relating to its services and the associated legislation it administers. The personal data collected through this form will be processed in accordance with the Data Protection (Bailiwick of Guernsey) Law, 2017. For more information on how your personal data will be processed for this purpose, please see our fair processing notice on www.gov.gg/dp, or a hard copy can be requested from data.protection@gov.gg or 01481 220012.

PART III

Form of declaration for use on the reverse side of a medical and dental prescription

...

]

[PART VI

Form of medical prescription for use by an approved prescriber

STATES OF GUERNSEY		
Pharmacy Stamp	Age	Title, Forename, Surname & Address
	D.O.B.	
<i>Date of dispensing:</i>		
Endorsements	APPROVED PRESCRIBERS ONLY	
Signature of Approved Prescriber	Date	
For dispenser: No. of Prescs. on form		
<input type="checkbox"/>		
IMPORTANT: Complete appropriate declaration over leaf, if applicable.		

This form is the property of the States of Guernsey, Health & Social Care

Section 1. Important Notes for the Patient

- If the patient does not require one or more medications on this form the patient or the patient's representative **must** put a line through the medication in ink or ask the pharmacist to do so.
- These changes cannot be reversed by the pharmacist.
- This prescription may be dispensed by any pharmacy in Guernsey or Alderney, unless otherwise specified by the States of Guernsey.
- All patients must pay the prescription charge for each item dispensed unless the patient is entitled to exemption from the charge.
- If the patient is not required to pay the prescription charge, please complete, sign and date section 2.

Section 2. Claim for Exemption from Prescription Charge

The patient named overleaf does not have to pay the Prescription Charge because he/she:

- A has attained Guernsey pension age on the date of dispensing.
- B is covered under the Income Support Scheme or in receipt of severe disability benefit.
- C has a valid exemption certificate.



For options B and C please clearly complete the declaration below:

I (your full name) _____ Date of Birth: _____

confirm that the patient named overleaf does not have to pay the prescription charge.

And that I am

- the patient
- the patient's parent or guardian
- the patient's representative

I declare that to the best of my knowledge and belief the information I have given on the form is true and complete. I understand that checks are made and to give false information may lead to prosecution.

Sign: _____ Date: _____

Address if different from overleaf: _____

Section 3. If collecting Schedule 2 and/or 3 Controlled Drugs please complete:

Full Name: _____ Date of Birth: _____

Sign: _____ Date: _____

Section 4. How we collect and use information

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NOTES

In the First Schedule,

Part I and Part II were substituted and Part III was revoked by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2024, regulation 1(3), Schedule 1, with effect from 1st January, 2025, subject to the

transitional provision in regulation 2 of the 2024 Regulations,¹⁰

Part IV was inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 1996, regulation 1(5), Schedule, with effect from 1st March, 1996;

Part V was inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2000, regulation 1(5), Schedule, with effect from 1st January, 2001;

Part VI (which was originally was inserted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2013, regulation 5, Schedule, with effect from 1st January, 2014) was substituted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2024, regulation 1(4), Schedule 2, with effect from 1st January, 2025, subject to the transitional provision in regulation 2 of the 2024 Regulations.¹¹

SECOND SCHEDULE

Regulation 7

CHEMICAL REAGENTS, DIAGNOSTIC PREPARATIONS AND PROCESSES

Benedict's solution (Qualitative)

Blood glucose monitoring strips (including Exactech strips)

Compounds required for oral administration for the purpose of cholecystographic examination

Diagnostic nitroprusside tablets

Diagnostic solution - tablets of copper

Fehling's solution

Gerhardt's solution

Glycosuria detection strips

Glycosuria and proteinuria detection strips

Ketonuria detection strips

Litmus papers

Phenylketonuria detection strips

Proteinuria detection strips

Strong solution of ammonia

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport)^{**}

These regulations deal with matters relating to –

- (1) the form of medical prescription to be used by approved medical practitioners and approved dentists ordering pharmaceutical benefit under the Law;
- (2) the form of declaration, on the reverse side of a medical prescription, to be completed by or on behalf of a patient who is excepted from liability to pay prescription charges;
- (3) the manner in which a medical prescription is to be completed and issued, and the maximum quantity of pharmaceutical benefit which may be ordered to be supplied on a medical prescription;
- (4) the supply, in exceptional cases, of pharmaceutical benefit under the Law otherwise than on a medical prescription;

and certain other related subjects.

¹ Paragraph (1) was previously substituted by the Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2013, regulation 2, with effect from 1st January, 2014.

^{**} The text of this Explanatory Note is as it was when the Statutory Instrument was first made – that is to say that the Explanatory Note has not been updated to take account of any changes made by subsequent amending Statutory Instruments with their own Explanatory Notes.

² These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 4, with effect from 6th May, 2004.

³ These words were previously substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(3), Schedule 3, paragraph 4, with effect from 1st May, 2016.

⁴ The functions, rights and liabilities of the Health and Social Services Department and its Minister arising under or by virtue of these Regulations were previously transferred to and vested in them, respectively, from the Board of Health and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 4, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

⁵ The functions, rights and liabilities of the Committee for Employment & Social Security and its President or Vice-President arising under or by virtue of these Regulations were previously transferred to and vested in them, respectively, from the Social Security Department and its Minister or Deputy Minister by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 13 and section 4, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance; the functions, rights and liabilities of the Social Security Department and its Minister arising under or by virtue of these Regulations were previously transferred to and vested in them, respectively, from the Social Security Authority ("the Authority") and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 26, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance; the functions of the Guernsey Social Security Authority under these Regulations were previously transferred to it from the States Insurance Authority by the Guernsey Social Security Authority (Transfer of Functions) Ordinance, 1993, section 1, Schedule 1, paragraph 5, with effect from 29th September, 1993, subject to the savings in section 2 of the 1993 Ordinance.

⁶ These words were previously substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(3), Schedule 3, paragraph 4, with effect from 1st May, 2016.

⁷ These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 4, with effect from 6th May, 2004.

⁸ The functions, rights and liabilities of the Health and Social Services Department and its Minister arising under or by virtue of these Regulations were previously transferred to and vested in them, respectively, from the Board of Health and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 4, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003

Ordinance.

9 These words were previously substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(3), Schedule 3, paragraph 4, with effect from 1st May, 2016.

10 Part I, Part II and Part III were previously substituted by the: Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2009, regulation 1, Schedule, with effect from 1st January, 2010; Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2016, regulation 1, Schedule, with effect from 28th January, 2016; Health Service (Pharmaceutical Benefit) (Amendment) Regulations, 2019, regulation 1, Schedule, with effect from 25th May, 2019; and, prior to their substitution, Part I and Part II were amended by the: Guernsey Social Security Authority (Transfer of Functions) Ordinance, 1993, section 1, Schedule 1, paragraph 5, with effect from 29th September, 1993; Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 26, with effect from 6th May, 2004.

11 Part VI was previously substituted by the: Health Service Benefit (Pharmaceutical Benefit) (Amendment) Regulations, 2017, regulation 5, Schedule, with effect from 1st November, 2017; Health Service Benefit (Pharmaceutical Benefit) (Amendment) Regulations, 2019, regulation 1, Schedule, with effect from 25th May, 2019; and, prior to that substitution, Part VI was amended by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 13 and section 4, with effect from 1st May, 2016.