

ORDINANCE
OF THE STATES OF DELIBERATION

ENTITLED

The Health Service (Benefit) (Limited Lists) Ordinance,
2004 *

[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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* No. XIII of 2004 (Recueil d'Ordonnances Tome XXIX, p. 441); as amended by the Health Service (Benefit) (Nurse Prescribers) Ordinance, 2013 (No. XXXIV of 2013); the Health Service (Benefit) (Approved Prescribers) Ordinance, 2017 (No. XXV of 2017). See also 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).

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**The Health Service (Benefit) (Limited Lists) Ordinance,
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ARRANGEMENT OF SECTIONS

1. Power to prescribe limited lists.
2. Extent.
3. Citation.

(Made on 10th March, 2004.)

The Health Service (Benefit) (Limited Lists) Ordinance, 2004

THE STATES, in pursuance of their Resolution of the 25th day of June 2003^a, and in exercise of the powers conferred upon them by sections 10, 13, 15, 18 and 35 of the Health Service (Benefit) (Guernsey) Law, 1990^b, as amended and all other powers enabling them, hereby order: –

Power to prescribe limited lists.

1. [The Authority] is empowered by regulation to make provision prescribing limited lists which shall restrict the description, nature and quantity of –

- (a) drugs and medicines available as pharmaceutical benefit, and
- (b) medical appliances,

which may be ordered to be supplied by appliance or medical prescriptions issued by medical practitioners[, dentists or [approved prescribers (within the meaning given by section 1(3) of the Health Service (Benefit) (Approved Prescribers) Ordinance, 2017)]], as the case may be.

^a Article III of Billet d'État No. XIII of 2003.

^b Ordres en Conseil Vol. XXXII, p. 192 amended by Ordinance No. XIV of 1993 (Tome XXVI, p. 177); Nos. XXXIV and XXXV of 1995 (Tome XXVI, p. 483); No. XXIX of 1997; No. XXX of 1998; No. XXV of 1999; No. XIV of 2000; No. LIII of 2001; Nos. XXII, XXVI, XXVII, XXVIII, XXIX, XXXIII and XXXIV of 2002 and No. IX of 2003 and modified by Ordinances XXXV and XXXVI of 1995 (Tome XXVI, pp. 483 and 484); No. XI of 1997; No. I of 1998 and No. XXXIII of 2002.

NOTES

In section 1,

the words in the second pair of square brackets were substituted by the Health Service (Benefit) (Nurse Prescribers) Ordinance, 2013, section 2, with effect from 1st January, 2014;

the words in square brackets within the second pair of square brackets were substituted by the Health Service (Benefit) (Approved Prescribers) Ordinance, 2017, section 3, with effect from 1st November, 2011.

In accordance with the provisions of the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 26, with effect from 6th May, 2004 and subject to the savings and transitional provisions in section 4 of the 2003 Ordinance, the functions, rights and liabilities of the Social Security Authority ("the Authority") and its President arising under or by virtue of the Health Service (Benefit) (Guernsey) Law, 1990 ("the 1990 Law") were transferred to and vested in the Social Security Department and its Minister; in accordance with the provisions of the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 13, with effect from 1st May, 2016 and 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 or Deputy Minister arising under or by virtue of the 1990 Law were transferred to and vested in the Committee for Employment & Social Security and its President or Vice-President; in accordance with 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 the savings and transitional provisions in section 3 of the 2020 Ordinance, 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 1990 Law were transferred to and vested in the Committee for Health & Social Care.

The following Regulations have been made under section 1:

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3) Regulations, 2011;

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 6) Regulations, 2011;

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 2) Regulations, 2012;

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 3) Regulations, 2016.

Extent.

2. This Ordinance shall have effect in the Islands of Guernsey, Alderney, Herm and Jethou.

Citation.

3. This Ordinance may be cited as the Health Service (Benefit) (Limited Lists) Ordinance, 2004.

NOTE

The Ordinance was made and came into operation on 10th March, 2004.
