

GUERNSEY STATUTORY INSTRUMENT

2020 No.

**The Emergency Powers (Coronavirus) (Temporary  
Registration of Health Professionals) (Bailiwick of  
Guernsey) Regulations, 2020**

<i>Made</i>	<i>2<sup>nd</sup> April, 2020</i>
<i>Coming into operation</i>	<i>2<sup>nd</sup> April, 2020</i>
<i>Laid before the States</i>	<i>, 2020</i>

**WHEREAS** there are one or more persons within the Bailiwick who are or may be infected with Severe Acute Respiratory Syndrome Coronavirus 2, resulting in the occurrence of an emergency within the meaning of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012<sup>a</sup>;

**AND WHEREAS** one or more persons within the Bailiwick have died after being infected with Severe Acute Respiratory Syndrome Coronavirus 2;

**AND WHEREAS** the Civil Contingencies Authority ("**the Authority**") (having consulted the Medical Officer of Health in respect of the risk to public health created thereby and by the spread of Severe Acute Respiratory Syndrome Coronavirus 2, the virus causing the disease COVID-19, and in respect of the measures necessary to prevent or slow the spread of infection) is satisfied that the conditions set out in section

---

<sup>a</sup> Order in Council No. XIV of 2012; amended by Ordinance No. IX of 2016; No. II of 2017.

13 of that Law are satisfied, and that the following regulations contain only provisions which are appropriate for and proportionate to the purpose of preventing, controlling or mitigating the emergency referred to above;

**AND WHEREAS** the Authority is satisfied that the effect of the following regulations is in due proportion to that emergency, and that they are compatible with the Convention rights within the meaning of section 1 of the Human Rights (Bailiwick of Guernsey) Law, 2000<sup>b</sup>;

**NOW THEREFORE THE AUTHORITY**, in exercise of the powers conferred upon it by sections 12(1), 14 and 19 of the Law, and of all other powers enabling them in that behalf, hereby makes the following regulations: -

**Temporary registration, authorisation, etc. of doctors, nurses and other medical and health professionals.**

1. The Schedule modifies –

- (a) the Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015<sup>c</sup>,

---

<sup>b</sup> Order in Council No. XIV of 2000; amended by No. I of 2005; Ordinance No. XXXVII of 2001; No. XXXIII of 2003; No. XX of 2015; No. IX of 2016; No. XXVI of 2018; G.S.I. No. 27 of 2006.

<sup>c</sup> Ordinance No. XXII of 2015; amended by No. L of 2015; No. IX of 2016.

- (b) the Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Regulations, 2016<sup>d</sup>,
- (c) the Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017<sup>e</sup>,
- (d) the Regulation of Health Professions (Medical Practitioners) (Sark) Regulations, 2017<sup>f</sup>,
- (e) the Doctors, Dentists and Pharmacists Ordinance, 1987<sup>g</sup>,
- (f) the Nurses (Use of Title) Ordinance, 1973<sup>h</sup>,

---

<sup>d</sup> G.S.I. No. 53 of 2016.

<sup>e</sup> Sark Ordinance No. VI of 2017.

<sup>f</sup> Sark S.I. No. 74 of 2017.

<sup>g</sup> Recueil d'Ordonnances Tome XXIV, p. 79; amended by Ordres en Conseil Vol. XXXI, p. 278; Recueil d'Ordonnances Tome XXIV, p. 238; Ordinance No. XXXIII of 2003; No. XXII of 2015; No. IX of 2016. Applied to the Island of Alderney by Recueil d'Ordonnances Tome XXIV, p. 262.

<sup>h</sup> Recueil d'Ordonnances Tome XIX, p. 126.

- (g) the Nurses, Midwives and Health Visitors Ordinance, 1987<sup>i</sup>,
- (h) the Registered Health Professionals Ordinance, 2006<sup>j</sup>,
- (i) the Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law, 2008<sup>k</sup>,
- (j) the Prescription Only Medicines (Human) (Bailiwick of Guernsey) Ordinance, 2009<sup>l</sup>,
- (k) the Misuse of Drugs (Bailiwick of Guernsey) Law, 1974<sup>m</sup>, and

---

<sup>i</sup> Recueil d'Ordonnances Tome XXIV, p. 238; amended by Ordres en Conseil Vol. XXXI, p. 278; Ordinance No. XXXIII of 2003; No. IX of 2016.

<sup>j</sup> Ordinance No. III of 2006; amended by No. IX of 2016; G.S.I. No. 94 of 2015. Modified in Alderney by Ordinance No. IV of 2006.

<sup>k</sup> Order in Council No. V of 2009; amended by Ordinance No. XXIV of 2009; No. XLI of 2013; No. IX of 2016.

<sup>l</sup> Ordinance No. XXV of 2009; amended by Ordinance No. XXV of 2010; No. IX of 2016.

<sup>m</sup> Ordres en Conseil Vol. XXIV, p. 273; amended by Vol. XXVIII, p. 307; Vol. XXXI pp. 47 and 278; Vol. XXXIII, p. 217; Vol. XXXIV, p. 172; Vol. XXXVI, p. 396; Order in Council Nos. III and VII of 2000; Nos. IV and XIII of 2006; Recueil d'Ordonnances Tome XX p. 271; Tome XXII, p. 483; Tome XXIV, p. 477; Tome XXV pp. 38 and 325; Ordinance No. XXXIII of 2003; No. XLIII of 2010; No. XXV of 2011; No. XXII of 2015; No. IX of 2016; G.S.I. No. 19 of 1997; No. 5 of 2004; No. 42 of 2006; No. 20 of 2008; Nos. 22, 33

- (l) the Misuse of Drugs (Bailiwick of Guernsey)  
Ordinance, 1997<sup>n</sup>,

which modifications shall have effect for the period of validity of these Regulations.

**Citation.**

2. These Regulations may be cited as the Emergency Powers (Coronavirus) (Temporary Registration of Health Professionals) (Bailiwick of Guernsey) Regulations, 2020.

**Commencement**

3. These Regulations shall come into force on being made.

Dated this 2<sup>nd</sup> day of April, 2020.



G.A. ST PIER

Chairman of the Civil Contingencies Authority

For and on behalf of the Authority

---

and 82 of 2010; No. 44 of 2012; No. 54 of 2013; No. 79 of 2014; No. 93 of 2015; No. 78 of 2019.

<sup>n</sup> Recueil d'Ordonnances Tome XXVII, p. 247; amended by Ordinance No. XXXIII of 2003; No. XXV of 2009; No. XXII of 2015; No. IX of 2016; G.S.I. No. 5 of 2004; No. 42 of 2006; No. 20 of 2008; Nos. 22, 33, 82 and 98 of 2010; No. 44 of 2012; No. 79 of 2014; No. 93 of 2015; Nos. 1, 10 and 36 of 2018; Nos. 67 and 78 of 2019.

## SCHEDULE

### Regulation 1

1. (1) The Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015 has effect as if it were subject to the following modification.

(2) Immediately after section 4 of that Ordinance, insert –

**"Temporary registration in emergencies.**

4A. (1) The Committee may also register a person as a medical practitioner, or the persons comprising a specified group of persons as medical practitioners, if –

- (a) the Authority has advised the Committee that an emergency has occurred, is occurring or is about to occur and that the Committee should consider acting under this section, and
- (b) the emergency registration requirement is met in relation to the person or group of persons.

(2) For the purposes of subsection (1)(b), the emergency registration requirement is met –

- (a) in relation to a person, if the person is suitable to be registered as a medical practitioner, and
- (b) in relation to a group of persons, if the group is comprised of a type of persons who are suitable to be registered as medical practitioners.

(3) The Committee may register all of the persons comprising a specified group of persons without first identifying each person in the group.

(4) The Committee may require a person who applies (on behalf of himself or herself or a group of persons) to be registered under this section to furnish any information, verified in any manner, that the Committee thinks fit.

(5) The registration of a person under this section has effect subject to any conditions imposed by the Committee; and the Committee may at any time vary or revoke such a condition or add new conditions.

(6) The Committee may annotate the register with an entry signifying that the person or group of persons is authorised to provide services, use techniques or follow procedures or to practise in a particular area or sphere of professional competence.

(7) Where a person is registered under this section as a member of a specified group, the person's registration may (but need not) be subject to the same conditions as the registration of other members of the group.

(8) A person's registration under this section ceases to have effect if revoked by the Committee; and the Committee –

- (a) must revoke the registration if the Authority advises the Committee that the circumstances that led the Authority to give the advice referred to in subsection (1)(a) no longer exist, and

- (b) may revoke the registration for any other reason, including where the Committee suspects that the person is not fit to practise or that the person's fitness to practise may be impaired.

(9) A person's registration as a member of a specified group may be revoked –

- (a) without the registration of the other members of the group being revoked, or
- (b) as a result of a decision to revoke the registration of all the members of the group.

(10) No fee or annual charge is payable under this Ordinance in respect of a person's registration under this section.

(11) The following provisions of this Ordinance do not apply to persons registered under this section –

- (a) paragraphs (a) and (b) of section 1(1),
- (b) sections 1(2), 2, 2A, 2B, 2C, 2D and 2E,
- (c) section 2F(a) (except so far as it relates to the general condition in paragraph 1(1) of Schedule A1),
- (d) sections 2F(b), 3 and 4, and
- (e) Parts IIA, IIB, IIC and III.

(12) For the purposes of this section, a person is suitable to be registered as a medical practitioner if the Committee considers –

(a) that the person is fit, proper and suitably experienced to be so registered with regard to the emergency, or

(b) that it is necessary and proportionate to so register that person in light of the emergency.

(13) In this section –

"**the Authority**" means the Civil Contingencies Authority established under the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, and

"**emergency**" means an emergency of the kind described in section 2(1) of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012."

*Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Regulations, 2016*

2. (1) The Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Regulations, 2016 have effect as if they were subject to the following modifications.

(2) In regulation 2(1) of those Regulations, immediately after paragraph (b), insert the following paragraph –

"(ba) if the person is registered under section 4A of the Ordinance, an annotation to that effect and any other annotation made under that section,".

(3) In regulation 3 of those Regulations, immediately after paragraph (b), insert the following paragraph –

"(ba) if the person is registered under section 4A of the Ordinance, the annotation to that effect and any other annotation made under that section,".

*Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017*

3. (1) The Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017 has effect as if it were subject to the following modifications.

(2) Immediately after section 11 of that Ordinance, insert –

**"Temporary registration in emergencies.**

**11A.** (1) The Guernsey Committee may also register a person as a medical practitioner, or the persons comprising a specified group of persons as medical practitioners, if –

- (a) the Authority has advised the Guernsey Committee that an emergency has occurred, is occurring or is about to occur and that the Guernsey Committee should consider acting under this section, and
- (b) the emergency registration requirement is met in relation to the person or group of persons.

(2) For the purposes of subsection (1)(b), the emergency registration requirement is met –

- (a) in relation to a person, if the person is suitable to be registered as a medical practitioner, and
- (b) in relation to a group of persons, if the group is comprised of a type of persons who are suitable to be registered as medical practitioners.

(3) The Guernsey Committee may register all of the persons comprising a specified group of persons without first identifying each person in the group.

(4) The Guernsey Committee may require a person who applies (on behalf of himself or herself or a group of persons) to be registered under this section to furnish any information, verified in any manner, that that committee thinks fit.

(5) The registration of a person under this section has effect subject to any conditions imposed by the Guernsey Committee; and that committee may at any time vary or revoke such a condition or add new conditions.

(6) The Guernsey Committee may annotate the register with an entry signifying that the person or group of persons is authorised to provide services, use techniques or follow procedures or to practise in a particular area or sphere of professional competence.

(7) Where a person is registered under this section as a member of a specified group, the person's registration may (but need not) be subject to the same conditions as the registration of other members of the group.

(8) A person's registration under this section ceases to have effect if revoked by the Guernsey Committee; and that committee –

(a) must revoke the registration if the Authority advises that committee that the circumstances that led the Authority to give the advice referred to in subsection (1)(a) no longer exist, and

(b) may revoke the registration for any other reason, including where that committee suspects that the person is not fit to practise or that the person's fitness to practise may be impaired.

(9) A person's registration as a member of a specified group may be revoked –

(a) without the registration of the other members of the group being revoked, or

(b) as a result of a decision to revoke the registration of all the members of the group.

(10) No fee or annual charge is payable under this Ordinance in respect of a person's registration under this section.

(11) The following provisions of this Ordinance do not apply to persons registered under this section –

(a) paragraphs (a) and (b) of section 1(1),

(b) sections 1(3), 3, 4, 5, 6, 7 and 8,

- (c) section 9(a) (except so far as it relates to the general condition in paragraph 1(1) of Schedule 1),
- (d) sections 9(b), 10 and 11, and
- (e) Parts III, IV, V and VI.

(12) For the purposes of this section, a person is suitable to be registered as a medical practitioner if the Guernsey Committee considers –

- (a) that the person is fit, proper and suitably experienced to be so registered with regard to the emergency, or
- (b) that it is necessary and proportionate to so register that person in light of the emergency.

(13) In this section –

**"the Authority"** means the Civil Contingencies Authority established under the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, and

**"emergency"** means an emergency of the kind described in section 2(1) of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012."

(3) In section 47(1) of that Ordinance, in the definition of **"the Sark doctor"**, immediately after paragraph (b), insert –

"and

- (c) includes any person authorised by the Sark Committee to act as the Sark doctor."

*Regulation of Health Professions (Medical Practitioners) (Sark) Regulations, 2017*

4. (1) The Regulation of Health Professions (Medical Practitioners) (Sark) Regulations, 2017 have effect as if they were subject to the following modifications.

(2) In regulation 2(1) of those Regulations, immediately after paragraph (b), insert the following paragraph –

- "(ba) if the person is registered under section 11A of the Ordinance, an annotation to that effect and any other annotation made under that section,".

(3) In regulation 3 of those Regulations, immediately after paragraph (b), insert the following paragraph –

- "(ba) if the person is registered under section 11A of the Ordinance, the annotation to that effect and any other annotation made under that section,".

*Doctors, Dentists and Pharmacists Ordinance, 1987*

5. (1) The Doctors, Dentists and Pharmacists Ordinance, 1987 has effect as if it were subject to the following modifications.

(2) In section 1(b) of that Ordinance, immediately after "section 2", substitute "or 2A".

(3) Immediately after section 2 of that Ordinance, insert the following –

**"Temporary registration in emergencies.**

2A. (1) The Committee may register a person as a recognised dentist or recognised pharmacist, or the persons comprising a specified group of persons as recognised dentists or recognised pharmacists, if –

- (a) the Authority has advised the Committee that an emergency has occurred, is occurring or is about to occur and that the Committee should consider acting under this section, and
- (b) the emergency registration requirement is met in relation to the person or group of persons.

(2) For the purposes of subsection (1)(b), the emergency registration requirement is met –

- (a) in relation to a person, if the person is suitable to be registered as a recognised dentist or (as the case may require) recognised pharmacist, and
- (b) in relation to a group of persons, if the group is comprised of a type of persons who are suitable to be registered as recognised dentists or (as the case may require) recognised pharmacists.

(3) The Committee may register all of the persons comprising a specified group of persons without first identifying each person in the group.

(4) The Committee may require a person who applies (on behalf of himself or herself or a group of persons) to be registered under this

section to furnish any information, verified in any manner, that the Committee thinks fit.

(5) The registration of a person under this section has effect subject to any conditions imposed by the Committee; and the Committee may at any time vary or revoke such a condition or add new conditions.

(6) The Committee may annotate the register with an entry signifying that the person or group of persons is authorised to provide services, use techniques or follow procedures or to practise in a particular area or sphere of professional competence.

(7) Where a person is registered under this section as a member of a specified group, the person's registration may (but need not) be subject to the same conditions as the registration of other members of the group.

(8) A person's registration under this section ceases to have effect if revoked by the Committee; and the Committee –

(a) must revoke the registration if the Authority advises the Committee that the circumstances that led the Authority to give the advice referred to in subsection (1)(a) no longer exist, and

(b) may revoke the registration for any other reason, including where the Committee suspects that the person is not fit to practise or that the person's fitness to practise may be impaired.

(9) A person's registration as a member of a specified group may be revoked –

- (a) without the registration of the other members of the group being revoked, or
- (b) as a result of a decision to revoke the registration of all the members of the group.

(10) The following provisions of this Ordinance do not apply to persons registered under this section –

- (a) paragraph (a) of section 1, and
- (b) section 2 (except so far as it relates to the duty of the Committee to maintain a register).

(11) For the purposes of this section, a person is suitable to be registered as a recognised dentist or, as the case may be, a recognised pharmacist if the Committee considers –

- (a) that the person is fit, proper and suitably experienced to be so registered with regard to the emergency, or
- (b) that it is necessary and proportionate to so register that person in light of the emergency.

(12) In this section –

"**the Authority**" means the Civil Contingencies Authority established under the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, and

"**emergency**" means an emergency of the kind described in section 2(1) of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012."

- (4) In section 3 of that Ordinance –
  - (a) immediately after "section 2", insert "or 2A", and
  - (b) immediately after "section 2(3)", insert "or revoked by the Committee under section 2A(8)".
  
- (5) In section 5(2) of that Ordinance, immediately after "section 2", insert "or 2A".

*Nurses (Use of Title) Ordinance, 1973*

6. (1) The Nurses (Use of Title) Ordinance, 1973 has effect as if it were subject to the following modification.

(2) In section 4(1) of that Ordinance, for the definitions of ""enrolled nurse" and "registered nurse"" and "the register", substitute the following definitions respectively in the appropriate alphabetical order –

""enrolled nurse" means a person who is duly enrolled as a nurse in any part of the United Kingdom,"

""the register" means the register of nurses –

- (a) maintained by the Council, or
- (b) kept by the Committee for Health & Social Care under section 3A of the Registered Health Professionals Ordinance, 2006," and

""registered nurse" means a person who is duly registered as a nurse –

- (a) in any part of the United Kingdom, or
- (b) under section 3A of the Registered Health Professionals Ordinance, 2006,".

*Nurses, Midwives and Health Visitors Ordinance, 1987*

7. (1) The Nurses, Midwives and Health Visitors Ordinance, 1987 has effect as if it were subject to the following modifications.

(2) In section 3 of that Ordinance –

(a) in subsection (1), for paragraph (a), substitute the following paragraph–

"(a) is duly registered –

- (i) as qualified so to practise in the United Kingdom, or
- (ii) as a midwife under section 3A of the Registered Health Professionals Ordinance, 2006," and

(b) in subsection (2), for "as qualified so to practise in the United Kingdom", substitute –

"–

(a) in the case of a person who satisfied the Committee of the matter in subsection (1)(a)(i), as qualified so to practise in the United Kingdom, and

(b) in the case of a person who satisfied the Committee of the matter in subsection (1)(a)(ii), as a midwife under section 3A of the Registered Health Professionals Ordinance, 2006".

(3) In section 11 of that Ordinance, after "midwife", insert ", other than a midwife registered under section 3A of the Registered Health Professionals Ordinance, 2006,".

*Registered Health Professionals Ordinance, 2006*

8. (1) The Registered Health Professionals Ordinance, 2006 has effect as if it were subject to the following modifications.

(2) In section 1(2)(a), (b) and (c) of that Ordinance, immediately after "section 3" in each place that the expression occurs, insert "or 3A".

(3) Immediately after section 3 of that Ordinance, insert the following section –

**"Temporary registration in emergencies.**

**3A.** (1) The Committee may also register a person as a registered health professional, or the persons comprising a specified group of persons as registered health professionals, in respect of any regulated health profession if–

(a) the Authority has advised the Committee that an emergency has occurred, is occurring or is about to occur and that the Committee should consider acting under this section, and

(b) the emergency registration requirement is met in relation to the person or group of persons.

(2) For the purposes of subsection (1)(b), the emergency registration requirement is met –

(a) in relation to a person, if the person is suitable to be registered as a registered health professional in respect of the regulated health profession concerned, and

(b) in relation to a group of persons, if the group is comprised of a type of persons who are suitable to be registered as registered health professionals in respect of the regulated health profession concerned.

(3) The Committee may register all of the persons comprising a specified group of persons without first identifying each person in the group.

(4) The Committee may require a person who applies (on behalf of himself or herself or a group of persons) to be registered under this section to furnish any information, verified in any manner, that the Committee thinks fit.

(5) The registration of a person under this section has effect subject to any conditions imposed by the Committee; and the Committee may at any time vary or revoke such a condition or add new conditions.

(6) The Committee may annotate the register with any entry signifying that the person or group of persons is authorised to provide

services, use techniques or follow procedures or to practise in a particular area or sphere of professional competence.

(7) Where a person is registered under this section as a member of a specified group, the person's registration may (but need not) be subject to the same conditions as the registration of other members of the group.

(8) A person's registration under this section ceases to have effect if revoked by the Committee; and the Committee –

- (a) must revoke the registration if the Authority advises the Committee that the circumstances that led the Authority to give the advice referred to in subsection (1)(a) no longer exist, and
- (b) may revoke the registration for any other reason, including where the Committee suspects that the person is not fit to practise or that the person's fitness to practise may be impaired.

(9) A person's registration as a member of a specified group may be revoked –

- (a) without the registration of the other members of the group being revoked, or
- (b) as a result of a decision to revoke the registration of all the members of the group.

(10) For the purposes of this section, a person is suitable to be registered as a registered health professional in respect of a regulated health profession if the Committee considers –

(a) that the person is fit, proper and suitably experienced to be so registered with regard to the emergency, or

(b) that it is necessary and proportionate to so register that person in light of the emergency.

(11) In this section –

**"the Authority"** means the Civil Contingencies Authority established under the Civil Contingencies (Bailiwick of Guernsey) Law, 2012, and

**"emergency"** means an emergency of the kind described in section 2(1) of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012."

(4) In section 4(1) of that Ordinance –

(a) immediately after "section 3", insert "or 3A", and

(b) immediately after "section 3(3)", insert "or revoked by the Committee under section 3A(8)".

(5) In section 5(2) of that Ordinance, immediately after "section 3", insert "or 3A".

*Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law, 2008*

9. (1) The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law, 2008 has effect as if it were subject to the following modifications.

(2) In section 35(2) of that Law –

- (a) in paragraph (a), immediately after "section 3", insert "or 3A",
- (b) in paragraph (b), immediately after "section 2", insert "or 2A",  
and
- (c) immediately after paragraph (d), insert –  
"(da) persons who are registered in any register required or  
authorised to be kept under the Ordinance,".

(3) In section 136(1) of that Law –

- (a) for the definitions of "**district or community nurse**", "**health visitor**" and "**nurse prescriber**", substitute the following definitions respectively –

""**district or community nurse**" means a person who is registered –

- (a) in the Nurses: Sub-Part 1, of the new register established by the Nurses and Midwives (Parts of and Entries in the Register) Order of Council 2004 (UK Statutory Instrument No. 1765), maintained by the Nursing and Midwifery Council, or
- (b) as a nurse under section 3A of the Registered Health Professionals Ordinance, 2006, with the annotation "district or community nurse",

""**health visitor**" means a person who is registered –

- (a) in the Specialist Community Public Health Nurses part of the new register established by the Nurses and Midwives (Parts of and Entries in the Register) Order of Council 2004 (UK Statutory Instrument No. 1765), maintained by the Nursing and Midwifery Council, or
- (b) as a nurse under section 3A of the Registered Health Professionals Ordinance, 2006, with the annotation "health visitor",", and

**"nurse prescriber"** means a person who is registered –

- (a) in the Nurses: Sub-part 1, or the Midwives, or Specialist Community Public Health Nurses, part of the new register established by the Nurses and Midwives (Parts of and Entries in the Register) Order of Council 2004 (UK Statutory Instrument No. 1765), maintained by the Nursing and Midwifery Council, or
- (b) as a nurse under section 3A of the Registered Health Professionals Ordinance, 2006, with the annotation "nurse prescriber",", and

- (b) insert the following definition in the appropriate alphabetical order –

**"registered midwife"** includes a person who is registered as a midwife under section 3A of the Registered Health Professionals Ordinance, 2006,".

*Prescription Only Medicines (Human) (Bailiwick of Guernsey) Ordinance, 2009*

10. (1) The Prescription Only Medicines (Human) (Bailiwick of Guernsey) Ordinance, 2009 has effect as if it were subject to following modifications.

(2) Immediately after section 1 of that Ordinance, insert the following –

**"Temporary registration in emergencies.**

1A. (1) For the purposes of this Ordinance, the Committee may register a person as an optometrist, or the persons comprising a specified group of persons as optometrists, if –

- (a) the Authority has advised the Committee that an emergency has occurred, is occurring or is about to occur and that the Committee should consider acting under this section, and
- (b) the emergency registration requirement is met in relation to the person or group of persons.

(2) For the purposes of subsection (1)(b), the emergency registration requirement is met –

- (a) in relation to a person, if the person is suitable to be registered as an optometrist, and
- (b) in relation to a group of persons, if the group is comprised of a type of persons who are suitable to be registered as optometrists.

(3) The Committee may register all of the persons comprising a specified group of persons without first identifying each person in the group.

(4) The Committee may require a person who applies (on behalf of himself or herself or a group of persons) to be registered under this section to furnish any information, verified in any manner, that the Committee thinks fit.

(5) The registration of a person under this section has effect subject to any conditions imposed by the Committee; and the Committee may at any time vary or revoke such a condition or add new conditions.

(6) The Committee may annotate the register with an entry signifying that the person or group of persons is authorised to provide services, use techniques or follow procedures or to practise in a particular area or sphere of professional competence.

(7) Where a person is registered under this section as a member of a specified group, the person's registration may (but need not) be subject to the same conditions as the registration of other members of the group.

(8) A person's registration under this section ceases to have effect if revoked by the Committee; and the Committee –

- (a) must revoke the registration if the Authority advises the Committee that the circumstances that led the Authority to give the advice referred to in subsection (1)(a) no longer exist, and
- (b) may revoke the registration for any other reason, including where the Committee suspects that the person is not fit to practise or that the person's fitness to practise may be impaired.

(9) A person's registration as a member of a specified group may be revoked –

- (a) without the registration of the other members of the group being revoked, or
- (b) as a result of a decision to revoke the registration of all the members of the group.

(10) For the purposes of this section, a person is suitable to be registered as an optometrist if the Committee considers –

- (a) that the person is fit, proper and suitably experienced to be so registered with regard to the emergency, or
- (b) that it is necessary and proportionate to so register that person in light of the emergency.

(11) In this section –

**"the Authority"** means the Civil Contingencies Authority established under the Civil Contingencies (Bailiwick of Guernsey) Law, 2012,

**"the Committee"** means the States of Guernsey Committee for Health & Social Care, and

**"emergency"** means an emergency of the kind described in section 2(1) of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012.

(3) In section 17(1)(d) of that Ordinance, immediately after "section 3", insert "or 3A".

(4) In section 20(1) of that Ordinance –

(a) in the definition of "**professional register**", after "2001", insert "or the register maintained under section 3A of the Registered Health Professionals Ordinance, 2006",

(b) in the definitions of "**registered chiropodist**", "**registered dietician**", "**registered occupational therapist**", "**registered operating department practitioner**", "**registered orthoptist**", "**registered paramedic**", "**registered physiotherapist**", "**registered prosthetist and orthotist**", "**registered radiographer**" and "**registered speech and language therapist**" and paragraph (d) of the definition of "**supplementary prescriber**", immediately after "section 3" in each place that the expression occurs, insert "or 3A",

(c) in the definition of "**registered midwife**", immediately after "register", insert "or registered as a midwife under section 3A of the Registered Health Professionals Ordinance, 2006",

(d) in the definition of "**registered nurse**", immediately after "register", insert "or registered as a nurse under section 3A of the Registered Health Professionals Ordinance, 2006",

(e) in the definition of "**registered optometrist**", for "maintained under section 7(a) of the Opticians Act 1989", substitute "or

optometrists maintained under section 7(a) of the Opticians Act 1989 or section 1A of this Ordinance",

- (f) immediately after "1989" insert "or under section 1A of this Ordinance", and
- (g) in the definition of "**relevant register**" –
  - (i) in paragraph (b), immediately after "section 2", insert "or 2A",
  - (ii) in paragraph (c), immediately after "section 3", insert "or 3A", and
  - (iii) in paragraph (d), immediately after "1989", insert "or under section 1A of this Ordinance".

*Misuse of Drugs (Bailiwick of Guernsey) Law, 1974*

11. (1) The Misuse of Drugs (Bailiwick of Guernsey) Law, 1974 has effect as if it were subject to the following modification.

(2) In section 32(1) of that Law, in paragraph (a) of the definition relating to "**medical practitioner**", "**dentist**", "**veterinary surgeon**" and "**pharmacist**", for "recognised medical", substitute "recognised or registered medical".

*Misuse of Drugs (Bailiwick of Guernsey) Ordinance, 1997*

12. (1) The Misuse of Drugs (Bailiwick of Guernsey) Ordinance, 1997 has effect as if it were subject to the following modifications.

- (2) In section 1(1) of that Ordinance –
- (a) in the definition of "**registered midwife**", immediately after "register", insert "or registered as a midwife under section 3A of the Registered Health Professionals Ordinance, 2006", and
  - (b) in paragraph (a) of the definition of "**specialist medical practitioner**", immediately after "(the Specialist Register)", insert "or is registered as a specialist medical practitioner under section 4A of the Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015 or section 11A of the Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017".

(3) In section 14A(5) of that Ordinance, in paragraph (a) of the definition of "**specialist medical practitioner**", immediately after "(the Specialist Register)", insert "or is registered as a specialist medical practitioner under section 4A of the Regulation of Health Professions (Medical Practitioners) (Guernsey and Alderney) Ordinance, 2015 or section 11A of the Regulation of Health Professions (Medical Practitioners) (Sark) Ordinance, 2017".

---

## EXPLANATORY NOTE

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

These Regulations are emergency regulations made by the Civil Contingencies Authority under Part 3 of the Civil Contingencies (Bailiwick of Guernsey) Law, 2012 ("**the Law**"). They are made on the occurrence of an emergency, within the meaning of the Law, in the Bailiwick, arising from the urgent need to prevent, control or mitigate the spread of the virus Severe Acute Respiratory Syndrome Coronavirus 2 and the disease caused thereby, COVID-19 (referred to together in these regulations as coronavirus). They are prefaced with a statement by the Civil Contingencies Authority, as required by section 12(2) of the Law.

These Regulations effect modifications to the application of various enactments relating to the regulation and registration of health professionals to enable the Committee for Health & Social Care to register medical and health professionals to allow them to practise in Guernsey, Alderney or Sark, even if those professionals are not registered in the relevant UK register. They are adapted from provisions applicable in England and Wales, Scotland and Northern Ireland, enacted in the Coronavirus Act 2020.

These Regulations will come into force on the day they are made, 2<sup>nd</sup> April 2020 and shall have temporary effect only in accordance with the provisions of section 16 (duration and scrutiny of emergency regulations) of the Law.