

GUERNSEY STATUTORY INSTRUMENT2021 No. **3****The Medicines (Coronavirus and Influenza) (Bailiwick
of Guernsey) (Amendment) Regulations, 2021**

<i>Made</i>	5 th January, 2021
<i>Coming into operation</i>	6 th January, 2021
<i>Laid before the States</i>	, 2021

THE COMMITTEE FOR HEALTH & SOCIAL CARE, in exercise of the powers conferred on it by sections 7(3) and (3A), 15, 34, 39, 75 and 132 of the Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law, 2008^a, section 15(2) and (3) of the Prescription Only Medicines (Human (Bailiwick of Guernsey) Ordinance, 2009^b (following consultation with the Policy & Resources Committee of the States of Guernsey, the Policy and Finance Committee of the States of Alderney and the Medical & Emergency Services Committee of the Chief Pleas) and all other powers enabling it in that behalf, hereby makes the following Regulations:-

^a Order in Council No. V of 2009; as amended by Ordinance No. XXIV of 2009; No. XLI of 2013; No. IX of 2016.

^b Ordinance No. XXV of 2009; as amended by No. XXV of 2010; No. IX of 2016; No. XXXIV of 2020.

Amendment of the 2020 Regulations.

1. The Medicines (Coronavirus and Influenza) (Bailiwick of Guernsey) Regulations, 2020^c ("the principal Regulations") are amended as set out in regulations 2, 3 and 4.

2. For regulation 1 of the principal Regulations, substitute the following regulation –

"Designation of vaccines.

1. (1) The medicinal products specified in paragraph (2) are designated to be used for vaccination or immunisation against the coronavirus.

(2) Paragraph (1) refers to the following medicinal products –

- (a) COVID-19 mRNA Vaccine BNT162b2 concentrate for solution for injection, also known as the Pfizer-BioNTech COVID-19 Vaccine, and
- (b) COVID-19 Vaccine AstraZeneca, solution for injection in multidose container COVID-19 Vaccine (ChAdOx1-S [recombinant]), also known as the COVID-19 Vaccine AstraZeneca.

(3) The designation of each of those medicinal products under paragraph (1) is subject –

^c G.S.I. No. 125 of 2020.

- (a) in the case of the Pfizer-BioNTech COVID-19 Vaccine, to the conditions specified in the document entitled "Vaccine BNT162b2 – Conditions of Authorisation under Regulation 174" dated 2 December 2020 set out in Schedule 1, and
- (b) in the case of the COVID-19 Vaccine AstraZeneca, to the conditions specified in the document entitled "Conditions for authorisation for emergency supply under Regulation 174 for COVID-19 Vaccine AstraZeneca" set out in Schedule 2,

in relation to the authorisation of the respective medicinal product on a temporary basis under regulation 174 of the Human Medicines Regulations 2012^d."

- 3. In regulation 3(4) of the principal Regulations, for "the", substitute "a".
- 4. In regulation 7 of the principal Regulations –
 - (a) for the definition of "**the designated vaccine**", substitute the following definition –

"**designated vaccine**" means any medicinal product designated under regulation 1,"
 - (b) delete the definition of "**product**", and

^d UK S.I. 2012 No. 1916.

- (c) in the definition of "protocol", for "the designated", substitute "a designated".

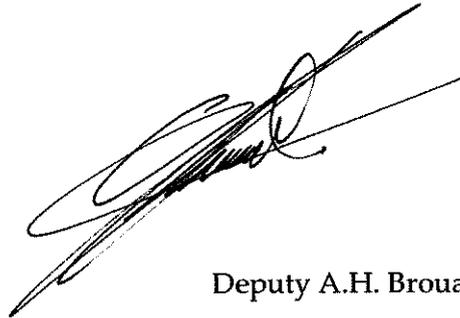
Citation.

5. These Regulations may be cited as the Medicines (Coronavirus and Influenza) (Bailiwick of Guernsey) (Amendment) Regulations, 2021.

Commencement.

6. These Regulations shall come into force on the 6th January, 2021.

Dated this 5th day of January, 2021



Deputy A.H. Brouard
President of the Committee for Health & Social Care
For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Medicines (Coronavirus and Influenza) (Bailiwick of Guernsey) Regulations, 2020^e ("**the principal Regulations**").

Regulation 2 substitutes regulation 1 of the principal Regulations to designate the COVID-19 Vaccine AstraZeneca, in addition to the Pfizer-BioNTech COVID-19 Vaccine, to be used for vaccination or immunisation against the coronavirus. The designation of each vaccine is subject to the conditions of the temporary authorisation given to each of those vaccines under regulation 174 of the Human Medicines Regulations 2012 (UK).

Regulations 3 and 4(a) and (c) of these Regulations amend regulations 3(4) and 7 of the principal Regulations to provide for more than one vaccine being designated under regulation 1 of the principal Regulations.

Regulation 4(b) of these Regulations deletes an unnecessary definition in regulation 7 of the principal Regulations.

These Regulations will come into force on the 6th January, 2021.

^e G.S.I. No. 125 of 2020.



Vaccine BNT162b2 – CONDITIONS OF AUTHORISATION UNDER REGULATION 174**2 December 2020**

This authorisation under Regulation 174 of the Human Medicine Regulations 2012 (as amended) is subject to a number of conditions attached under regulation 174A(1) to all the entities involved in the manufacture and supply of this product across the medicines supply chain.

General

- This temporary Authorisation under Regulation 174 permits the supply of identified COVID-19 mRNA Vaccine BNT162b2 batches, based on the safety, quality and efficacy data submitted by Pfizer/BioNTech to MHRA in the period from 1st October to 2 December 2020;
- This authorisation is not a marketing authorisation;
- As provided in Regulation 174A(2) of the Human Medicine Regulations the sale or supply of this vaccine will not be deemed authorised if the supply is for the purpose of any use other than the recommended or required use, or if a condition in this authorisation is breached;
- The entity responsible for physically supplying the product in the United Kingdom is Pfizer Limited (incorporated in England and Wales under registered number 526209). Pfizer Limited and BioNTech Manufacturing GmbH (An der Goldgrube 12, 55131 Mainz, Germany) will be jointly and separately responsible for placing the product on the market in the United Kingdom for the purposes of The Human Medicines Regulations including Reg 345(3) (hereinafter "Pfizer/BioNTech");
- Pfizer/BioNTech are jointly and separately responsible, with the manufacturers of the product, for the conditions relating to the manufacture of the product and to product release to the market under the terms of this authorisation;
- Pfizer/BioNTech is not only responsible for compliance with the conditions expressly applied to it in this authorisation but also, where the conditions apply legislation or guidance that confers responsibilities on marketing authorisation holders, for compliance with any responsibility however worded that applies to a marketing authorisation holder in the applied legislation or guidance;
- Pfizer/BioNTech must promptly provide to MHRA any further data that is generated by them, or which otherwise come into their possession, which is relevant to the risk / benefit profile of the product;
- Pfizer/BioNTech must respond in a timely manner to any requests for further supplementary data relating to product;
- Any deviations from any of these conditions can only be made with the prior agreement of the MHRA;



- MHRA may review and adjust these conditions for temporary supply in response to any developments which it considers material, including any subsequent market authorisations that might be issued by other medicines regulators;
- This authorisation will be valid until expressly withdrawn by MHRA or upon issue of a full market authorisation by the MHRA.

Quality

- The supply of batch EJ0553 is authorised providing that:
 - Pfizer/BioNTech ensure that Good Laboratory Practice studies are performed to standards in UK national regulations, relevant guidelines and the OECD Principles of Good Laboratory Practice.
 - Pfizer/BioNTech ensure that clinical trials are performed to national regulations and relevant guidelines including ICH GCP E6R2
 - Pfizer/BioNTech submit to MHRA GCP inspections to assess the compliance any of the clinical trials and applicable data attached to the authorisation by virtue of regulation 174A. The powers of inspection will be the same as those outlined in regulations 325, 326 and 327
 - Pfizer/BioNTech ensure that all drug substance and drug product manufacture outside the UK is in accordance with EU GMP and the Human Medicines Regulations 2012 (as amended) in facilities with current EU GMP certificates or other acceptable and suitable authorisation to MHRA.
 - QP certification is provided for the final dosage form and applying the approach and standards in EU GMP Annex 16.
 - Any importation or manufacturing facilities located within the UK must be authorised by the MHRA to handle Regulation 174 products. All drug substance and drug product manufacture must be in accordance with EU GMP and the Human Medicines Regulations 2012 (as amended) in facilities with current EU GMP certificates or other acceptable and suitable authorisation to MHRA.
 - Compliance with GMP requirements is documented in the QP check sheets and Pfizer/BioNTech provide these to the MHRA for each batch along with the QP certificates of conformance. QP certification must take into NIBSC certification process, as this in itself does not imply release to market.
 - QP certification declares: (i) compliance with all stages of EU GMP (where non-compliant, a gap analysis must be performed, and captured on the QP checksheet), and (ii) that the batch has been manufactured as per the dossier supplied (currently Emergency Use Authorisation).
 - A certificate of conformance with GMP and the conditions of this authorization must be generated by the releasing QP and supplied to the onward supply chain.



- Further batches are authorised for supply, subject to batch specific approval by MHRA and providing that the full product lifecycle is in compliance with the conditions specified above in relation to batch EJ0553;
- Pfizer/BioNTech must provide relevant additional characterization data regarding drug product manufacturing process and product quality reasonably requested by MHRA, and will provide relevant additional characterization data regarding drug product manufacturing process and product quality, whether or not requested by MHRA, as soon as they become available.
- Any changes to or deviation from the manufacture of the product must be notified to MHRA for approval on allocation of the batch to UK use.

Product information and Instructions for Use (PIL and SmPC equivalent)

- Pfizer/BioNTech must liaise with the Agency to provide suitable instructions for usage of the product.
- The instructions for usage that will be agreed with Pfizer/BioNTech are to be considered as conditions of this authorisation.

Clinical and Pharmacovigilance

- Pfizer/BioNTech must operate a comprehensive pharmacovigilance system for this product in accordance with UK legislation for licensed products, as if they were market authorisation holders
- Pfizer/BioNTech must submit to MHRA inspections to assess compliance with any and all pharmacovigilance obligations attached to the authorisation by virtue of regulation 174A. The powers of inspection will be the same as those outlined in regulations 325, 326 and 327.
- Pfizer/BioNTech must ensure compliance with the BTN162b2 RMP, including the additional pharmacovigilance elements laid out in sections 6b-g of the MHRA core RMP for COVID-19 vaccines.
- Pfizer/BioNTech must:
 - Submit protocols for the studies stated in the BTN162b2 RMP pharmacovigilance plan
 - Provide the interim analysis and final clinical study reports for study BNT162-01 once available, including data on healthy subjects
 - Ensure that any participants in study c4591001 that choose to be unblinded and then have a Covid-19 vaccination if they are on placebo arm, should have an end of study visit including immunogenicity assessment (including anti-N antibodies) and also NAAT. This is to ensure that they have a complete status before they become unevaluable for the control arm.

Deployment

Pfizer/BioNTech has assured the MHRA that, in light of the UK and Crown Dependency deployment model:

- The product as supplied in ultra low temperature conditions (ULT) has a stability of six months at a temperature of -70 ± 10 degrees Centigrade.
- Distribution as part of the deployment can be controlled at either ULT (-70 ± 10 degrees Centigrade) within four transitions below -15 degrees Centigrade, or in $2-8$ degrees Centigrade within 120 hours of leaving ULT.
- Further packing down of lots to aid deployment can occur at $2-8$ degrees Centigrade within the 120 hours shelf life of leaving ULT.
- Transit of the undiluted product at $2-8$ degree Centigrade can occur either in two journeys each up to 6 hours or, where there are real deployment needs, for a maximum of 12 hours in one sitting. These times are to be taken within the 120 hour shelf life.
- The undiluted product can be held at room temperature below 25 degrees Centigrade for up to two hours prior to dilution.
- The product can be diluted at room temperature less than 25 degrees Centigrade using sterile unpreserved 0.9 percent sodium chloride and in line with the healthcare professional information supplied by the company
- The diluted product can be used within 6 hours of dilution and then must be discarded. Diluted product cannot be transported.

It is a condition of the authorisation to supply the product that the above assurances are accurate and that the product can be supplied and held safely in accordance with the above assurances throughout the supply chain.

Supply chain and distribution

The deployment model developed for the distribution and administration of the product by the NHS in each of the four countries of the United Kingdom and Crown Dependencies should comply with the above conditions in order to ensure the safety, quality and efficacy of the product is not compromised. Where appropriate, the above assurances must be reflected in the conditions imposed on NHS contractors by NHS commissioners.

In the United Kingdom, the vaccines will be delivered to designated NHS bodies or NHS contractors that have capacity to hold the vaccines at ultra low temperatures. Thereafter, the NHS arrangements for the onward and (if different) final distribution of the products, and their final deployment, are still being developed, but the bodies responsible under NHS arrangements in each of the four countries for any aspect of the distribution or final deployment of the vaccine must comply, as conditions of this authorisation, with the conditions that are applicable to that aspect of the distribution or final deployment in this authorisation.

The bodies responsible for the transit of the product to the designated NHS bodies or NHS contractors in the UK from the manufacturer must also comply, as conditions of this authorisation, with the conditions of the authorisation that are applicable to them.



In addition:

- All wholesalers and manufacturing license holders distributing or holding this product must be authorised to handle Regulation 174 products
- All activities are to be conducted in accordance with GDP.
- A manufacturing licence holder can pack down the authorised product without being named on the Company submission.
- Pack down prior to distribution must occur in accordance with GMP and requires QP certification that it has occurred in accordance with GMP and the specification provided by the contract giver.
- Manufacturers and authorised persons performing the pack down activities must be authorised to handle regulation 174 products and immunological products.
- WDA(H) holders and NHS acute trusts and Boards in Wales, Scotland and Northern Ireland are authorised to apply the change in storage condition label to the product, to indicate the timing of the removal from ultra low temperature without a manufacturing licence.
- All distribution must be controlled at either ULT within four transitions, or in 2-8 degrees Centigrade within 120 hours from leaving ULT
- The WDA(H) receiving the boxes must be authorised for Regulation 174 products and ULT cold chain.
- Pack down under section 10 of the Medicines Act 1968 or regulation 3 of the Human Medicines Regulations 2012 for supply by the same legal entity must take place in a manner and environment that ensure, and must be subject to NHS governance arrangements and standard operating procedures that ensure, that the safety, quality and efficacy of the product is not compromised. Any guidance in respect of the packing down of the product under section 10 or regulation 3 published by the licensing authority on Gov.uk must be appropriately adhered to.
- Final preparation of the product for administration must take place in a manner and environment ensure, and must be subject to NHS governance arrangements and standard operating procedures that ensure, the safety, quality or efficacy of the product is not compromised. Any guidance in respect of the final preparation of the product published by the licensing authority on Gov.uk must be appropriately adhered to
- In light of the batch specific nature of this approval, and the high demand for this product, authorities administrating this vaccine should ensure that they have provision for two doses for each patient treated.



Conditions for authorisation for emergency supply under Regulation 174 for COVID-19 Vaccine AstraZeneca

General

1. This temporary Authorisation under Regulation 174 permits the supply to and by the Crown of COVID-19 Vaccine AstraZeneca, based on the safety, quality and efficacy data submitted by AstraZeneca to MHRA in the period from 24/09/2020 to 29/12/2020 December 2020.
2. This authorisation is not a marketing authorisation for the purposes of Part 5 of the HMRs or Chapter 4 of Title III to the 2001 Directive.
3. As provided in Regulation 174A(2) of the Human Medicine Regulations, the sale or supply of this vaccine will not be deemed to be licensed or approved under this Authorisation if the supply is for the purpose of any use other than the recommended or required use, or if a condition in this authorisation is breached (including the conditions of use incorporated into this Authorisation).
4. The entities responsible for physically supplying the product in the United Kingdom are AstraZeneca AB, SE-151 85 Sodertalje, Sweden and AstraZeneca PLC, 1 Francis Crick Avenue, *Cambridge* Biomedical Campus, *Cambridge* CB2 0AA. These two entities (hereinafter AZ) will be jointly and separately responsible for placing the product on the market in the United Kingdom for the purposes of The Human Medicines Regulations including Regulation 345(3).
5. AZ are jointly and separately responsible, with the manufacturers of the product, for the conditions relating to the manufacture of the product, product release to the market under the terms of this authorisation.
6. AZ are jointly and separately responsible, with the supply chain distributors and healthcare providers for the conditions relating to supply chain distribution and clinical storage and use which are incorporated as conditions on this authorisation (together the “conditions of use”).
7. AZ are not only responsible for compliance with the conditions expressly applied to AZ in this authorisation but also, where the conditions apply legislation or guidance that confers responsibilities on marketing authorisation holders, for compliance with any responsibility however worded that applies to a marketing authorisation holder in the applied legislation or guidance.
8. AZ must promptly provide to MHRA any further data, recommendations or guidance that is generated by them, or which otherwise come into their possession, which is relevant to the risk / benefit profile of the product and/or is relevant to the conditions of use.

9. AZ must respond in a timely manner to any requests from the MHRA for further supplementary data or requirements relating to the product. AZ must provide relevant additional data regarding drug product manufacturing process, product quality, non-clinical and clinical data reasonably requested by MHRA.
10. Any deviations from any of these conditions can only be made with the prior agreement of the MHRA.
11. MHRA may review and adjust these conditions for temporary supply in response to any developments which it considers material, including any subsequent market authorisations that might be issued by other medicines regulators;
12. This authorisation will be valid until expressly withdrawn by MHRA or upon issue of a full market authorisation by the MHRA.

Product information and Instructions for Use (PIL and SmPC equivalent)

13. AZ must liaise with the MHRA to provide suitable product information and instructions for the storage, distribution and usage of the product to ensure its quality, stability and efficacy, and its safe and efficient use ("conditions of use").
14. AZ must ensure, by promptly liaising with the MHRA, that the conditions of use are promptly updated as additional data becomes available, in order to ensure product quality, stability and efficacy, and its safe and efficient use.
15. The conditions of use, as amended by agreement between AZ and MHRA from time to time, are to be considered as conditions of this authorisation.

Quality

16. AZ has stated that its intention is for the QP Certification of batches allocated to the UK, Crown Dependencies and Overseas Territories is to occur within the UK. The quality assurance process set out below is predicated on this assumption. AZ should immediately notify MHRA should there be any proposed change to QP arrangements.
17. The proposed supply is authorised, subject to batch testing by NIBSC, and providing that AZ ensures that the full product lifecycle is in compliance with the following conditions:
 - Any importation or manufacturing facilities located within the UK are authorised by the MHRA to handle Regulation 174 products.
 - All drug substance and drug product manufacture are in accordance with EU GMP and the Human Medicines Regulations 2012 (as amended) in facilities with current EU GMP certificates or other acceptable and suitable authorisation to MHRA.
 - Qualified Person (QP) certification is provided for the final dosage form and applying the approach and standards in EU GMP Annex 16.
 - QP certification must declare:

- (i) compliance with all stages of EU GMP (where non-compliant, a gap analysis must be performed, and captured on the QP check sheet (or equivalent), and
- (ii) that the batch has been manufactured as per the Regulation 174 dossier supplied.

- QP certification must take into account NIBSC certification process.
- A Certificate of Conformance stating compliance with GMP and the conditions of this Regulation 174 authorisation must be generated by the releasing QP and supplied to the first receiver (only) in the supply chain and to MHRA, to provide evidence of its authorisation status, indicating it can be released for use from its quarantine status.

18. AZ must notify any changes to or deviation from the manufacture of the product to MHRA for approval on allocation of the batch to NHS use.

Non-clinical

19. Good Laboratory Practice studies must be performed to standards in UK national regulations, relevant guidelines and the OECD Principles of Good Laboratory Practice. Final reports for all studies conducted with AZD1222 in compliance with Good Laboratory Practice (GLP) must be signed by the Study Director. As soon as AZ become aware, it must inform MHRA of any findings that arise in such studies that alter the risk-benefit judgement of the vaccine.
20. AZ (and its contracted parties) must submit to GLP inspections by national competent authorities should such inspections take place.

Clinical

21. AZ must ensure that clinical trials are performed to national regulations and relevant guidelines including ICH GCP E6R2.
22. AZ (and its contracted parties) must submit to MHRA GCP inspections to assess the compliance of any of the clinical trials and applicable data attached to the authorisation by virtue of regulation 174A. The powers of inspection will be the same as those outlined in regulations 325, 326 and 327.

Pharmacovigilance

23. AZ must operate a comprehensive pharmacovigilance system for this product in accordance with UK legislation for licensed products, as if they were marketing authorisation holders for the product.
24. AZ (and its contracted parties) must submit to MHRA inspections to assess compliance with any and all pharmacovigilance obligations attached to the authorisation by virtue of regulation 174A. The powers of inspection will be the same as those outlined in regulations 325, 326 and 327.

25. AZ must ensure full product lifecycle compliance with the risk management plan (RMP) for the vaccine, including the additional pharmacovigilance elements laid out in sections 6b-g of the MHRA core RMP for COVID-19 vaccines.
26. AZ must promptly and regularly liaise with MHRA to ensure the safety specification is adjusted in light of evolving data.
27. AZ must submit protocols for the studies stated in the vaccine RMP pharmacovigilance plan once these become available.

Deployment

28. AZ has assured the MHRA that:
 - a. Distribution as part of the deployment can be controlled at 2-8 degrees Centigrade throughout its shelf life of 6 months.
 - b. Further packing down (splitting of packs) of lots to aid deployment can occur at 2-8 degrees Centigrade within its shelf life and at 'room temperature' <25degrees centigrade within 2 hours. GMP controls are required to ensure there is no detrimental impact to quality, safety or efficacy of the lots by this processing.
29. It is a condition of the authorisation to supply the product that the above assurances are accurate, and that the product can be supplied and held safely in accordance with the above assurances throughout the supply chain.

Supply chain and distribution

30. The deployment model developed for the distribution and administration of the product by the NHS in each of the four countries of the United Kingdom, and by the Crown Dependencies and its Overseas Territories, should comply with the above conditions in order to ensure the safety, quality and efficacy of the product is not compromised. Where appropriate, the above assurances must be reflected in the conditions imposed on NHS contractors by NHS commissioners.
31. In the United Kingdom, the vaccines will be delivered to designated NHS bodies or NHS contractors that have capacity to hold the vaccines.
32. Thereafter, the NHS arrangements for the onward and (if different) final distribution of the products, and their final deployment, are still being developed, but the bodies responsible under NHS arrangements in each of the four countries for any aspect of the distribution or final deployment of the vaccine, and the relevant bodies in the Crown Dependencies and the United Kingdom's Overseas Territories, must comply, as conditions of this authorisation, with the conditions that are applicable to that aspect of the distribution or final deployment in this authorisation.
33. The bodies responsible for the transit of the product to the designated NHS bodies or NHS contractors in the UK from the manufacturer must also comply, as conditions of this authorisation, with the conditions of the authorisation that are applicable to them.

In addition:

34. All wholesalers and manufacturing license holders distributing or holding this product must be authorised to handle Regulation 174 products
35. All activities are to be conducted in accordance with good distribution practice (GDP).
36. A manufacturing licence holder can pack down the authorised product without being named on the Company submission.
37. Pack down prior to distribution must occur in accordance with good manufacturing practice (GMP) and requires QP certification that it has occurred in accordance with GMP and the specification provided by the contract giver.
38. Manufacturers and authorised persons performing the pack down (splitting of packs) activities must be authorised to handle regulation 174 products and immunological products.
39. The WDA(H) receiving the boxes must be authorised for Regulation 174 products and cold chain.
40. Pack down under section 10 of the Medicines Act 1968 or regulation 3 or 3A of the Human Medicines Regulations 2012 for supply by the same legal entity must take place in a manner and environment that ensure and must be subject to NHS governance arrangements and standard operating procedures that ensure, that the safety, quality and efficacy of the product is not compromised. Any guidance in respect of the packing down of the product under section 10 or regulation 3 published by the licensing authority on GOV.UK must be appropriately adhered to.
41. Final preparation of the product for administration must take place in a manner and environment that ensure, and must be subject to NHS governance arrangements and standard operating procedures that ensure, the safety, quality or efficacy of the product is not compromised. Any guidance in respect of the final preparation of the product published by the licensing authority on GOV.UK must be appropriately adhered to.

