

## **The Health Service Benefit (Miscellaneous Provisions) Regulations, 2021**

<i>Made</i>	14 <sup>th</sup> December, 2021
<i>Coming into operation</i>	1 <sup>st</sup> January, 2022
<i>Laid before the States</i>	, 2021

THE COMMITTEE FOR HEALTH & SOCIAL CARE, in exercise of the powers conferred on it by sections 10, 11 and 35 of the Health Service Benefit (Guernsey) Law, 1990<sup>a</sup>, section 20 of the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016<sup>b</sup>, paragraph 3 of Schedule 2 to the Health Service Benefit (Amendment and Miscellaneous Provisions) (Guernsey) Law, 2021<sup>c</sup>, and all other powers enabling it in that behalf, hereby makes the following Regulations:-

### **Status of certain Ordinances made under the Health Service Benefit Law.**

1. (1) For the avoidance of doubt, subject to the provisions of these Regulations the Ordinances set out in subsection (2) shall remain in force until

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<sup>a</sup> Ordres en Conseil Vol. XXXII, p. 192; amended by Order in Council No. IX of 2003; No. II of 2011; No. IV of 2018; No. VIII of 2021; Recueil d'Ordonnances Tome XXVI, pp. 177 and 483; Ordinance Nos. XXII and XXVII of 2002; No. XXI of 2003; No. XXXIII of 2003; No. XLII of 2006; No. XLIII of 2007; No. XXII of 2015; Nos. IX and XLIV of 2016; and No. XVI of 2020.

<sup>b</sup> Order in Council No. V of 2018; amended by Ordinance Nos. XXII and XXVI of 2018.

<sup>c</sup> Order in Council No. VIII of 2021.

provision to the contrary is made, notwithstanding the coming into force of the Health Service Benefit (Amendment and Miscellaneous Provisions) (Guernsey) Law, 2021 ("the 2021 Law").

- (2) The Ordinances referred to in subsection (1) are –
  - (a) the Health Service (Benefit) (Limited Lists) Ordinance, 2004<sup>d</sup>,
  - (b) the Health Service (Benefit) (Approved Prescribers) Ordinance, 2017<sup>e</sup>, and
  - (c) The Health Service (Benefit) Ordinance, 1990<sup>f</sup>.

**Revocation of the Limited List Regulations, and prescription of limited lists by Committee Resolution.**

2. (1) The Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) Regulations, 2004<sup>g</sup> are revoked.

(2) The Schedule sets out the amending regulations that are revoked as a consequence of the revocation made by paragraph (1).

(3) For the avoidance of doubt, the Committee for Health & Social Care may, in accordance with the provisions of the Health Service Benefit (Guernsey)

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<sup>d</sup> Ordinance No. XIII of 2004; amended by Ordinance No. XXXIV of 2013; and No. XXV of 2017.

<sup>e</sup> Ordinance No. XXV of 2017.

<sup>f</sup> Recueil d'Ordonnances Tome XXV, p. 19. Amending enactments include Order in Council No. IV of 2014; No. III of 2016; and No. IV of 2018.

<sup>g</sup> G.S.I. No. 9 of 2004; amended by the instruments set out in the Schedule.

Law, 1990 as amended by the 2021 Law, make provision by resolution of that Committee prescribing limited lists which shall restrict the description, nature and quantity of drugs and medicines available as pharmaceutical benefit which may be ordered to be supplied by 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.

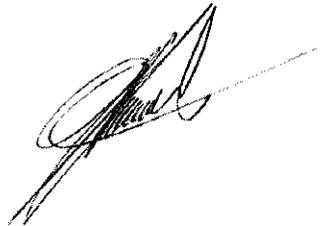
**Extent.**

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

**Citation and commencement.**

4. These Regulations may be cited as the Health Service Benefit (Miscellaneous Provisions) Regulations, 2021, and shall come into force on the 1<sup>st</sup> January, 2022.

Dated this 14<sup>th</sup> day of December, 2021

A handwritten signature in black ink, appearing to read 'A. Brouard', with a long horizontal stroke extending to the right.

A. BROUARD

President of the Committee for Health & Social Care

For and on behalf of the Committee

SCHEDULE

Regulation 2(2)

REVOKED AMENDING REGULATIONS

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2004

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2005

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2)  
(Regulations), 2005

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3)  
(Regulations), 2005

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2006

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2)  
(Regulations), 2006

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3)  
(Regulations), 2006

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4)  
(Regulations), 2006

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5)  
(Regulations), 2006

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
(Regulations), 2007

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2)  
(Regulations), 2007

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3)  
(Regulations), 2007

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4)  
(Regulations), 2007

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5)  
(Regulations), 2007

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 6)  
(Regulations), 2007

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2008

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2)  
(Regulations), 2008

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3)  
(Regulations), 2008

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4)  
(Regulations), 2008

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5)  
(Regulations), 2008

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 6)  
(Regulations), 2008

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 7)  
(Regulations), 2008

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2009

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2)  
Regulations, 2009

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3)  
Regulations, 2009

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4)  
Regulations, 2009

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5)  
Regulations, 2009

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2010

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2)

Regulations, 2010  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3)  
Regulations, 2010  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4)  
Regulations, 2010  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5)  
Regulations, 2010  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 6)  
Regulations, 2010  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2011  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2)  
Regulations, 2011  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4)  
Regulations, 2011  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No 5)  
Regulations, 2011  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulation 2012  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 3)  
Regulations, 2012  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 4)  
Regulations, 2012  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2013  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 2)  
Regulations, 2013  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 3)  
Regulations, 2013  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 4)  
Regulations, 2013

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 5)  
Regulations, 2013

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 5)  
Regulations, 2013<sup>h</sup>

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 7)  
Regulations, 2013

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2014

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 2)  
Regulations, 2014

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 3)  
Regulations, 2014

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 4)  
Regulations, 2014

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 5)  
Regulations, 2014

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 6)  
Regulations, 2014

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 7)  
Regulations, 2014

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2015

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 2)  
Regulations, 2015

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 3)  
Regulations, 2015

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2016

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<sup>h</sup> The citation of this instrument, shown, incorrectly, as "... (No. 5) ..." should read "... (No. 6) ...".

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 2)  
Regulations, 2016

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 4)  
Regulations, 2016

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 5)  
Regulations, 2016

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2017

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 2)  
Regulations, 2017

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3)  
Regulations, 2017

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment) (No. 4)  
Regulations, 2017

Health Service (Benefit) (Limited List) (pharmaceutical Benefit) (Amendment No. 5)  
Regulations, 2017

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2018

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2018

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3)  
Regulations, 2018

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4)  
Regulations, 2018

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5)  
Regulations, 2018

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 6)  
Regulations, 2018

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 7)  
Regulations, 2018

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)

Regulations, 2019  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2)  
Regulations, 2019  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3)  
Regulations, 2019  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4)  
Regulations, 2019  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5)  
Regulations, 2019  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 6)  
Regulations, 2019  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 7)  
Regulations, 2019  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 8)  
Regulations, 2020  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2)  
Regulations, 2020  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3)  
Regulations, 2020  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4)  
Regulations, 2020  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment)  
Regulations, 2021  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 2)  
Regulations, 2021  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 3)  
Regulations, 2021  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 4)  
Regulations, 2021  
Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 5)  
Regulations, 2021

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 6)  
Regulations, 2021

Health Service (Benefit) (Limited List) (Pharmaceutical Benefit) (Amendment No. 7)  
Regulations, 2021

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## EXPLANATORY NOTE

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

These Regulations make clear the power of the Committee for Health & Social Care to prescribe by Resolution of the Committee drugs and medicines which may be available as pharmaceutical benefit under the Health Service Benefit (Guernsey) Law, 1990 ("the 1990 Law"). Previously, this prescription of drugs and medicines needed to be done by regulations of the Committee, which these Regulations revoke. The 1990 Law as amended by the Health Service Benefit (Amendment and Miscellaneous Provisions) (Guernsey) Law, 2021 ("the 2021 Law") requires Committee Resolutions making such provision to be published on the States of Guernsey website.

The Regulations also make clear that certain Ordinances made under the 1990 Law stay in force until contrary provision is made, notwithstanding the coming into force of the amendments made to the 1990 Law by the 2021 Law.

These Regulations come into force on 1<sup>st</sup> January, 2022.

