

**The Health Service Fund  
(Closure and Miscellaneous Amendments) Regulations,  
2021**

*Made*

*30<sup>th</sup> November, 2021*

*Coming into operation*

*1<sup>st</sup> January, 2022*

THE COMMITTEE FOR HEALTH & SOCIAL CARE, in exercise of the powers conferred on it by section 1 of the Health Service Benefit (Amendment and Miscellaneous Provisions) (Guernsey) Law, 2021<sup>a</sup> and all other powers enabling it in that behalf, hereby makes the following Regulations:-

**Appointed day for payment out of monies in the Health Service Fund.**

1. The day appointed under section 1 of the Health Service Benefit (Amendment and Miscellaneous Provisions) (Guernsey) Law, 2021 ("the 2021 Law") for all monies forming part of the Guernsey Health Service Fund ("the Fund") established for the purposes of the Health Service (Pharmaceutical) (Guernsey) Law, 1972<sup>b</sup> to be paid into the general revenue account of the States is 1<sup>st</sup> January, 2022.

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

<sup>b</sup> Ordres en Conseil Vol. XXIII, p. 428; amended by Ordres en Conseil Vol. XXVI, p.472; and Vol. XXVIII, p. 547.

**Recovery of monies, and payment out of monies, after closure of the Fund.**

2. (1) Monies due to the Fund and remaining unpaid immediately before 1<sup>st</sup> January, 2022 may be recovered by the Policy & Resources Committee as a debt after 1<sup>st</sup> January 2022, notwithstanding the closure of the Fund under section 1(2) of the 2021 Law immediately after the making of the payment referred to in regulation 1, and any monies so recovered shall be paid into the general revenue account of the States and shall form part of the monies within that account to be referred to (in accordance with section 1(3) of the 2021 Law) as the Guernsey Health Reserve.

(2) For the avoidance of doubt, notwithstanding the closure of the Fund under section 1(2) of the 2021 Law immediately after the making of the payment referred to in regulation 1, payments may be made to creditors of the Fund thereafter from the monies within the general revenue account of the States to be referred to as the Guernsey Health Reserve.

**Amendment of the Health Service (Payment of Authorised Appliance Suppliers) Regulations, 2003.**

3. (1) The Health Service (Payment of Authorised Appliance Suppliers) Regulations, 2003<sup>c</sup> are amended as follows.

(2) In regulation 1(1), after the definition of "basic price" insert –

""the Guernsey Health Reserve" has the meaning given in Health Service Fund (Closure) Regulations, 2021,".

(3) In each place it appears, for "the Fund" substitute "the

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<sup>c</sup> G.S.I. No. 52 of 2003; amended by Ordinance No. XXXIII of 2003; No. IX of 2016; No. XVI of 2020; G.S.I. No. 46 of 2007; G.S.I. Nos. 5 and 69 of 2008; G.S.I. No. 4 of 2011; G.S.I. No. 6 of 2012; G.S.I. No. 7 of 2013; G.S.I. Nos. 14 and 103 of 2014; G.S.I. No. 123 of 2015; G.S.I. No. 78 of 2016; G.S.I. No. 116 of 2017; G.S.I. No. 84 of 2018; G.S.I. No. 128 of 2019; and G.S.I. No. 145 of 2020.

Guernsey Health Reserve".

**Amendment of the Health Service (Payment of Authorised Suppliers) Regulations, 2003.**

4. (1) The Health Service (Payment of Authorised Suppliers) Regulations, 2003<sup>d</sup> are amended as follows.

(2) In regulation 1(1), after the definition of "community pack" insert –

""the Guernsey Health Reserve" has the meaning given in the Health Service Fund (Closure) Regulations, 2021,".

(3) In each place it appears, for "the Fund" substitute "the Guernsey Health Reserve".

**Amendment of other statutory references to the Fund in regulations.**

5. In any regulations made under the Health Service (Benefit) (Guernsey) Law, 1990<sup>e</sup> not mentioned in regulations 2 and 3, unless the context otherwise requires, in each place it appears for "the Fund" there is substituted "the Guernsey Health Reserve within the meaning of in the Health Service Fund (Closure) Regulations, 2021".

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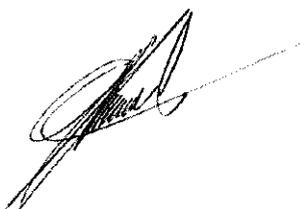
<sup>d</sup> G.S.I. No. 51 of 2003; amended by Ordinance No. XXXIII of 2003; No. IX of 2016; No. XVI of 2020; G.S.I. No. 32 of 2006; G.S.I. Nos. 2 and 47 of 2007; G.S.I. No. 68 of 2008; G.S.I. No. 3 of 2011; G.S.I. Nos. 7 and 56 of 2012; G.S.I. No. 8 of 2013; G.S.I. Nos. 12 and 102 of 2014; G.S.I. No. 124 of 2015; G.S.I. Nos. 4 and 77 of 2016; G.S.I. No. 114 of 2017; G.S.I. No. 85 of 2018; G.S.I. No. 129 of 2019; and G.S.I. No. 146 of 2020.

<sup>e</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; Recueil d'Ordonnances Tome XXVI, pp. 177 and 483; Ordinance Nos. XXII and XXVII of 2002; Nos. XXI and XXXIII of 2003; No. XLII of 2006; No. XLIII of 2007; No. XXII of 2015; No. IX of 2016; No. XLIV of 2016; and No. XVI of 2020.

**Citation and commencement.**

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

Dated this 30<sup>th</sup> day of November, 2021



A. BROUARD

President of the Committee for Health & Social Care

For and on behalf of the Committee

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EXPLANATORY NOTE

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

These Regulations appoint 1<sup>st</sup> January 2022 as the day for the monies in the Guernsey Health Service Fund ("**the Fund**") to be paid into the general revenue account of the States. (Under the Health Service Benefit (Amendment and Miscellaneous Provisions) (Guernsey) Law, 2021, these monies within the general revenue account are to be referred to as the Guernsey Health Reserve). They also provide for the recovery of monies due to the Fund and unpaid on 1<sup>st</sup> January 2022 to be recoverable after that day by the Policy & Resources Committee as a debt, to be paid into the Guernsey Health Reserve on recovery, and for payments to be made out of the Guernsey Health Reserve after that day to creditors of the Fund. They also make some minor amendments to other subordinate legislation consequential to the foregoing.

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

