

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

**THE MEDICINES (HUMAN AND VETERINARY) (BAILIWICK OF GUERNSEY) LAW
(AMENDMENT) ORDINANCE, 2025**

The States are asked to decide:-

Whether they are of the opinion to approve the draft Ordinance entitled "The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law (Amendment) Ordinance, 2025" and to direct that the same shall have effect as an Ordinance of the States.

EXPLANATORY MEMORANDUM

This Ordinance amends section 35 of the Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law, 2008 ("the Law") to authorise the Committee for Health & Social Care to make regulations concerning prescription-only medicines ("POMs"). It authorises the Committee to make regulations to describe medicinal products that are to be treated as POMs, and specify the types of health professionals who may prescribe or direct the use or administration of POMs, or administer these POMs, and the conditions under which they may do so. These powers will be given to the Committee for Health & Social Care in place of the power of the States to make Ordinances.

In addition, this Ordinance replaces a reference in section 35(2)(c) of the Law to registers of ophthalmic opticians kept under the Opticians Act 1989, with a reference to the register of optometrists kept under that Act, which replaced the previous registers under an amendment made to that Act after the Law was enacted.

This Ordinance also consequentially amends sections 35A, 36, 37, 44 and 132 of the Law, and saves and continues the Prescription Only Medicines (Human) (Bailiwick of Guernsey) Ordinance, 2009. Finally, the Committee will be authorised to make regulations to amend or repeal the provisions of that Ordinance.

The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law (Amendment) Ordinance, 2025

ARRANGEMENT OF SECTIONS

1. Amendment of the Law of 2008.
2. Amendment of section 35 of the Law.
3. Amendment of section 35A of the Law.
4. Amendment of section 36 of the Law.
5. Amendment of section 37 of the Law.
6. Amendment of section 44 of the Law.
7. Amendment of section 132 of the Law.
8. Saving of the Prescription Only Medicines (Human) (Bailiwick of Guernsey) Ordinance, 2009.
9. Extent.
10. Citation.
11. Commencement.

The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law (Amendment) Ordinance, 2025

THE STATES, in pursuance of their Resolution of the 21st March, 2025^a, and in exercise of the powers conferred on them by section 131 of the Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law, 2008^b, and all other powers enabling them in that behalf, hereby order:-

Amendment of the Law of 2008.

1. The Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law, 2008 ("the Law") is amended as set out in sections 2 to 7.

Amendment of section 35 of the Law.

2. (1) Section 35 of the Law is amended as follows.
 - (2) In subsection (1) of that section -
 - (a) for "States may by Ordinance", substitute "Committee for Health & Social Care may by regulations", and
 - (b) for "the Ordinance" in each place where the expression occurs, substitute "the regulations".
 - (3) In subsection (2) of that section -

^a Article V of Billet d'État No. VII of 2025.

^b Order in Council No. V of 2009; this enactment has been amended.

- (a) for "an Ordinance", substitute "regulations",
- (b) in paragraph (c), for "either of the registers of ophthalmic opticians", substitute "the register of optometrists", and
- (c) in paragraph (e), for "the States" in the first and second places where the expression occurs, substitute "the Committee for Health & Social Care" and "that Committee" respectively.

(4) In subsection (3) of that section -

- (a) for "an Ordinance", substitute "regulations",
- (b) for "includes", substitute "include", and
- (c) for "the Ordinance", substitute "the regulations".

(5) In subsection (4)(a) of that section, for "an Ordinance", substitute "regulations".

(6) In subsection (6) of that section -

- (a) for "any Ordinance", substitute "regulations", and
- (b) in paragraphs (a) and (b), for "Ordinance" in each place where the expression occurs, substitute "regulations".

(7) In subsection (7) of that section -

- (a) for "An Ordinance", substitute "Regulations", and

(b) for "the Ordinance" in each place where the expression occurs, substitute "the regulations".

(8) In subsection (8) of that section -

(a) for "An Ordinance", substitute "Regulations", and

(b) for "the Ordinance", substitute "the regulations".

(9) In subsection (9) of that section, for "Ordinance", substitute "regulations".

(10) In subsection (10) of that section -

(a) for "an Ordinance", substitute "regulations", and

(b) for "the Ordinance", substitute "the regulations".

Amendment of section 35A of the Law.

3. In section 35A(5)(a) of the Law, for "an Ordinance", substitute "regulations".

Amendment of section 36 of the Law.

4. In section 36(1) of the Law, for "advising the States in relation to their exercise of powers", substitute "making regulations".

Amendment of section 37 of the Law.

5. (1) Section 37 of the Law is amended as follows.

(2) In subsection (1) of that section -

(a) in the part preceding paragraph (a)-

(i) for "an Ordinance", substitute "regulations",

(ii) for "is made", substitute "are made", and

(ii) for "the Ordinance", substitute "the regulations", and

(b) in paragraph (b), for "the Ordinance comes", substitute "the regulations come".

(3) In subsection (2) of that section-

(a) in the part preceding paragraph (a), for "an Ordinance is", substitute "regulations are",

(b) in paragraphs (a) and (b), for "the Ordinance" in each place where the expression occurs, substitute "the regulations", and

(c) in paragraph (b), for "that Ordinance", substitute "those regulations".

(4) In subsection (3) of that section-

(a) for "an Ordinance", substitute "regulations", and

(b) for "the Ordinance comes", substitute "the regulations come".

Amendment of section 44 of the Law.

6. In section 44(2) of the Law, for "an Ordinance", substitute "regulations".

Amendment of section 132 of the Law.

7. (1) Section 132 of the Law is amended as follows.

(2) In subsection (3), for "a Department", substitute "the Committee for Health & Social Care".

(3) Immediately after subsection (3), insert the following subsections-

"(4) Regulations and orders made under this Law must be laid before a meeting of the States as soon as possible.

(5) Where regulations are laid before a meeting of the States, the States may resolve to annul those regulations at that meeting or the next meeting, but without prejudice to anything done under them or to the making of new regulations.".

Saving of the Prescription Only Medicines (Human) (Bailiwick of Guernsey) Ordinance, 2009.

8. (1) Despite the amendments to the Law made by this Ordinance, the Prescription Only Medicines (Human) (Bailiwick of Guernsey) Ordinance, 2009^c continues to have effect as if made by regulations under sections 35 and 132 of the Law.

^c Ordinance No. XXV of 2009; this enactment has been amended.

(2) The Committee for Health & Social Care may by regulations amend or repeal all or any part of that Ordinance.

Extent.

9. This Ordinance shall have effect throughout the Bailiwick of Guernsey.

Citation.

10. This Ordinance may be cited as the Medicines (Human and Veterinary) (Bailiwick of Guernsey) Law (Amendment) Ordinance, 2025.

Commencement.

11. This Ordinance shall come into force on the day appointed by Order of the Committee; and different dates may be appointed for different provisions and for different purposes.