



Jersey

**HEALTH INSURANCE (PHARMACEUTICAL
BENEFIT ADVISORY COMMITTEE)
(JERSEY) ORDER 2017**

Official Consolidated Version

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HEALTH INSURANCE (PHARMACEUTICAL BENEFIT ADVISORY COMMITTEE) (JERSEY) ORDER 2017

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THE MINISTER FOR SOCIAL SECURITY, in pursuance of Articles 15A and 36 of the [Health Insurance \(Jersey\) Law 1967](#), orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

In this Order –

“Committee” means the Pharmaceutical Benefit Advisory Committee established under Article 2;

“Department” followed by a description means the administration of the States for which the Minister of that description is responsible;

“Medical Officer of Health” means the person appointed as such under Article 10 of the [Loi \(1934\) sur la Santé Publique](#);

“non-medical prescribing practitioner” means an approved prescribing practitioner who is not a doctor or a dentist;

“nurse” means a person registered as a nurse under the [Health Care \(Registration\) \(Jersey\) Law 1995](#);

“States’ employee” has the same meaning as in Article 2 of the [Employment of States of Jersey Employees \(Jersey\) Law 2005](#).

2 Establishment and membership of Committee

- (1) The Pharmaceutical Benefit Advisory Committee is established.
- (2) The Committee consists of –
 - (a) a chairperson appointed by the Minister;
 - (b) a States employee, appointed by the Minister, who is working in the Department of Social Security;
 - (c) a pharmacist or medical practitioner, appointed by the Minister, who is working in an administration of the States in that capacity;
 - (d) 3 approved medical practitioners nominated by a body of persons that appears to the Minister to be representative of general medical practitioners in Jersey;

- (e) 2 pharmacists, one of whom being nominated by the Jersey branch of the Royal Pharmaceutical Society and the other being nominated by a body of persons that appears to the Minister to be representative of approved suppliers in Jersey;
 - (f) an approved dentist nominated by a body of persons that appears to the Minister to be representative of dentists in Jersey;
 - (g) 2 States' employees working in the Department of Health and Social Services, one of whom being a representative of the committee or other body responsible for advising that Department on the use of medicines and the other being a person nominated by the Chief Nurse of the Health and Social Services Department to represent non-medical prescribing practitioners and nurses;
 - (h) the Medical Officer of Health; and
 - (i) the Chief Pharmacist at the General Hospital.
- (3) The following persons are ineligible for appointment as chairperson under paragraph (2)(a) –
- (a) members of the States;
 - (b) any medical practitioner, dentist, optician, pharmacist or non-medical prescribing practitioner; and
 - (c) any States' employee working in the Department of Social Security or the Department of Health and Social Services;
 - (d) any other person who might reasonably be regarded as having a conflict of interest in undertaking the role of chairperson.
- (4) A person appointed to fill a casual vacancy in the office of chairperson or member of the Committee holds office until the date on which the person in whose place the person is appointed would have ceased to hold office.
- (5) The Committee must appoint either of the members appointed under paragraph (2)(b) or (c) to be vice-chairperson of the Committee, and in the absence of the chairperson the vice-chairperson is to preside at meetings of the Committee.
- (6) A member of the Committee may appoint a deputy to act on the member's behalf at any meeting of the Committee and if that appointment is notified in advance to the secretary of the Committee the deputy is entitled to act in the place of that member.
- (7) However –
- (a) an approved medical practitioner, pharmacist, dentist, non-medical prescribing practitioner or nurse may appoint only a person of like qualifications to act on his or her behalf;
 - (b) the Chief Pharmacist may appoint only the Deputy Chief Pharmacist at the General Hospital to act on his or her behalf; and
 - (c) no person appointed under paragraph (6) may act as vice-chairperson.

3 Terms of service

- (1) The chairperson of the Committee and the members mentioned in Article 2(2)(d), (e) or (f) hold office in accordance with their terms of appointment.
- (2) However they shall cease to hold office –

- (a) if they tender their resignation in writing to the Minister;
 - (b) if, under Part 4 of the [Capacity and Self-Determination \(Jersey\) Law 2016](#), a delegate is appointed in relation to the chairperson or member; or
 - (c) if, without reasonable excuse, they fail to attend 3 consecutive meetings of the Committee.¹
- (3) The persons mentioned in paragraph (1) may be appointed for a maximum term of 5 years but such appointment is renewable.
 - (4) However, the aggregate of the terms served must not exceed 9 years.
 - (5) The members of the Committee not mentioned in paragraph (1) hold office by virtue of the employment or engagement that qualifies them for appointment but cease to be members of the Committee if and when that employment or engagement ceases.

4 Secretary

The Minister must appoint a secretary of the Committee who is to be paid such remuneration and allowances as the Minister thinks fit.

5 Proceedings

- (1) 7 members of the Committee, including at least 2 approved medical practitioners and one pharmacist, constitute a quorum.
- (2) On any matter on which the votes of the Committee are divided, the manner in which the members have voted must be recorded.

6 Transitional provision

- (1) A person appointed to the Pharmaceutical Benefit Advisory Committee constituted under Schedule 1 to the [Health Insurance \(Jersey\) Law 1967](#) is treated as having been appointed under this Order save that his or her appointment expires in accordance with that Schedule.
- (2) Article 3 does not apply to an appointment mentioned in paragraph (1) but applies following the expiry of that appointment.

7 Citation

This Order may be cited as the Health Insurance (Pharmaceutical Benefit Advisory Committee) (Jersey) Order 2017.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Health Insurance (Pharmaceutical Benefit Advisory Committee) (Jersey) Order 2017	R&O.63/2017	7 July 2017
Mental Health and Capacity (Consequential Amendment and Transitional Provision) (Jersey) Regulations 2018	R&O.49/2018	1 October 2018 (R&O.51/2018)

Table of Endnote References

¹ Article 3(2) *amended by R&O.49/2018*