

STATES OF JERSEY



Jersey

DRAFT SHOPS (REGULATION OF OPENING) (AMENDMENT – GENERAL PRACTITIONER SURGERIES AND PHARMACIES) (JERSEY) REGULATIONS 202- (P.112/2020) AMENDMENT

**Lodged au Greffe on 5th October 2020
by the Health and Social Security Scrutiny Panel**

STATES GREFFE

**DRAFT SHOPS (REGULATION OF OPENING) (AMENDMENT – GENERAL
PRACTITIONER SURGERIES AND PHARMACIES) (JERSEY)
REGULATIONS 202- (P.112/2020) AMENDMENT**

1 PAGE 7, REGULATION 1 –

In paragraph (a) for “administering of vaccines and” substitute “administering, before 30th April 2021, of vaccines for Covid-19 and influenza, and (without that time limit)”.

2 PAGE 7, REGULATION 1 –

In paragraph (b) for “A shop that” substitute “At any time before 30th April 2021, a shop that is open only for the administering of vaccines for Covid-19 and influenza and for incidental purposes, and”.

HEALTH AND SOCIAL SECURITY SCRUTINY PANEL

REPORT

Introduction

[P.112/2020 \(re-issue\)](#) – “Draft Shops (Regulation of Opening) (Amendment – General Practitioner Surgeries and Pharmacies) (Jersey) Regulations 202-” was lodged by the Minister for Economic Development, Tourism, Sport and Culture on 18th September 2020, in light of the ongoing Covid-19 pandemic.

The Draft Regulations, if adopted, would extend the permitted activities of both general practitioner surgeries and pharmacies to meet the needs of the enhanced winter flu vaccination programme and in anticipation of a potential Covid-19 vaccine. The purpose of these changes is to further assist in addressing the potential health implications of winter flu and Covid-19 ‘co-infections’ and the subsequent strain this would place on the health service in Jersey.

The Panel, along with Members of the Economic and International Affairs Scrutiny Panel, received a briefing on the Draft Regulations on 21st September 2020. The debate was scheduled for 22nd September 2020, but the Panel asked the Minister to defer it until 6th October 2020 to allow sufficient time for scrutiny.

Panel concerns

The Panel notes the rationale provided by Government Officials, that if the Draft Regulations were to be made permanent, it would provide additional flexibility and capacity within the health service to manage outbreaks of winter flu in future years and the management of the pandemic response to Covid-19. However, unlike other legislation¹ brought forward to respond to the Covid-19 pandemic, the Draft Regulations are not subject to a time limit and, therefore, will not expire after a specified period of time. Whilst the Panel understands the decision to make the Draft Regulations permanent, it reserves concerns that the Draft Regulations are inconsistent with previous Regulations brought forward in response to Covid-19.

During its review, the Panel sought the views of the Primary Care Body (PCB) including whether Sunday opening should be made permanent. The Primary Care Body advised the Panel that it favoured the opening of G.P. practices on Sundays for the sole purpose of meeting the needs of the enhanced winter flu vaccination programmes, including a potential Covid-19 vaccine. Therefore, the PCB are not in favour of the inclusion of business as usual activity on a Sunday and do not endorse a permanent extension beyond normal G.P. working hours.

The Panel therefore proposes that the Draft Regulations are time limited, and applicable up to April 2021, in line with previous legislation brought forward to respond to the Covid-19 pandemic. If the amendment is adopted, these Draft Regulations will expire on Sunday 25th April 2021.

The amendment also proposes to limit Sunday opening to the administering of vaccines only, given the views provided by the PCB. If, in the months leading up to April 2021, it becomes apparent that there is additional need for G.P.s to open on a Sunday to

¹ [Covid-19 \(Enabling Provisions\) \(Amendment\) \(Jersey\) Law 2020](#)

administer vaccines and to provide other business as usual activity, the Draft Regulations can be amended, subject to States approval.

Conclusion

In consideration of the above, this amendment seeks to ensure that legislation brought forward to respond to the outbreak of Covid-19 is applied consistently, ensuring members of the public and the business community, including general practitioner surgeries and pharmacies, have confidence that legislation brought forward to respond to Covid-19 is proportionate and limited to the duration of the pandemic. The Panel believes that this is appropriate given the current and future uncertainty the Island faces and hopes the States will support its amendment.

Financial and manpower implications

There are no financial or manpower implications arising from the adoption of this amendment.