

# STATES OF JERSEY



Jersey

## **DRAFT SHOPS (REGULATION OF OPENING) (AMENDMENT – GENERAL PRACTITIONER SURGERIES AND PHARMACIES) (JERSEY) REGULATIONS 202-**

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**Lodged au Greffe on 18th September 2020  
by the Minister for Economic Development, Tourism, Sport and Culture**

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**STATES GREFFE**



## REPORT

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The Government of Jersey (the “GoJ”) is currently preparing for a Covid-19 vaccination programme which will be delivered as soon as the vaccine is ready. We will provide the first vaccine free to all Islanders.

Before Covid-19 vaccinations can start, the GoJ needs to deliver a flu vaccine programme in order to reduce possible co-infections (i.e. people having flu and Covid-19 at the same time). Co-infections would have significant implications for individuals and our health service.

The flu vaccination programme will start at the end of September 2020. All Islanders aged 50 years or over, or in an ‘at-risk’ group will receive the vaccine free of cost.

G.P.s are critical to the delivery of the flu vaccine and the Covid-19 vaccine when it is available. Consultation with G.P.s has indicated that delivery of the vaccines may require some G.P.s to run extended hours surgeries in the evenings and on Sundays.

Currently G.P. surgeries are restricted, in law, from opening on Sundays. They would be committing an offence if they provided services on a Sunday, even if the service was free of charge to the patient.

The proposed amendment to the [Shops \(Regulation of Opening\) \(Jersey\) Regulations 2011](#) does 2 things –

1. it adds G.P.s’ surgeries to the list of shops set out in Schedule 1 of the Shops (Regulation of Opening) (Jersey) Regulations 2011 which are exempt from Sunday trading restrictions; and
2. it clarifies that pharmacies, which are already exempt from Sunday trading restrictions, may provide vaccines on a Sunday, in addition to the medicines that they are already permitted to provide.

If the amendment is adopted, G.P.s’ surgeries would be permitted to open on a Sunday to deliver all the services usually provided by that G.P.s’ surgery. The amendment does not restrict G.P.s to only delivering vaccines on a Sunday because, if a patient were to attend for the purpose of being vaccinated, but the patient was exhibiting symptoms of illness, the G.P. would need to be able to respond accordingly.

The amendment is not time limited as it is anticipated that additional capacity to provide for vaccination programmes may be required on an ongoing basis.

It is recognised that under the Shops (Regulation of Opening) (Jersey) Regulations 2011 G.P.s could apply to the relevant Connétable for permission to open on Sundays. Any such permission would need to be renewed on an annual basis. However, given that G.P.s are supporting the GoJ to deliver these critical vaccination programmes, it is considered appropriate to reduce any associated administrative burdens.

The Assembly is therefore asked to exempt G.P.s from the Sunday trading restrictions that currently apply to them. This accords with the wishes of the Primary Care Board. The Assembly is also asked to permit pharmacists, who are already allowed to open on Sundays, to offer vaccination services in addition to medicines. This will further increase capacity in our community as required.

**Financial and resource implications**

There are no financial or resource implications to these proposed draft Regulations.

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**Re-issue Note**

This Projet is re-issued to correct an error in the above report in the originally published  
Projet.

## **EXPLANATORY NOTE**

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These Regulations would, if passed, amend Schedule 1 to the Shops (Regulation of Opening) (Jersey) Regulations 2011, which provides exemptions from the requirement for a permit for opening on Sundays (and certain other days).

The amendments allow general practitioner surgeries to open on those days without a permit. That provision is subject to the pre-existing condition, in Regulation 3(2) of the amended Regulations, that if the surgery is open on weekdays then the opening on the other days must be only for activities that are substantially the same as those carried on at the surgery on weekdays.

Pharmacies are already allowed to open without a permit, but only for the sale of medicines and related items. The amendments add the administering of vaccines to the activities that may be carried on (but the amendments do not alter any other law prohibiting or restricting, without reference to the day of the week, the administering of vaccines).





Jersey

## **DRAFT SHOPS (REGULATION OF OPENING) (AMENDMENT – GENERAL PRACTITIONER SURGERIES AND PHARMACIES) (JERSEY) REGULATIONS 202-**

*Made* [date to be inserted]  
*Coming into force* [date to be inserted]

**THE STATES** make these Regulations under Article 3 of the Shops (Regulation of Opening and Deliveries) (Jersey) Law 2010<sup>1</sup> –

### **1 Amendment of Schedule 1 (exemptions from the requirement for a permit) to the Shops (Regulation of Opening) (Jersey) Regulations 2011**

In Schedule 1 to the Shops (Regulation of Opening) (Jersey) Regulations 2011<sup>2</sup> –

- (a) in paragraph 3, after “is open only for” there is inserted “any one or more of the following purposes, namely the administering of vaccines and”;
- (b) after paragraph 3 there is inserted –

“3A. A shop that is a general practitioner surgery, being a shop used primarily for the provision of the services of one or more doctors practising as general practitioners, within the meaning of that expression in the Medical Act 1983 of the United Kingdom.”.

### **2 Citation and commencement**

These Regulations may be cited as the Shops (Regulation of Opening) (Amendment – General Practitioner Surgeries and Pharmacies) (Jersey) Regulations 202- and come into force on the first Sunday after they are made.

## ENDNOTES

### Table of Endnote References

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<a href="#">1</a>	<i>chapter 05.775</i>
<a href="#">2</a>	<i>chapter 05.775.50</i>