

STATES OF JERSEY

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DRAFT HEALTH CARE (REGISTRATION) (AMENDMENT) (JERSEY) LAW 2002 (APPOINTED DAY) ACT 200

**Lodged au Greffe on 18th March 2003
by the Health and Social Services Committee**

STATES GREFFE



Jersey

DRAFT HEALTH CARE (REGISTRATION) (AMENDMENT) (JERSEY) LAW 2002 (APPOINTED DAY) ACT 200

REPORT

The purpose of this Act is to bring into force, on 1st April 2003, provisions of the Health Care (Registration) (Amendment) (Jersey) Law 2002, other than the provisions of that Law relating to nurses and midwives.

The Law was adopted by the States on 23rd October 2001 (P.145 of 2001).

The Appointed Day is coincident with a commencement provision of a United Kingdom Order (S.I. 2002 No. 254) which will introduce the register of the new U.K. Health Professions Council.

The consequences of the Act are –

- (a) The occupations of ambulance paramedic and clinical scientist will become registrable for the first time.
- (b) The profession of biomedical scientist will also become registrable. Persons who are already engaged in that profession, although required to hold appropriate qualifications to practise as such, are presently registered as “medical laboratory technicians”. This latter description will be deleted from the Schedule and those who are already registered as medical laboratory technicians will on the commencement of these provisions become registered biomedical scientists.
- (c) The description of the registrable occupation of speech therapist will be changed to “speech and language therapist” to conform to current usage.
- (d) The existing provisions in the principal Law that recognize qualifications under the Professions Supplementary to Medicine Act 1960 (c.66) of the United Kingdom will be repealed, and the Health and Social Services Committee will instead have power to prescribe qualifications for registration, by Order. The Committee has agreed in principle to make such an Order to come into force immediately after the Appointed Day.

The other grounds on which registration may now be granted remain unchanged.

- (e) An unqualified person who is charged with undertaking a registrable occupation will have a statutory defence if he proves that he was acting reasonably in an emergency or that he was undergoing approved training under appropriate supervision.
- (f) The Royal Court will have power, on an interlocutory application in the course of an appeal, to stay the effect of a decision pending the outcome of the appeal. The Court is also expressly empowered to confirm, reverse or vary the decision under appeal.

The opportunity has also been taken to make some minor drafting changes.

There are no financial or manpower implications for the States arising from this draft Act.

Explanatory Note

The effect of this Act would be to appoint 1st April 2003 as the day for the commencement of the Health Care (Registration) (Amendment) (Jersey) Law 2002, other than the provisions of that Law relating to nurses and midwives.

The Law was adopted by the States on 23rd October 2001 (P.145 of 2001).



Jersey

DRAFT HEALTH CARE (REGISTRATION) (AMENDMENT) (JERSEY) LAW 2002 (APPOINTED DAY) ACT 200

Made

[date to be inserted]

Coming into force

[date to be inserted]

THE STATES, in pursuance of Article 11(2) of the Health Care (Registration) (Amendment) (Jersey) Law 2002,^[1] have made the following Act –

1 Commencement of provisions not relating to nurses or midwives

The provisions of the Health Care (Registration) (Amendment) (Jersey) Law 2002^[2] (other than Article 2 (2), Article 7, paragraphs (4) and (5) of Article 8, Article 9 and paragraphs (3) and (4) of Article 10) shall come into force on 1st April 2003.

2 Citation

This Act may be cited as the Health Care (Registration) (Amendment) (Jersey) Law 2002 (Appointed Day) Act 200-.

[1] *Recueil des Lois, Volume 2002, page 421.*

[2] *Recueil des Lois, Volume 2002, page 415.*