



Jersey

**EMERGENCY POWERS AND PLANNING
(MEDICINES AND VACCINES – COVID-19
AND INFLUENZA) (FIFTH PERIOD)
(JERSEY) ORDER 2021¹**

Official Consolidated Version

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EMERGENCY POWERS AND PLANNING (MEDICINES AND VACCINES – COVID-19 AND INFLUENZA) (FIFTH PERIOD) (JERSEY) ORDER 2021

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EMERGENCY POWERS AND PLANNING (MEDICINES AND VACCINES – COVID-19 AND INFLUENZA) (FIFTH PERIOD) (JERSEY) ORDER 2021

THE MINISTER FOR HEALTH AND SOCIAL SERVICES, as competent authority and with the approval of the Emergencies Council, makes this Order under Articles 8A and 12 of the [Emergency Powers and Planning \(Jersey\) Law 1990](#) –

Commencement [[see endnotes](#)]

1 Interpretation

In this Order –

“Covid-19” has the meaning given by the [Covid-19 \(Enabling Provisions\) \(Jersey\) Law 2020](#);

“Medicines Law” means the [Medicines \(Jersey\) Law 1995](#).

2 Effect of United Kingdom temporary Covid-19 authorisation

- (1) A valid United Kingdom temporary Covid-19 authorisation is to be treated as having effect for the purposes of the Medicines Law as though it were a product licence granted for the purposes of Article 8 of that Law.
- (2) In paragraph (1) “United Kingdom temporary Covid-19 authorisation” means a temporary authorisation granted under regulation 174 of the Human Medicines Regulations 2012 of the United Kingdom (S.I. 2012/1916) (the “UK Regulations”) in response to Covid-19.
- (3) Paragraph (1) is subject to the limitation that the authorisation does not have effect to the extent that a medicinal product is sold or supplied under it –
 - (a) for the purpose of any use other than the recommended or required use, as mentioned in regulation 174A(1)(a) of the UK Regulations; or
 - (b) in breach of a condition attached under regulation 174A(1) of the UK Regulations to the authorisation.

3 Plan for vaccination against Covid-19: exemptions from Medicines Law

- (1) Article 9(3) of the Medicines Law does not apply to a medicinal product if it is a vaccine that is sold, offered for sale or distributed as part of an official vaccination plan and in accordance with the conditions stated in that plan.

- (2) Despite Articles 51, 52 and 57(2) of the Medicines Law, a person may sell, supply or administer a vaccine as part of an official vaccination plan and in accordance with the conditions stated in that plan.
- (3) In paragraphs (1) and (2) an “official vaccination plan” is a plan for vaccination against Covid-19 that –
 - (a) is drawn up, or approved, by the Medical Officer for Health and published by the competent authority, whether before, on or after the commencement of this Order;
 - (b) includes vaccination against influenza, if the Medical Officer for Health considers that to do so would facilitate vaccination against or control of Covid-19;
 - (c) describes the vaccines to which it applies, being vaccines against Covid-19 or influenza that –
 - (i) are or have been under the control of the competent authority, and
 - (ii) are the subject of a product licence under the Medicines Law or of a licence or authorisation that has effect, under that Law or under Article 2(1) of this Order, as though it were a product licence; and
 - (d) states the intentions of the competent authority as to the supply (by way of sale or otherwise), distribution and administering of those vaccines, including the conditions mentioned in paragraphs (1) and (2).
- (4) For the purpose of this Article –
 - (a) “competent authority” means the Minister for the time being designated as the competent authority in relation to Article 8A of the [Emergency Powers and Planning \(Jersey\) Law 1990](#);
 - (b) “Medical Officer for Health” means a person appointed as such under Article 10 of the [Loi \(1934\) sur la Santé Publique](#);
 - (c) a vaccine is under the control of the competent authority if it is imported or owned by the competent authority, or it is owned by another person who agrees to deal with it in a manner agreed with the competent authority;
 - (d) it is irrelevant whether the competent authority acts in that capacity or as a Minister;
 - (e) the references to drawing up, approving and publishing an official vaccination plan include amending and re-publishing the plan from time to time; and
 - (f) the conditions stated in an official vaccination plan may include conditions equivalent to any provision that may be included in a direction under Article 1(3) or (4) of the [Medicines \(Health Professionals – Exemption\) \(Jersey\) Order 2001](#).

4 Citation, commencement and expiry

- (1) This Order may be cited as the Emergency Powers and Planning (Medicines and Vaccines – Covid-19 and Influenza) (Fifth Period) (Jersey) Order 2021.
- (2) This Order comes into force on 5th December 2021 and expires at the end of 4th March 2022.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	Projet No (where applicable)
Emergency Powers and Planning (Medicines and Vaccines – Covid- 19 and Influenza) (Fifth Period) (Jersey) Order 2021	R&O.148/2021	5 December 2021	

°Projets available at statesassembly.gov.je

Table of Endnote References

¹ This Order expired at the end of 4 March 2022