



Jersey

**MEDICINES (ASSEMBLY EXEMPTION)  
(JERSEY) ORDER 1997**

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## **MEDICINES (ASSEMBLY EXEMPTION) (JERSEY) ORDER 1997**

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## **MEDICINES (ASSEMBLY EXEMPTION) (JERSEY) ORDER 1997<sup>1</sup>**

**THE HEALTH AND SOCIAL SERVICES COMMITTEE** in pursuance of Articles 16 and 110 of the [Medicines \(Jersey\) Law 1995](#), after consultation with the Medicines Advisory Council and having otherwise complied with Article 110 of the Law orders as follows –

Commencement [[see endnotes](#)]

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### **1 Interpretation**

- (1) In this Order, the “Law” means the [Medicines \(Jersey\) Law 1995](#).
- (2) Without prejudice to Article 10 of the [Interpretation \(Jersey\) Law 1954](#), every provision in the [Medicines \(Jersey\) Law 1995](#) that relates in any other way to its interpretation shall also apply in the same way to this Order, unless the context otherwise requires.

### **2 Exemption for labelling**

Where the conditions in Article 3 of this Order are fulfilled, the restrictions in Article 9(2) of the Law shall not apply to the labelling, before a medicinal product is sold or supplied, of a container –

- (a) in which the product is already enclosed; and
- (b) in which it is to be sold or supplied.

### **3 Conditions of exemption**

The conditions to which Article 2 refers are –

- (a) the medicinal product is for human use;
- (b) it is a medicinal product of a kind that may (apart from this Order) –
  - (i) be lawfully sold by retail, or
  - (ii) be lawfully supplied in circumstances corresponding to retail sale,

otherwise than by or under the supervision of a pharmacist,

- (c) it is to be sold or supplied by a person who customarily administers medicinal products to human beings in the lawful course of practice in the field of chiropody or osteopathy or any other similar field;
- (d) it is to be sold or supplied for administration to a particular person;
- (e) it is to be sold or supplied because the person who is to sell or supply it has been requested –
  - (i) by or on behalf of the person to whom it is to be administered, and
  - (ii) in the presence of the person to whom it is to be administered,to use his or her own judgment as to the treatment to be given to the person to whom it is to be administered,
- (f) the person seeking the exemption has informed the Minister in writing of his or her name and of the address at which the medicinal product is to be so labelled; and
- (g) the medicinal product is so labelled during the period permitted by Article 4.

#### **4 Duration of exemption**

- (1) The Minister shall, by a notice in writing served on the person seeking exemption, specify the date from which the exemption shall have effect.
- (2) The exemption shall have effect for 5 years from the date specified.
- (3) If the person again informs the Minister in writing, before the end of that period, of his or her name and the address at which the medicinal product is to be so labelled, the exemption shall continue to have effect for one further period of 5 years, commencing on the expiry of the first period.

#### **5 Termination of exemption**

Notwithstanding Article 2 or 4 –

- (a) if it appears to the Minister at any time that on grounds of safety, an exemption under this Order should cease to apply to a person wholly or in respect of any medicinal product;
- (b) if a person to whom an exemption under this Order applies, on being requested in writing by the Minister to do so, fails to give to the Minister within 21 days (or within such further time as the Minister may allow) particulars in writing of any medicinal product to which the exemption applies; or
- (c) if a person to whom an exemption under this Order applies fails to inform the Minister in writing, within 21 days, of any change in the address at which any medicinal product to which the exemption applies is being so labelled,

the Minister may by notice in writing served on the person withdraw the exemption, wholly or to such extent as it may specify in the notice, and from a date to be specified in the notice.

**6 Citation**

This Order may be cited as the Medicines (Assembly Exemption) (Jersey) Order 1997.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Medicines (Assembly Exemption) (Jersey) Order 1997	R&O.9130	1 January 1998
States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005	<a href="#">R&amp;O.45/2005</a>	9 December 2005

### Table of Endnote References

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<sup>1</sup>

*This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 5) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*