

STATES OF JERSEY



Jersey

DRAFT HEALTH AND SOCIAL CARE PROFESSIONALS REGISTER (JERSEY) LAW 202-

**Lodged au Greffe on 27th January 2026
by the Minister for Health and Social Services
Earliest date for debate: 10th March 2026**

STATES GREFFE



Jersey

DRAFT HEALTH AND SOCIAL CARE PROFESSIONALS REGISTER (JERSEY) LAW 202-

European Convention on Human Rights

In accordance with the provisions of Article 16 of the Human Rights (Jersey) Law 2000, the Minister for Health and Social Services has made the following statement –

In the view of the Minister for Health and Social Services, the provisions of the Draft Health and Social Care Professionals Register (Jersey) Law 202- are compatible with the Convention Rights.

Signed: **Deputy T.J.A. Binet of St. Saviour**
Minister for Health and Social Services

Dated: 26th January 2026

REPORT

Introduction

1. The draft Health and Social Care Professionals Register (Jersey) Law 202- (the “draft Law”) standardises the registration process for regulated health and social care professionals in Jersey. It addresses inconsistent registration requirements across the professional groups and the resulting lack of sufficient oversight of the healthcare professionals who are practising in Jersey. The draft Law also sets out a regime for registering professionals in the event of an urgent health situation (for example, a pandemic) and a regime for the Jersey Care Commission (the “Commission”) to regulate providers of specialist healthcare services.
2. The draft Law requires all health and social care professions which must register with a UK regulatory body under UK legislation to register with the Commission to practise in Jersey. Registration in Jersey is a form of secondary registration, which acts as a ‘check’ on UK registration and ensures that fitness to practise decisions made by national bodies can be implemented in Jersey. The draft Law enables the Commission to keep an up-to-date, comprehensive register of local healthcare professionals, which will:
 - assure Islanders that all regulated healthcare professionals are suitably qualified and fit to practise in Jersey;
 - mitigate the risk that professionals who have been found unfit to practise in the UK may continue to practise in Jersey; and
 - provide oversight of who exactly is practising in the Island and their employment status (for example who their employer is, whether they are self-employed, etc).
3. The draft Law aims to, as far as possible, place responsibility for registration on individual registrants rather than employers. The proposed registration regime ensures parity between professional groups in terms of registration requirements, including the requirement to annually renew registration and pay the same fees. As of January 2026, the Minister for Health and Social Services has decided that fees will not be charged to professionals. Marginal costs of the improved registration system resulting from this Law will therefore be funded by HCJ and by reprioritising spending within the Commission.
4. The draft Law also ensures that fitness to practise decisions and the setting of professional standards are deferred to UK regulators, who have the resources, expertise and independence to discharge these responsibilities effectively¹. The draft Law removes the Commission’s unilateral decision-making powers to restrict a professional’s practice or cancel their registration under existing legislation. This aims to clearly demarcate roles and responsibilities in handling fitness to practise issues, as well as reduce the Commission’s liability and potential risk of litigation in making decisions independently of UK regulators. Under the new regime, the Commission will perform a largely administrative role in the local registration process, centred around maintaining local registers and sharing information related to registration with relevant bodies where required. Decisions made by UK regulatory bodies will be reflected in the local register held by the Commission.

¹ Situations where the Commission may exercise discretion to cancel or suspend registration in Jersey is limited to the registration of designated services in Jersey (where the Commission acts as the primary registrar) and the scenarios set out in Article 22(3) of the draft Law.

5. Many of the provisions contained within this draft Law have been taken from existing legislation. Offences set out in this draft Law aim to encourage compliance with the Law and have been subject to a penalty review by the Law Officers Department.

Background

6. Currently, professional registration in Jersey is governed by a number of different laws. This piecemeal approach to registration means that there is no single Jersey registration body or standardised registration requirements across the professional groups. Under existing legislation, most professions are already required to register with the Commission. However, certain professions (such as dentists and opticians) must register with the Judicial Greffe, and pharmacists and pharmacy technicians with the Chief Pharmacist. Some groups (such as doctors) pay initial registration fees, while dental care professionals are the only group which must pay to renew annually.
7. Due to these inconsistencies, the Commission cannot compile a single accurate record of the healthcare professionals who are practising in the Island, the qualifications they hold or the capacity in which they are employed. Under the current regime, there is a chance that professionals who have been found unfit to practise by a UK regulator may appear to be entitled to continue practising in Jersey, particularly self-employed individuals who are not subject to oversight of an employer. This presents a risk to the public of potential malpractice or substandard care, which could be mitigated by an up-to-date local register held by the Commission.
8. To address deficiencies created by existing legislation, this draft framework Law therefore repeals and replaces the following legislation in Jersey:
- [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#) (“the 1960 Law”)
 - [Health Care \(Registration\) \(Jersey\) Law 1995](#) (“the 1995 Law”)
 - [Dentistry \(Jersey\) Law 2015](#) (“the 2015 Law”)
 - [Opticians \(Registration\) \(Jersey\) Law 1962](#) (“the 1962 Law”)
 - [Pharmacists and Pharmacy Technicians \(Registration\) \(Jersey\) Law 2010](#) (“the 2010 Law”)
9. Occupations which must register with a UK regulator under UK legislation must also register under this Law to ensure alignment between UK and Jersey regulatory policy. Scheduled occupations to be registered under this Law include:
- Art/music/drama therapist
 - Biomedical scientist
 - Chiropodist/podiatrist
 - Chiropractor
 - Clinical scientist
 - Dentist
 - Dental care professional
 - Dietitian
 - Hearing aid dispenser
 - Medical practitioner
 - Midwife
 - Occupational therapist
 - Operating department practitioner
 - Optician
 - Optometrist
 - Orthoptist
 - Osteopath
 - Paramedic
 - Pharmacist
 - Pharmacy technician
 - Physiotherapist
 - Psychologist

- Nurse
 - Nursing associate
 - Social worker
 - Prosthetist
 - Radiographer
 - Speech and language therapist
10. Schedule 1 to the draft Law lists scheduled occupations, protected titles, specialist titles and permitted annotations under this Law, which is amendable by Order to keep pace with the evolving regulatory landscape in the UK. In addition, a handful of additional occupations will be brought into scope of this Law as they are now regulated in the UK².
11. Professionals registered under existing registration laws will be automatically transferred to the new registration system held by the Commission when the Law comes into force³. To ensure a smooth transition, newly regulated registrants will be able to continue practising for 12 months without registration but must make an application for registration in that period. The Commission will have discretion to set the renewal date for each professional or professional group. This will enable the Commission to stagger renewals and reduce administrative load, if necessary. When registering a professional for the first time, the Commission must provide that professional with a date on which their registration will expire and must be renewed⁴. All professional groups will be required to renew their registration annually to allow the Commission's register to be routinely cleansed and kept up to date.
12. Article 12 of the draft Law empowers the Minister to specify registration and renewal fees by Order, if necessary. The Commission already has powers to charge fees under existing legislation but does not consistently apply them. The draft Law requires these fees to be reasonable and proportionate to the administrative costs incurred by the Commission in the registration process. However, as noted above, the Minister has decided that fees will not be charged to professionals – this means that those registrants who currently pay fees will no longer be required to do so.
13. Part 8 of the draft Law also sets out a registration process through which the Commission can regulate providers of certain specialist healthcare services. These are services which are deemed to be high risk and require oversight by an independent body. This currently comprises only Yellow Fever Vaccine Centres (YFVCs), which is reflective of the UK. Other specialist healthcare services may be added in the future by Regulations to allow Jersey to keep pace with regulatory developments in the UK or to meet local challenges. The detail of the registration scheme for YFVCs will be set out in an Order, modelled on the UK process for designation of YFVCs.
14. A number of Orders will be developed to support the application of the new Law on its commencement. These Orders will reflect the existing registration requirements as far as possible and will sit neatly under this draft Law:
- i. **Draft Health and Social Care Professionals Register (Medical Practitioners) (Jersey) Order 202-** – sets out additional information relating to medical practitioners to be collected by the Commission for entry in the Register.

² This includes prosthetists/orthotists, chiropodist independent prescribers, hearing aid dispensers and nursing associates.

³ Registers of pharmacists and pharmacy technicians held by the Chief Pharmacist, and registers of opticians, dentists and dental care professionals held by the Judicial Greffe, will be transferred to the Commission in advance of the draft Law coming into force.

⁴ Under Article 42 (transitional provisions), it is expected that, when an existing professional's registration is transferred, their original registration date (from the previous regime) will be used as their official renewal date under Article 14(2)(d). This provides continuity from the previous registration regime to the new regime.

- ii. **Draft Health and Social Care Professionals (Fitness to Practise) (Jersey) Order 202-** – sets out the particulars for a fitness to practise regime relating to medical practitioners.
 - iii. **Draft Registration of Specialist Healthcare Services (Yellow Fever Vaccination) (Jersey) Order 202-** – sets out particulars for the registration of Yellow Fever Vaccination Centres.
 - iv. An additional Order setting out transitional arrangements for existing registrants moving across to the new regime.
15. Note that the draft Law applies only to regulated health and social care professionals practising in Jersey, following the general principle that Jersey legislation only applies within Jersey and its territorial waters⁵. Therefore, the Law does not apply to professionals providing regulated services to Jersey residents remotely from overseas. For example, a UK-based medical practitioner providing online consultations to Jersey patients would not be required to register with the Commission under this Law, but would be subject to the legislation of the jurisdiction in which they are based (in this case, the UK). Any extra-territorial application or jurisdiction provisions under this Law would be largely unenforceable and burdensome for both the Commission and professionals in practice. This position is supported by legal advice.

Consultation Process and Feedback

16. The principles of the draft Law were subject to a [full public consultation](#) which lasted for 12 weeks from November 2023 to February 2024. In total, 775 responses were received via the consultation survey, and 18 email responses were received by email.
17. Respondents generally agreed with the principles of draft Law and the proposed registration regime, noting that it will make the process fair and provide additional assurances to the public on healthcare professionals' suitability to practise their profession. However, respondents expressed concerns around 'double charging' fees to professionals who already pay fees to UK regulators. As noted above, this feedback has been addressed and the Minister has decided that fees will not be charged to register with the Commission.
18. The Minister considered the feedback gathered in this consultation and approved the development of law drafting instructions as part of a wider project to regulate the health and social care sector in Jersey. A targeted consultation on the final draft Law took place from 10 September 2025 to 10 October 2025.

Next Steps

19. If the draft Law is approved by the States Assembly in early 2026, it would be enacted in early 2027. This provides the policy team and the Commission with time to make the necessary developments to the Commission's online register and develop a comprehensive communications plan to ensure all registrants are aware of the changes to the registration process and are clear on their responsibilities under the new Law.

⁵ Jersey legislation only applies within the jurisdiction of Jersey unless expressly stated otherwise. Extra-territorial application/jurisdiction provisions, where they exist, are typically limited to persons with a connection to the jurisdiction in question (in this case, Jersey), such as a person who is a British national or habitually resident in Jersey. For example, the UK Online Safety Act 2023 (see [s185](#)) deals with potential extra-territorial communications offences and provides that such offences "can be committed outside the United Kingdom, but only by an individual who habitually resides in England, Wales or Northern Ireland, or by a body incorporated or constituted under the law of England, Wales or Northern Ireland" ([UK Government circular](#)).

Part 2 of the Draft Law: Registrar and Register

20. This Part provides a broad definition of the Commission's functions as Registrar in Jersey. The Commission will receive applications for registration, renewal and maintain registers of each professional group (or 'scheduled occupation') as well as sharing information with other public authorities, such as UK regulators, the police and the courts, when needed (for example, during fitness to practise investigations). As the Commission already registers most professional groups in Jersey, this process will remain largely unchanged for most registrants.

Part 3 of the Draft Law: Practise of Scheduled Occupations

21. This Part of the draft Law sets out offences relating to the practise of scheduled occupations, as well as some defences to these offences and exemptions from registration in specific circumstances.

Article 6: Offence – practising scheduled occupation if unregistered

22. Article 6 creates the offence of practising a scheduled occupation in Jersey if not registered for that occupation with the Commission⁶. A person who contravenes this Article is liable to 12 months' imprisonment or a fine. This aims to prevent individuals from purporting to be registered healthcare professionals in Jersey when they are not qualified or fit to do so, thereby mitigating potential risk to the public of malpractice.
23. Article 6(3) and 6(4) sets out some defences to the offence of practising a scheduled occupation if unregistered to do so in Jersey. A person may perform a scheduled occupation while unregistered in Jersey if:
- i. the person can prove that they were acting reasonably in an emergency (for example, a doctor providing emergency medical attention);
 - ii. or if the person performing the occupation is a student or trainee under supervision, doing an approved course or exam (which must be approved in writing by the Commission).
24. This allows flexibility in certain circumstances and reflects provisions in existing legislation, such as the [Health Care \(Registration\) \(Jersey\) Law 1995](#) and the [Dentistry \(Jersey\) Law 2015](#).

Article 7: Offence – false representations

25. Article 7 creates the offence of falsely representing to be registered for an occupation, or using titles set out in Schedule 1, when not registered to do so in Jersey or when not permitted to do so by the relevant UK regulator⁷. A person who contravenes this Article is liable to 12 months' imprisonment or to a fine.

⁶ Article 6(2) provides that if a person is found to be practising unregistered and their registration expired within the previous 28 days, the penalty will be less. This makes an allowance for natural errors when managing registration renewal.

⁷ Protected titles include the scheduled occupation itself (for example, 'medical practitioner') as well as corresponding annotations set out in Schedule 1. Annotations are sub-titles that a UK regulator may permit a professional to use to indicate that they have a specialism or expertise in a certain practice area.

Article 8: Offence – employing an unregistered person

26. Article 8 also creates the offence of employing an individual to perform a scheduled occupation if that individual is not registered to do so, with a penalty of 12 months' imprisonment or a fine on level 2 of the standard scale.

Article 9: Special purpose exemption from application

27. Article 9 provides an exemption from registration where a practitioner, who must be registered in the UK, practises a scheduled occupation in Jersey for less than 72 hours in a calendar year, and only for a special purpose. The definition of "special purpose" is provided as:
- i. **Organ transplantation:** supporting with organ transplant procedures (as defined in the [Human Transplantation and Anatomy \(Jersey\) Law 2018](#)). Transplantation must be performed quickly to preserve the quality of the organs, often requiring organs to be transported between Jersey and the UK at short notice.
 - ii. **Organised events:** certain events require healthcare professionals to travel to Jersey to provide services. For example, paramedic staff may be brought in from the UK to support a festival or other one-off event, or a specialist surgeon brought in to perform an emergency procedure where the patient cannot be flown to the UK.
28. This exemption recognises that Jersey is a small island jurisdiction that relies on collaboration with UK healthcare services to fulfil specific purposes, sometimes for very brief periods and at short notice. It aims to prevent liability for a professional acting in good faith during an urgent situation when no locally registered professional is available. For this reason, the definition of "organised events" has been kept deliberately broad. This exemption also aims to reduce administrative burden of short notice registration on these professionals, as well as the Commission.
29. The stakeholder consultation highlighted this exemption. Stakeholders broadly agreed that such an exemption was needed to prevent liability for professionals acting in urgent situations and that 72 hours within a calendar year is a reasonable timeframe, noting that such an exemption could, in theory, be exploited. Potential for exploitation is mitigated by the requirement for the professional to be registered with a UK regulatory body if they are practising in Jersey for any amount of time.
30. Similar provisions exist in current legislation. For example, Article 19 of the [Health Care \(Registration\) \(Jersey\) Law 1995](#) and Schedule 2 to the [Health and Social Care Act 2008 \(Regulated Activities\) Regulations 2014](#) in the UK provide savings from registration in urgent situations. Under Article 9(3) of the draft Law, the Minister may amend this provision by Order, if necessary to expand or restrict the particulars of this exemption in future.

Article 10: 12-month exemption period for previously unregulated occupations

31. This Article provides a further exemption from registration where, if a person was already working in an occupation that wasn't regulated before the commencement of the draft Law (or when it is added as a scheduled occupation in the future) they may keep working for 12 months from the date the occupation becomes regulated.
32. If the person applies for registration during that 12-month period, they can continue working until their application is approved (or refused) by the Commission. This exemption provides a 'grace period' to those practising previously unregulated occupations so as not

to unjustly prevent them from working in that occupation on the enactment of the draft Law.

Part 4 of the Draft Law: Registration

Article 11: Application for annual registration or renewal

33. Part 4 of the draft Law sets out information to be provided on application for registration with the Commission. The Commission may determine the manner of application, which will most likely be an online form accessible on the Commission's website.
34. Under the existing [Medical Practitioners \(Registration\) \(General Provisions\) \(Jersey\) Order 2014](#), medical practitioners are required to provide further information than other professional groups to support their application for registration. Their registration is also subject to additional conditions. These particulars will be specified in an Order to be made by the Minister on the enactment of this Law to reflect the existing 2014 Order. See **Annex 1** for a summary of the new draft Order.

Article 12: Fees

35. Article 12 provides the Minister with broad powers to charge registration and renewal fees to registrants by Order, if required. This Article requires that fees are commensurate with the costs incurred by the Commission in processing registration and renewal applications. The requirement to consult the Commission prior to making this fees Order aims to ensure that fees are proportionate to administrative costs⁸, with a focus on cost recovery rather than profit.
36. For flexibility, the Minister may set a range of fees for different professional groups, to set a different fee level for registration and renewal applications and adjust fees for inflation, where necessary. It should be noted that the current legislation carries powers to charge fees but, in practice, only medical practitioners, dental care professionals and pharmacists are required to pay fees. As noted above, the Minister has decided not to charge fees to any professionals and so these professionals will cease to pay fees when the draft Law is enacted.

Article 13: Determination of application for annual registration or renewal

37. To ensure procedural fairness, Article 13 obligates the Commission to determine if an application for registration or renewal meets the requirements for registration and to register the applicant if they meet all the requirements (or if the person was already practising the scheduled occupation before it became regulated and now is working towards the required qualifications within a time period specified by the Commission, per Article 13(5) of the draft Law).
38. If the application does not meet the requirements, the Commission must inform the applicant of reasons for this and give the applicant an opportunity to explain or rectify it within a timeframe prescribed by the Commission. If an application is refused, the Commission must serve notice on the applicant with reasons, and any fees paid must be refunded.

⁸ No fees are charged to those professionals required to register under the 1995 Law, for example, though the power exists to prescribe a fee by Order in that law under Article 5(1)(d). Other existing registration laws include powers to charge fees, but these powers are not consistently applied.

Article 14: Registration of professionals

39. Article 14(5) provides that the Commission must not register a person if new information demonstrates that they did not in fact meet the requirements when their application was accepted.
40. Article 14 sets out the information which must be recorded by the Commission for the purposes of the register⁹, which will be collected as part of the registration application or renewal form. Article 17 sets out the information to be published on the Commission's website for the public to access, which includes the professional's name, scheduled occupation, Jersey registration number, relevant UK body and UK registration number, and any conditions of registration.

Article 15: Duration of registration

41. The Commission must ensure that the registers of professionals are kept up to date as far as possible so that it remains a reliable source of information for the public. The requirement for all professionals to renew their registration annually allows the register to be cleansed on an ongoing basis. If the professional does not apply to renew and pay the fee (if applicable) before their annual renewal date, their registration will automatically lapse.

Article 16: Conditions of registration

42. Article 16 in this Part sets out a number of general conditions with which registrants must comply to be registered in Jersey. This includes following any conditions, interim conditions or undertakings placed on their UK registration.
43. The draft Law obligates the registrant to notify the Commission within 7 days if a condition is attached to their UK registration, or if their UK registration is suspended or cancelled. This allows the Commission to reflect decisions of the UK regulator in the Jersey register in a timely manner, ensuring sufficient oversight and accuracy of the Commission's register. The registrant must also notify the Commission within 28 days if they change their name (with proof), their postal address or email address to ensure the Commission has the correct contact details for its registrants. They must also inform the Commission within 28 days of changes to their employer so that the local register can be kept as up to date as possible.
44. Article 16(1)(e) empowers the Minister to specify, by Order, additional conditions relating to registration if necessary. Article 16(2) also empowers the Commission to impose additional conditions relating to a professional's registration or registration renewal, and to vary those conditions¹⁰. Discretionary conditions made by the Commission will largely relate to:
 - i. administrative matters (for example, providing the Commission with documentation or additional information it may require); and

⁹ The application must include contact details (name, postal address and email address); the entity for which the professional intends to provide services in Jersey, or whether they intend to be self-employed; and a signed declaration that all the information is true and complete and the application or renewal fee, if applicable. The Commission must record these details for entry in the Jersey register, as well as the applicant's Jersey registration number; UK regulatory body and UK registration number (if not confidential); any conditions of registration, and any additional information that the Commission may require.

¹⁰ The Commission must notify the registrant of the condition, the reason, and when it starts and ends. The registrant has 14 days to respond in writing, after which the Commission must then decide whether to keep, change, or remove the condition and inform the registrant of their right to appeal under Article 25 of this Law.

- ii. where an existing profession becomes newly regulated, the Commission may register a professional on the condition that they obtain a necessary qualification within a time period prescribed by the Commission (Article 13).
45. Conditions relating to professional's practice will be decided by the relevant UK regulatory body and reflected on the Jersey register. The registrant has a right of appeal against decisions made by the Commission under Article 25. Any appeals against decisions to suspend or cancel registration (for example, based on fitness to practise concerns) should be taken up with the relevant UK regulator, as the Commission will no longer have unilateral powers to make such decisions.
46. An exception to this is if the Commission obtains evidence that the registrant's Jersey registration was obtained fraudulently, for example by providing a false identity or fraudulent documentation in their application. In this case it must unilaterally cancel the registrant's local registration (see Article 22: Cancellation).

Article 17: Publication of details from Register

47. This Article places a duty on the Commission to publish information about registered professionals on their website for the public to access. This includes the professional's name, scheduled occupation, Jersey registration number, relevant UK body and UK registration number. As with UK regulators' online registers, any conditions of registration must also be represented. This enables the public to reliably check that any registered healthcare professional is suitably qualified to practise in Jersey and make informed decisions about engaging their services.

Article 18: Certificate of registration

48. This Article requires the Commission to issue certificates of registration and renewal to registrants, and reissue certificates if they are satisfied that the original has been lost, stolen or damaged.

Article 19: Offence – failure to comply with condition of registration

49. Under Article 19, if a registered professional does not follow a condition attached to their registration or renewal, they are committing an offence and are liable to a fine of level 3 on the standard scale.

Article 20: Offence – failure to notify employer of condition or suspension

50. Article 20 creates an offence for a registrant to fail to inform the following entities if their registration in the UK or Jersey has had conditions placed upon it, has been cancelled or has been suspended. Within 7 days of this occurring, the professional must inform:
 - i. their employer;
 - ii. the “agent” that places the professional in work (Article 20(4) defines the meaning of “agent” and “agency” with reference to the [Employment \(Jersey\) Law 2003](#) and [Control of Housing and Work \(Jersey\) Law 2012](#)); or
 - iii. any “charity” or “non-profit organisation” (defined with reference to the [Charities \(Jersey\) Law 2014](#) and [Non-Profit Organizations \(Jersey\) Law 2008](#)) for which the professional volunteers in the capacity of their scheduled occupation.

51. A person who contravenes this Article is liable to a fine of level 2 on the standard scale.

Article 21: Duty on employers of registered professionals

52. Article 21 places a duty on the entities listed in Article 20 above to inform the Commission if they know of information that contradicts the information entered in the Jersey register about a registered professional; if they know the professional has been referred to a UK regulator for something that could affect their ability to practise; if they are aware of concerns that meet the UK regulator's threshold for referral; or if they know the professional's UK registration has been suspended, cancelled, or made subject to conditions.
53. Article 20 and Article 21 facilitate effective information-sharing in the interest of protecting public safety and promoting regulatory oversight, enabling the Commission's register to be updated swiftly, concerns to be passed on to UK regulators as necessary and employers to manage risk as appropriate.

Part 5 of the Draft Law: Cancellation, Removal, Suspension and Appeal

Article 22: Cancellation

54. Under Article 22(1) and (2), a registered professional can ask the Commission in writing to cancel their registration at any time. The Commission must then remove their details from the register and the Commission's website. Under Article 22(3), the Commission must also cancel registration if the person is no longer registered in the UK for that scheduled occupation, if the Commission obtains evidence that the registration in Jersey was obtained fraudulently, or if the person broke a condition of their registration in Jersey.
55. When cancelling registration, the Commission must notify the professional, give reasons, and state the effective date of cancellation, as well as inform them of their right to appeal under Article 25. The professional has 14 days to respond to a notification of cancellation in writing. If cancellation is confirmed, the Commission must notify the relevant entities listed under Article 20, if applicable, as well as anyone who provided the information that led to cancellation and remove the professional's details from the register on the Commission's website.

Article 23: Suspension

56. Article 23 sets out similar provisions to the above for suspensions. If a professional's UK registration is suspended, the Commission must also suspend their Jersey registration. The suspension in Jersey must match the terms of the UK suspension.

Article 24: Removal of name from register if ceased to practise or on death

57. Article 24 provides that, if the Commission believes a professional has stopped practising in Jersey, the Commission may write to ask if the person wishes to stay on the register. The Commission must remove the person's name if they receive no reply within 6 months, or if the letter is returned undelivered.
58. The Commission can also remove a name if they have evidence the person has died. This is important to ensure that the register's information is kept as up to date as possible. To allow for errors, under Article 24(4), the person can apply to be restored to the register if removed. The Commission can restore the person to the register and may charge a restoration fee, if specified by the Minister by Order.

Article 25: Appeals against decisions of the Registrar

59. Article 25 provides the professional with the right to appeal to the Royal Court against decisions made by the Commission. These are decisions where:
- i. the Commission sets or varies a time period for the professional to meet qualification requirements (Article 16) as part of a mandatory condition of registration;
 - ii. the Commission imposes or varies an additional condition on registration under Article 16(2);
 - iii. the Commission unilaterally cancels a professional's registration in Jersey because it was obtained fraudulently (Article 22); or
 - iv. the registrant failed to comply with a condition of registration (Article 22(3)(c)).
60. Appeals must be lodged within 28 days of receiving the Commission's final decision, though the Royal Court may extend this deadline. The Royal Court can choose to dismiss the appeal or allow the appeal and cancel the Commission's decision. It may also replace the Commission's decision with an alternative decision, send the matter back to the Commission with instructions or issue further orders, including those related to costs.

Part 6 of the Draft Law: Registration in an Urgent Health Situation

61. Part 6 of the draft Law contains provisions which apply in the event of an urgent health situation, defined in this Law as 'an event or situation which has occurred, or is about to occur (whether inside or outside Jersey), that threatens serious damage to human welfare in Jersey and that serious damage involves, causes or may cause loss of human life or human illness or injury'. This definition is largely drawn from the UK's [Civil Contingencies Act 2004](#).
62. These provisions have been developed in the context of the COVID-19 pandemic, where retired medical practitioners were brought back into the workforce to assist with the pandemic response. In order to act swiftly to protect human life, these professionals were temporarily included with those who could register to practise. This Part of the draft Law has been developed to account for potential urgent health situations in future.
63. This Part draws on regimes that already exist in the United Kingdom, as a robust legislative framework for dealing with an urgent health situation is currently lacking in Jersey. This Part creates bespoke provisions that empower the Commission to temporarily relax the registration requirements to facilitate an emergency response¹¹.

Article 26: Urgent Health Situation Order

64. Article 26 gives the Minister for Health and Social Services powers to make an Urgent Health Situation Order if there is a threat to human welfare that involves loss of life or human illness or injury (such as an infectious disease, contaminant, or serious event) and the Minister considers it necessary to empower the Commission to act to help protect against that threat.

¹¹ The provisions in this Part have been informed by the [Final Report of the Independent Commission on UK Public Health Emergency Powers published in May 2024](#) (p52-59); [Part 2A of the Public Health \(Control of Disease\) Act 1984](#) and the [Coronavirus Act 2020](#) which introduces the concept of temporary professional registrations in an urgent health situation.

65. As a fetter on the Minister's discretion to make an Urgent Health Situation Order, Article 26(2) requires the Minister to consult the Medical Officer of Health and the Commission prior to making the Order to confirm that the conditions for issuing the Order (see definition in paragraph 59) are met. The Order must specify the scheduled occupations it applies to, state whether it authorises the Commission to use powers under Article 27 or Article 28 (or both) and include an expiry date, no more than 2 months from the Order's start date¹².

Article 27: Temporary registration in an urgent health situation

66. Article 27 empowers the Commission to temporarily register a registrable healthcare professional if an Urgent Health Situation Order (under Article 26) is in force and if the Commission believes the emergency registration requirement is met. This requirement is that the Commission considers the individual to be fit, proper, and suitably experienced to perform the scheduled occupation in the context of the urgent health situation¹³.
67. These temporary registrations can be subject to conditions, which the Commission may change or revoke at any time, especially if fitness to practise is in doubt.
68. Registration automatically ends when the Urgent Health Situation Order expires. The Commission can revoke registration at any time, especially if there are concerns about fitness to practise.

Article 28: Temporary annotations

69. Article 28 provides the Commission with powers to temporarily annotate the professional register during an urgent health situation declared under Article 26. The Commission may annotate the register to provide assurances to the public that a professional is fit, proper, and suitably experienced to order specific drugs, medicines, or appliances in a defined capacity.
70. Annotations automatically expire when the Urgent Health Situation Order ends. The Commission may remove annotations earlier for any reason, particularly if there are concerns about fitness to practise.

Part 7 of the Draft Law: Fitness to Practise Evaluation

71. This Part of the draft Law sets out provisions for the management of fitness to practise for medical practitioners (doctors) specifically. Under existing Jersey and UK legislation, medical practitioners are subject to a distinct fitness to practise regime which does not apply to other professional groups.

Article 29: Fitness to practise

72. Article 29 replicates Article 10(c) of the existing [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#). Under this Article, the Minister may create an Order to establish a regime for evaluating fitness to practise of medical practitioners and delegate responsibility for carrying out these evaluations to the "Responsible Officer". This regime supports

¹² The Order expires on the stated date (or immediately if repealed earlier) but the actions taken under the Order while it was in force remain valid even after it ends. The Minister must repeal the Order if the original conditions no longer apply.

¹³ Note that fitness to practise rules for medical practitioners (see Part 7 of the new Law: 'Fitness to Practise Evaluation') do not apply to these temporary registrations. If a professional breaches a condition of their registration under this Article, their actions are treated as if done by an unregistered person.

medical practitioners' continued registration across different jurisdictions, such as Jersey and the UK. In practice, this Order will emulate the current [Medical Practitioners \(Registration\) \(Responsible Officers\) \(Jersey\) Order 2014](#) but will now apply under the draft Law¹⁴. The content of this new Order is summarised in **Annex 1**.

73. Responsible Officers are registered medical practitioners appointed to oversee the revalidation (management of fitness to practise) and annual appraisal of doctors. They also oversee compliance with professional standards and make recommendations to the General Medical Council about a doctor's fitness to practise. The Responsible Officers regime in Jersey, set out in the 2014 Order and to be replicated in the new Order, is reflective of its counterpart regime in the UK.
74. Article 29(3)(b) provides for the appointment of a Responsible Officer to direct the arrangements for fitness to practise evaluations of registered medical practitioners. These roles are currently undertaken by senior doctors in Health and Care Jersey. Under the 2014 Order, medical practitioners are separated into distinct classes¹⁵ and the Responsible Officer oversees the fitness to practise of their designated class.
75. Article 29 provides for effective information-sharing between the Commission and the relevant Responsible Officer. This assists in effective fitness to practise investigations by the Responsible Officer, who may recommend revalidation deferral or referral to the General Medical Council.
76. Article 29(4) creates the offence of obstructing or refusing cooperation with the Responsible Officer when required by the powers of the Order¹⁶. A person who contravenes this Article is liable to a fine on level 3 of the standard scale. A defence for this is provided in Article 29(6), where a person is not guilty of an offence if the person refuses to answer a question or produce a document that the person could not be compelled to supply or produce in civil proceedings before the Royal Court.

Part 8 of the Draft Law: Regulation of Provision of Specialist Healthcare Services

77. Under this Part of the draft Law, certain specialist healthcare services will be required to register with the Commission. Specialist healthcare services are services which are deemed to be high risk and require oversight by an independent body. This Part empowers the Commission to register providers of specialist healthcare services and creates an offence to provide such a service without being registered, with a penalty of 12 months' imprisonment or a fine. The particulars of registering each specialist healthcare service are to be set out in corresponding Orders for each service.
78. The list of specialist healthcare services comprises solely of Yellow Fever Vaccination Centres (YFVCs). This reflects the position in the UK, where the provision of yellow fever vaccines is regulated due to international legal obligations, as the yellow fever vaccine carries a small, but significant, risk of adverse reactions. Under the International Health Regulations (IHR 2005), a yellow fever vaccination can only be administered at officially

¹⁴ To act as a fetter on the Minister's discretion on the particulars of this regime, Article 29(2) requires the Minister to consult with relevant bodies that represent the class of registered professionals to which the Order applies before the Order is made.

¹⁵ Responsible Officers (ROs) are assigned based on five practitioner classes: Responsible Officers Class, States Employees Class, Performers Class (for GPs on the Performers List), Independent Practitioners Class (for doctors not in other categories) and UK Connected Practitioners Class (for doctors with a UK Responsible Officer).

¹⁶ A defence for this is provided in Article 29(6), where a person is not guilty of an offence if the person refuses to answer a question or produce a document that the person could not be compelled to supply or produce in civil proceedings before the Royal Court.

designated centres in the UK (usually GP clinics) to ensure they are done so safely¹⁷. These designated centres issue valid certificates of vaccination which are required for travel to some countries.

79. Currently, the National Travel Health Network and Centre (NaTHNaC) in the UK maintains a [register](#) of Jersey-based YFVCs. This responsibility will be transferred to the Commission under the draft Law. The provisions under this Part of the draft Law, and the corresponding Order, have been drawn from existing UK legislation.

Article 30: Meaning of “specialist healthcare service”

80. The draft Law will, for the time being, apply to Yellow Fever Vaccine Centres (YFVCs) only. Other specialist healthcare services can be added in the future by Regulations under Article 30(3) to enable the Law to keep up to date with relevant regulatory developments in the UK or to meet local challenges. The detail of the registration regime for YFVCs will be set out in an Order, modelled on the UK process for designation of YFVCs, and is summarised at **Annex 1**.

Article 31: Restriction on providing a specialist healthcare service and offences

81. Article 31 creates the offence of providing a specialist healthcare service (currently only YFVCs) in Jersey without being registered with the Commission, or to falsely claim to be a registered provider of that service. A person who contravenes this Article is liable to 12 months’ imprisonment or a fine. Only those registered under this Part, or acting on behalf of someone who is (for example, a nurse who administers the vaccine on behalf of a registered clinic) may provide a specialist healthcare service. This is to ensure services which are deemed higher risk are delivered safely in Jersey.
82. The definition of ‘provider’ of a specialist healthcare service in the draft Law is kept deliberately broad to encompass specialist services which may be brought into scope of this Law in the future. Under Article 32, the Minister may, by Order, specify who may apply to be a “specialist healthcare service provider”, as this may differ between the particular specialist healthcare services being provided. For example, a “provider” may, in practice, refer to a sole practitioner performing that service or a private clinic or hospital department, where the specialist healthcare service is provided by multiple professionals working within that practice.

Article 32: Registration as a provider of a specialist healthcare service

83. Under Article 32, the Minister may, by Order, specify the application and registration process, including the manner of the application and, if applicable, fees. Article 32(4) requires the Minister to consult the Commission if the Order specifies a fee.
84. Under Article 32(3), this Order may allow the Commission discretion to suspend, cancel or attach conditions to a provider’s registration to protect public safety. The Commission will have unilateral decision-making powers in the registration of specialist healthcare services as it will act as the primary Registrar in Jersey in this case (unlike professional registration, where UK registration takes primacy). Article 32(5) requires such an Order to include a right of appeal against these decisions made by the Commission.

¹⁷ The UK Health Security Agency (UKHSA) and other regulatory bodies such as the Care Quality Commission and General Medical Council oversee the designation and operation of YFVCs in the UK to maintain high standards of practice.

Article 33: Registrar to determine requirements for registration as a specialist healthcare service

85. Article 33 requires the Commission to determine requirements for registration of specialist healthcare services¹⁸. Under this Law, the Commission may set different requirements in relation to different specialist healthcare services. However, the Commission must consult with the Minister on training-related standards to ensure these standards are appropriate and proportionate. Under Article 33(7), the registered provider has a duty to comply with registration requirements published by the Commission.

Article 34: Register of providers of specialist healthcare services

86. Article 34 places a duty on the Commission to maintain an up-to-date register of specialist healthcare service providers to ensure sufficient regulatory oversight. The Minister may, by Order, specify the information that is required for entry into the register for specialist healthcare services, and separately, the information that must be published on the Commission's online register for the public to access.

Article 35: Inspection of premises

87. Article 35 gives the Commission powers to inspect premises in which a specialist healthcare service is provided to determine whether the provider of that service continues to meet the requirements for registration. In practice, this may involve the Commission inspecting a clinic which provides yellow fever vaccinations to ensure that it is sufficiently clean, safe and that equipment is being handled correctly.
88. Under Article 35(2), there is a power given to the Commission, or a person authorised to act on its behalf, to inspect premises. Under Article 35(3), any authorised person must provide evidence of their authority to inspect if asked to do so by the occupier of the premises. The authorised person may enter premises at reasonable times to inspect facilities, documents, and equipment used for the purposes of the specialist healthcare service.
89. The authorised person may request the production of documents, take photographs and recordings, and remove documents or items from the premises for the purposes of verifying that the registration requirements are met. However, to safeguard sensitive and personal data, the authorised person may not remove, take copies or photos of patient records without consent or court order for those records.

Part 9 of the Draft Law: Information-Sharing Powers

90. This Part of the draft Law provides the Commission with broad powers to share the information it holds in relation to registered professionals with relevant parties in any jurisdiction for the purpose of exercising their functions, if the information is relevant and proportionate to the reason for which it is shared.

Article 36: Information sharing

91. This Article establishes that any person may disclose information to the Commission if it assists the Commission in carrying out its legal duties under this Law. Article 36(3)

¹⁸ These requirements may include professional qualifications and training; standards for premises and information to be provided to the Commission prior to registration. Requirements may reference existing standards from Jersey and other jurisdictions to ensure the requirements are appropriate and proportionate.

provides that the Commission may share information with a relevant body if it is necessary for the Commission's functions. Relevant parties include regulatory bodies, an individual's prospective and/or current employer, and law enforcement agencies. For example, the Commission may share information relating to a registered professional's registration or a fitness to practise concern with a UK regulator, who may then pass on this information to the UK or Jersey police force (with the Commission's consent) if necessary and proportionate to do so¹⁹.

Article 37: Information notices

92. Article 37 empowers the Commission to request information it requires to carry out its functions under this Law by serving an "information notice". The Commission may serve an information notice on any person requesting information relating to registration. Under Article 37(2), the notice must clearly describe the information required, explain why the information is needed and specify how and when the information must be provided. To safeguard personal data, the Commission cannot require patient records unless the patient gives written consent, or the Royal Court issues an order for these records to be obtained. Under Article 37(9), the Commission may withdraw an information notice at any time by giving written notice.
93. Under Article 37(8), if a person does not comply with the requirements of an information notice without reasonable cause, they commit an offence and are liable to a fine on level 3 of the standard scale. This helps to ensure cooperation with the Commission so that it can carry out its functions as Registrar effectively.

Article 38: Offence – false or misleading information

94. Article 38 creates the offence of deliberately supplying the Commission with false or misleading information in relation to this Law. A person who commits this offence is liable to 12 months' imprisonment or a fine.

Article 39: Offence – obstructing the Registrar or appointed person

95. Article 39 also creates the offence of obstructing the Commission, or a person appointed by the Commission, in the exercise of their duties and powers under this Part of the draft Law, with a penalty of a fine of level 3 on the standard scale.

Part 10 of the Draft Law: Miscellaneous and final

96. This Part concludes the substantive body of the draft Law. When the draft Law is enacted, Article 40 empowers the States to amend the Law (excluding Article 40 itself) by Regulations. These amendments can be either alternative or supplementary, as deemed appropriate by the States. This Article does not restrict any other existing powers that allow the law to be amended by Regulations or Orders.

¹⁹ For consistency across other legislation, Article 36(2) provides that information obtained by the Commission under this Law can also be used in their role as the Health and Social Care Commission under the [Regulation of Care \(Jersey\) Law 2014](#).

Article 41: Repeals

97. Article 41 makes reference to laws to be repealed and replaced by the new Law. This includes repealing the following existing registration legislation so that it may be replaced by this consolidated framework Law:
- i. [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#) (“the 1960 Law”)
 - ii. [Health Care \(Registration\) \(Jersey\) Law 1995](#) (“the 1995 Law”)
 - iii. [Dentistry \(Jersey\) Law 2015](#) (“the 2015 Law”)
 - iv. [Opticians \(Registration\) \(Jersey\) Law 1962](#) (“the 1962 Law”)
 - v. [Pharmacists and Pharmacy Technicians \(Registration\) \(Jersey\) Law 2010](#) (“the 2010 Law”)
98. The following Orders are to be repealed:
- i. [Health Care \(Registration\) \(Prescribed Qualifications\) \(Jersey\) Order 2003](#)
 - ii. [Injury or Disease of the Eye \(Jersey\) Order 1963](#)
 - iii. [Pharmacists and Pharmacy Technicians \(Registration\) \(General Provisions\) \(Jersey\) Order 2010](#)
 - iv. [Medical Practitioners \(Registration\) \(Responsible Officers\) \(Jersey\) Order 2014](#)
 - v. [Medical Practitioners \(Registration\) \(General Provisions\) \(Jersey\) Order 2014](#)
99. Their content has either been replicated in new Orders (see **Annex 1**) under this framework Law, or has been incorporated into the main body of this Law.

Article 42: Transitional provisions

100. Under this Article, the Minister may specify transitional provisions for scheduled occupations currently registered under the existing registration laws, which will be repealed and replaced by this draft Law.
101. Existing registrants will be automatically transferred to the new registration system when the Law comes into force. Newly regulated registrants will be able to continue practising for 12 months without registration but must make an application for registration in that period. When a professional's registration is transferred, their original registration date (from the previous regime) will be used as their official renewal date under Article 14(2)(d) to provide continuity from the previous registration regime to the new regime.
102. If a transferred registration is suspended or has a condition placed on it, it is considered as if imposed under Article 16(2) of the draft Law. It is carried over to the new registration regime and rights to notification and review of the suspension under Article 23(3) to (7) do not apply.
103. For professionals whose registration was automatically transferred from the old regime, the Commission is not required to issue a new certificate of registration. This is to reduce administrative burden on the Commission the commencement of the new Law. A certificate will instead be issued at the point of first renewal.

Article 44: Citation and commencement

104. Article 44 provides that the new Law would come into force on a day to be specified by the Minister by Order.

Schedule 1 to the Draft Law: Scheduled Occupations, Qualification Requirements, Relevant UK Regulatory Bodies and Protected Titles/Specialist Titles/Permitted Annotations

105. Schedule 1 sets out, in simple table form, the complete list of scheduled occupations to be registered under the draft Law. This list reflects the regulatory policy position in the UK as of the date the Law comes into force²⁰.
106. The table also includes information on qualification requirements, relevant UK regulatory bodies, protected titles (including specialist titles and permitted annotations) which correspond to each scheduled occupation²¹.
107. The ‘interpretation’ section of this Schedule provides definitions of terms in the schedule, including definitions of some scheduled occupations, where provided for in existing legislation.

Schedule 2 to the Draft Law: Consequential Amendments

108. Schedule 2 references consequential amendments to be made as a result of this Law coming into force, largely relating to changes in the definition of ‘healthcare professional’ created by Schedule 1 to the draft Law.

Financial and staffing implications

109. The Minister for Health and Social Services has decided that HCJ should fund the marginal costs of the new registration system resulting from the new Law, and that no fees should be charged to professionals. In keeping with the policy principles of the new Law, this is a fair approach across the professional groups which is intended to remove pressure from individuals and employers (who may be expected to cover employees’ fees, if charged) and satisfy unions, who have spoken against the charging of additional registration fees to its members (including those who already pay fees, such as medical practitioners).
110. The Commission has estimated that the marginal costs of the new system will amount to **£72,000** annually from 2027. These marginal costs account for additional admin time required by existing Commission staff members to process approximately 1,000 additional registrations and renewals annually, enquiry handling, as well as proportional overheads. This also includes replacement of existing fee income generated by fees currently charged by the Commission to professionals (£165 per initial registration for medical practitioners, £60 per initial registration and annual renewal for dental care professionals), estimated to be £53,000 annually.
111. The Commission has also estimated that there will be one-off set up costs of **£85,000** in 2026. This includes external IT project management consultancy to ensure the Commission’s contracted IT provider delivers what is required to the scope and standards agreed, and to navigate the various necessary Digital Services processes (though there is a possibility that this project management support could be provided in-house by Digital Services). These one-off costs also include developments to the Commission’s online system to accommodate new professional groups and expanded data collection;

²⁰ Note that psychotherapists are currently required to register with the Commission in Jersey but are unregulated in the UK (i.e. they are not legally required to register with a UK statutory regulator). The reason for the disparity between Jersey and UK policy in this respect is unknown. To ensure alignment with the UK, psychotherapists will no longer be required to register with the Commission on commencement of the draft Law.

²¹ Annotations denote particular specialisms within a scheduled occupation but are not always represented in public UK registers. Under Article 7 of the draft Law, a person must be permitted to use an annotation by the relevant UK regulator or they may be committing an offence.

implementation of comms strategy to ensure that registrants are made aware of the changes resulting from the new Law and to raise awareness of the Commission's register publicly; as well as additional admin time ringfenced to support registrants with enquiries relating to registration and the online application system. It is anticipated that one-off costs will be provided by reprioritising spending within the Cabinet Office budget.

112. The cost assumptions provided by the Commission are based on previous work undertaken and will be considered in more detail in 2026.

Children's Rights Impact Assessment

113. A Children's Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.

Human Rights

114. The notes on the human rights aspects of the draft Law in the **Appendix** have been prepared by the Law Officers' Department and are included for the information of States Members. They are not, and should not be taken as, legal advice.

Re-issue Note

This proposition has been re-issued to revise the text in paragraphs 66 to 70 (page 14) in the report.

APPENDIX TO REPORT

**Human Rights Notes on the draft Health and Social Care Professionals Register
(Jersey) Law 202-**

These Notes have been prepared in respect of the draft Health and Social Care Professionals Register (Jersey) Law 202- (the “**draft Law**”) by the Law Officers’ Department. They summarise the principal human rights issues arising from the contents of the draft Law and explain why, in the Law Officers’ opinion, the draft Law is compatible with the European Convention on Human Rights (the “**ECHR**”).

These notes are included for the information of States Members. They are not, and should not be taken as, legal advice.

The draft Law, if adopted, would provide for the registration of health and social care professionals on the Jersey Health and Social Care Professionals Register (the “**Register**”), and for the registration of specialist health care services (as defined in the draft Law). The Register will be established by the draft Law, with the Registrar being the existing Health and Social Care Commission, which was established by the Regulation of Care (Jersey) Law 2014. The draft Law includes transfer provisions for required registrations presently in force under various existing legislation, as well as the repeal of that existing legislation governing existing registrations. In addition, the draft Law extends the occupations required to be registered.

The draft Law provides for a system of secondary registration, whereby eligibility to be registered in Jersey, and therefore practise in Jersey, is dependent on ones registration/status in the UK. Consistent with this approach, the draft Law imposes only limited discretions on the (Jersey) Registrar.

The draft Law engages certain articles of the ECHR and an outline analysis of each right as it is engaged by the draft Law is provided below. The draft Law is compatible with the Convention, and any potential interferences can be justified.

Article 6 ECHR: The right to a fair trial

Article 6 of the ECHR concerns the right to a fair trial, with Article 6(1) providing, *inter alia*:

“In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.”

In the civil context, the guarantees afforded by Article 6 ECHR will only be relevant to the extent that an act or a decision is determinative of a “civil right” or “obligation”.

Article 6 of the draft Law requires that a person must not practice a scheduled occupation without being registered, and contains provisions that require the Registrar to make decisions affecting a person’s ability to work or carry on a business.

In particular, Article 13 of the draft Law provides for the determination by the Registrar of applications for annual registration or renewal, Article 16 gives the Registrar powers to impose and vary conditions on a person’s registration, and Articles 22 and 23 give the Registrar powers to cancel or suspend a person’s registration. Article 29 provides that the Minister may also make arrangements, by Order, for the evaluation of the fitness to practise of registered medical practitioners.

The right to engage in a business is a civil right. Where a person fulfils the requirements to practice a scheduled occupation, they have a right to be admitted to practise that occupation. Given that the draft Law gives effect to a scheme of secondary registration, the discretion of the Registrar in making determinations under the Law is relatively limited. Nonetheless, it falls to the Registrar to make various determination under the Law which affect a person's registration status, and therefore their right to practise their profession.

The Registrar's decision-making processes in respect of registration (etc) would not afford the full procedural guarantees required by Article 6(1) of the ECHR of an independent and impartial tribunal. Independence for the purposes of Article 6(1) of the ECHR means independent of the executive and of the legislature. Article 6(1) also requires a public hearing. In view of those requirements, the determination of "civil rights" by the Registrar would not of itself be Article 6(1) ECHR compatible. In this regard it is noted that the Chairman of Health and Social Care Commission (which body is, as noted above, the Registrar under the draft Law) is appointed by the Minister for the Environment, and that Minister appoints Commissioners following their nomination by the Chairman.

It would, however, be compatible with Article 6(1) ECHR for the Registrar to make determinations as to "civil rights" under the draft Law if those decisions are "subject to subsequent control by a judicial body that has full jurisdiction and does provide the guarantees of Article 6(1)", which "has the ability to quash the impugned decision or to remit the case for a new decision by an impartial body".

Article 25 of the draft Law provides for appeals from specified decisions of the Registrar made under Articles 16 and 22, to the Royal Court, which is an Article 6 compliant body, and it follows that the appeals process under the draft Law regarding those decisions prescribed in Article 25 is compatible with Article 6(1) of the ECHR. As noted above, the draft Law affords the Registrar discretion in only limited decision-making circumstances.

Other decisions of the Registrar, including in particular those pursuant to Articles 13 (determination of application for annual registration or renewal) and 23 (suspension) of the draft Law, are not subject to the right of appeal to the Royal Court at Article 25. However, decisions of the Registrar under those articles would be amenable to judicial review.

To the extent that the draft Law provides for the making of decisions that are not subject to the express right of appeal, the local judgment of *J v His Excellency the Lieutenant Governor of Jersey* whilst dealing with the appropriateness of judicial review as the challenge mechanism for immigration decisions, can be applied more generally to the appropriateness of judicial review where the subject matter of the judicial review is of civil rights. This judgment notes that the ambit of judicial review, when required, will be enlarged to be compliant with the right to a fair trial. This will not be, and does not need to be, a full merits review. The facts of the dispute need only be reviewed to the extent required to comply with Article 6 of the ECHR. In his judgment, the then Bailiff noted:

*“There is no right of appeal against the decision of the Lieutenant Governor and judicial review is therefore the only basis upon which the Applicant can have the decision examined by an independent tribunal. That being so, although it is a question of judicial review, the ambit of the examination is wider because the Human Rights (Jersey) Law 2000 requires that a decision affecting the human rights of the Applicant must ultimately be taken by a human rights compliant tribunal. See also *De Gouveia v Lieutenant Governor and Minister for Home Affairs* [2012] (1) JLR 291 at paragraph 23. The Court on judicial review, as it were, fills the gap which otherwise exists from having no human rights compliant tribunal to which the Applicant can appeal from the Respondent's decision.”*

It follows that the judicial review mechanism, in the context of any other decisions of the Registrar that may amount to a determination of a person's civil rights and for which no specific right of appeal is provided in the draft Law, would be sufficiently flexible for Article 6(1) compliance.

In addition, the draft Law provides that an appeal must be brought within the period of 28 days after the day on which the notice of the Registrar's final decision is served on the individual under Article 16(6) or Article 22(5). Limiting the period within which an appeal can be brought in this manner is, in principle, compatible with Article 6(1) ECHR, but any limitation period must pursue a legitimate aim and be proportionate. It is common to include a 28-day time limit in respect of appeals of this nature, which pursues the legitimate aim of ensuring challenges to administrative decisions are dealt with expeditiously and efficiently, with this time limit being proportionate to that legitimate aim.

For these reasons the draft Law is compatible with Article 6(1) of the ECHR.

Article 6(2) – the presumption of innocence

Article 6(2) of the Convention provides that:

“Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.”

Article 6(2) of the Convention is potentially engaged by various Articles of the draft Law which create criminal offences for breaches of those Articles.

However, Articles 6(3) and (4) of the draft Law provide defences to the offence under that Article of practising a scheduled occupation without registration:

- “(3) A person does not commit the offence under paragraph (1) if they prove they were acting reasonably in an emergency.*
- (4) A person does not commit the offence under paragraph (1) if they prove they are undertaking, under the supervision of an appropriate practitioner, a course of training or examination specified by the Minister by Order or other course of training or examination that is approved in writing by the Registrar.”*

The above defences are based around a reverse burden of proof, i.e. in order to establish the defence, the responsibility would be on the defendant in each case to prove that particular circumstances apply, e.g. that they were acting reasonably in an emergency.

Article 6(2) of the Convention does not prohibit statutory provisions which transfer the burden of proof to the accused to establish the defence, provided the overall burden of establishing guilt remains with the prosecution. In addition, any rule shifting the burden of proof must be confined within “reasonable limits which take into account the importance of what is at stake and maintain the rights of the defence”. When determining this issue, the question is whether the burden imposed on the accused relates to something which is likely to be within his knowledge or to which he has ready access. In the case of the defences set out above, the burden falls reasonably on the accused because the information relevant to the defence would be known to the accused rather than the prosecutor, e.g. what the emergency was, or what training was being undertaken. It follows that there is no incompatibility with the ECHR arising from the offences in the above Article.

Article 8 of the Convention: the right to respect for private and family life

Article 8 of the Convention provides that:

- “1. *Everyone has the right to respect for his private and family life, his home and his correspondence.*
2. *There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”*

Article 35 of the draft Law makes provision for the entry to and inspection of premises on which a specialist healthcare service (as defined) is provided, by the Registrar or a person authorised by the Registrar, for the purpose of determining whether the provider of that service continues to meet the requirements for registration as a specialist healthcare provider. The Article 8 ECHR right to respect for the home applies to private dwellings and has also been held to extend to business premises, and may be engaged by the exercise of the powers at Article 35 of the draft Law.

Article 8 of the ECHR would also be engaged by the requirement to provide to the Registrar certain documents, information and records when required to do so by written notice (Article 37) as well as by the power to inspect, remove or take copies of documents or other records (Article 35). In addition, the Registrar has powers and duties of disclosure to specified bodies (Article 36). Information held by “agents of the State” about a person’s life has been held to fall within the scope of “private life” for the purposes of Article 8(1) of the ECHR.

An interference with the Article 8(1) ECHR right would need to be justified under Article 8(2) of the Convention, meaning it must be: (a) in accordance with the law; (b) in pursuit of one of the legitimate aims set out in Article 8(2); and (c) necessary in a democratic society. Necessity requires the identification of a pressing social need and the existence of “relevant and sufficient” reasons to justify the interference at issue. A measure will only be proportionate to the legitimate aim if supported by sufficiently persuasive reasons.

An interference caused by the foregoing powers in the draft Law would be deemed “in accordance with the law”; those powers will have a basis in domestic law and can be viewed as sufficiently precise and accessible, therefore being foreseeable.

The general rationale for any such interference is to ensure that the Registrar is better able to regulate the registration of those who carry on a scheduled occupation in Jersey, and of those who provide a specialist healthcare service (for the purposes of the power of entry and inspection under Article 35), as well as to ensure that such professionals continue to meet the requirements for registration. This corresponds to the “protection of health” objective in Article 8(2) ECHR.

The rationale for the ability, and in some instances, the duty, to share information in Article 36 is, predominantly, to permit the Registrar to disclose information to assist a “relevant body” as defined in that Article, to carry out the Registrar’s functions in complying with the law. It follows that the rationale for Article 36 may be categorised within the “prevention of disorder or crime” qualification in Article 8(2) of the ECHR as well as the “protection of health”.

The rationale for the power to require information under article 37 is to ensure that the Registrar has all the information it reasonably requires to fulfil its functions under the draft Law, which is predominantly to ensure that those carrying on a scheduled occupation are sufficiently qualified and continue to be sufficiently qualified to carry on a scheduled occupation. Again, this corresponds to the “protection of health” objective in Article 8(2) of the ECHR.

As noted above, “necessary in a democratic society” requires there to be a pressing social need for the interference in question and that the interference is proportionate to the legitimate aim. The powers of entry and inspection under Article 35, the power to issue information notices under Article 37 and the power to share information under Article 36 are “necessary” for ensuring

compliance with the draft Law and the wider aim of protection of health. Further, it is a “pressing social need” and “legitimate aim” that those carrying on scheduled occupations be appropriately qualified and registered so that they may be regulated and that, once registered, they continue to meet the requirements for registration. In pursuance of such legitimate aims, to the extent there would be an interference with the Article 8 ECHR right it would in principle be proportionate.

An important aspect in determining what is “necessary in a democratic society” is the identification of procedural safeguards which mitigate the exercise of powers interfering with the Article 8(1) right. Safeguards ensure that a state remains within its margin of appreciation in fixing the applicable regulatory framework. The European Court of Human Rights has enunciated a list of safeguards which provide adequate protection against abuse of the Article 8 right, one of which is the requirement for the law to contain explicit and detailed provisions about how the powers interfering with Article 8 ECHR should be exercised.

In the draft Law, the purpose of the Article 35 power is stated as being for ensuring that the providers of specialist healthcare services continue to meet the requirements for registration. Similarly, the purpose of the disclosure provisions is to assist specified bodies in carrying out their functions, and the purpose of information notices is to enable the Registrar to carry out its functions under the draft Law. Linking and therefore restricting the powers to such specific purposes should restrict any unnecessary exercise of the powers, and in exercising any such powers, a public authority must do so in a way that is human rights compliant.

The requirement for the Registrar to publish specified limited details for each registered professional on its website (Article 17), is a proportionate means of ensuring that members of the public may verify the status of a given professional, in furtherance of the wider objectives including the protection of health, and accordingly is compatible with Article 8 of the ECHR.

Article 1 of the First Protocol (“A1P1”): Protection of property

A1P1 provides –

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except as provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.”

The economic benefit deriving from a registration, and other forms of regulatory approval, to carry on a particular economic activity constitutes a “possession” for the purposes of A1P1, meaning that there is potential for A1P1 to be engaged to the extent that an economic benefit derives from the registration required by the draft Law to exercise a scheduled occupation or provide a specialist healthcare service.

As such, the powers in the draft Law to require registration before a person can carry out their scheduled occupation, to impose conditions on that registration, and the powers to suspend or cancel a registration, would likely amount to an interference with the person’s peaceful enjoyment of their possessions, with that interference amounting to a “control of use” of a person’s possessions. For a measure constituting a control of use to be justified it must be in accordance with law and for “the general interest”. The measure must also be proportionate to the aim pursued.

Regarding A1P1, compliance by an entity or person with certain laws has been held to constitute a legitimate general interest objective. The power of the Registrar to refuse registration or suspend or cancel a registration where a person does not comply with the requirements of the draft Law meets such an objective when a key purpose of the draft Law is to promote protection of health.

Powers to refuse to register and suspend and cancel registration are all required to ensure that the draft Law is effective. Where property rights are concerned, states have a wide margin of appreciation in determining the existence of a general public concern and in implementing measures designed to meet it, so in providing these powers to the Registrar, which could amount to an interference with property rights, but which is required in pursuance of an identifiable public interest, the States would be afforded a degree of deference.

A further requirement for a “control of use” under A1P1 is the need for measures to be provided for by law. Again, this requires the law to be sufficiently precise and foreseeable, and the draft Law satisfies this requirement as the ability to refuse to register, and to suspend and cancel registration, will have a basis in domestic law.

Proportionality requires a balance to be struck between the means employed in furthering the general interest identified and the protection of fundamental rights. The requisite balance will not be struck if the person concerned has had to bear an “individual and excessive burden”. However, the powers constituting the interferences in pursuance of the aim of protection of health are proportionate, noting that the grounds for exercising the powers are limited. Achieving the aims via a system of secondary registration, i.e. eligibility being dependent on ones registration/status in the UK, is a proportionate means of doing so in the Jersey context.

The power to impose, by Ministerial Order, a “reasonable and proportionate” fee for annual registration or renewal (Article 12) is also compatible with A1P1.

Accordingly, the draft Law is compatible with Convention rights.

ANNEX 1 TO REPORT**Summary of Orders to Accompany the Draft Law**

1. Three Orders have been drafted in preparation for the commencement of the draft Law, setting out particulars for aspects of the registration regime introduced by the Law:
 - **Draft Health and Social Care Professionals Register (Medical Practitioners) (Jersey) Order 202-** – sets out additional information relating to medical practitioners to be collected by the Commission for entry in the Register.
 - **Draft Health and Social Care Professionals (Fitness to Practise) (Jersey) Order 202-** – sets out the particulars for a fitness to practise regime relating to medical practitioners.
 - **Draft Registration of Specialist Healthcare Services (Yellow Fever Vaccination) (Jersey) Order 202-** – sets out particulars for the registration of Yellow Fever Vaccination Centres.
2. These Orders emulate existing legislation (with the exception of the Yellow Fever Vaccination Order, as the registration of specialist healthcare services is a new regime introduced by this Law). This Annex summarises the content of each Order as currently drafted.

Draft Health and Social Care Professionals Register (Medical Practitioners) (Jersey) Order 202-

3. An Order will be developed as part of this legislation which sets out the particulars for registering medical practitioners and additional conditions of registration that medical practitioners are subject to. This Order will mirror the existing the [Medical Practitioners \(Registration\) \(General Provisions\) \(Jersey\) Order 2014](#).
4. This Order would be made by the Minister when this primary law comes into force. The content of this Order is summarised below:

Medical practitioner application particulars

5. To register or renew their registration, a medical practitioner must provide:
 - i. **Personal details:** Full name, date of birth, residential address, and phone number.
 - ii. **Qualifications:** Description of medical qualifications and awarding institution.
 - iii. **UK registration information:** GMC registration number, date first registered in the UK, next retention fee due date and next revalidation submission date.
 - iv. **Conditions or undertakings:** Any restrictions or arrangements made with the GMC.
 - v. **Responsible Officer:** Whether the medical practitioner will have a Responsible Officer in the UK, and the name and address of that Responsible Officer.
 - vi. **Employment in Jersey:** Details of the employers or organisations the medical practitioner will work with (or whether they will be self-employed), whether the work is permanent or temporary, and where and when the medical practitioner will start work in Jersey.

- vii. **Disciplinary history:** Past findings of fraud or misconduct, investigations or convictions (in Jersey or elsewhere).
- viii. **Ongoing investigations:** Whether they are currently under investigation or facing fitness to practise proceedings.
- ix. **Proof of registration:** Certificate from the GMC confirming UK registration and licence.
- x. **Declaration:** Signed statement confirming all information is true and complete.
- xi. **Supporting documents:** Any documents required to verify the information.

Additional information in register for entry of medical practitioners

6. The Commission must include in the official register for medical practitioners all the information listed in paragraph 5, referrals to the GMC about fitness to practise, outcomes of GMC disciplinary proceedings, criminal charges or convictions (in Jersey or elsewhere), classification under Jersey's fitness to practise regime for medical practitioners, details of the applicant's prescribed connection, details of the practitioner's Responsible Officer and any conditions placed on the practitioner's registration.

Additional conditions of registration for medical practitioners

7. Once registered, a medical practitioner must comply with the following conditions:
 - i. **Comply with any conditions or undertakings** attached to their UK registration.
 - ii. **Notify the Commission within 7 days of the event of:** a referral to the GMC, disciplinary outcomes, any criminal charges or convictions, any changes in classification or Responsible Officer, the practitioner acquiring or ceasing to have a prescribed connection or if the practitioner's Responsible Officer in the UK (if applicable) changes. The practitioner must notify the Commission of their new Responsible Officer's name and address.
 - iii. **Cooperate with their Responsible Officer, including:** helping the Officer carry out their duties²² and providing any information the Officer reasonably needs to perform their duties.

Draft Health and Social Care Professionals (Fitness to Practise) (Jersey) Order 202-

8. A draft Order would be developed as part of this legislation which sets out the particulars of a regime for managing the fitness to practise of medical practitioners, mirroring the existing [Medical Practitioners \(Registration\) \(Responsible Officers\) \(Jersey\) Order 2014](#) and Article 8 of the [Medical Practitioners \(Registration\) \(General Provisions\) \(Jersey\) Order 2014](#).
9. This Order would be made by the Minister when the new Law comes into force. To act as a fetter on the Minister's discretion on the particulars of this regime, Article 29(2) of the new Law requires the Minister to consult with relevant bodies that represent the class of registered professionals to which this Order applies before the Order is made.
10. The content of the draft Order is summarised below:

²² These responsibilities relate to duties which will be outlined in draft Health and Social Care Professionals (Fitness to Practise) (Jersey) Order 202-, as well as Health Insurance (Performers List for General Medical Practitioners) (Jersey) Regulations 2014, for those in the Performers class.

Interpretation

11. This section would define key terms used throughout the Order, such as the law referred to (the Health and Social Care Professionals Register (Jersey) Law 202-), “inspector”, “performer” and “prescribed connection”.

Prescribed connection

12. This Article would establish that a practitioner has a prescribed connection if they are linked to a designated body as defined in any Regulations made under 45A of the [UK Medical Act \(1983\)](#). This connection determines the medical practitioner's classification and the responsibilities of their corresponding Responsible Officer.

Classification of medical practitioners

13. These provisions would set out the five classes into which medical practitioners are grouped, as in existing legislation:
 - i. **Responsible Officers:** Appointed to oversee other classes.
 - ii. **States Employees:** Employed by the States Employment Board or under contract with a government department.
 - iii. **Performers:** Listed under the [Health Insurance \(Performers List for General Medical Practitioners\) \(Jersey\) Regulations 2014](#).
 - iv. **Independent Practitioners:** Practitioners who do not sit within other classes and do not have a prescribed connection.
 - v. **UK Connected Practitioners:** Practitioners who are linked to UK designated bodies but are not in the Performers class.

Appointment of Responsible Officers

14. These provisions would place a duty on the Commission to appoint a Responsible Officer for each class. Responsible Officers would be required to be registered medical practitioners with 5 years of full registration as a medical practitioner under the Medical Act 1983. These provisions would require a second officer to be appointed if there is a conflict of interest.

Responsibilities of Responsible Officers

15. Under the draft Order, each class would have a dedicated schedule outlining appraisal duties, how concerns are investigated, referrals to relevant regulatory bodies (i.e. the General Medical Council), how compliance with professional standards and guidance is monitored, and record keeping.

Powers of inspection

16. For the purposes of investigating concerns about fitness to practise, these provisions would provide Responsible Officers or inspectors with the ability to enter premises (including parts of private dwellings used for medical practice), examine individuals in that premises; and review and copy records, including sensitive data (if compliant with the [Data Protection \(Jersey\) Law 2018](#)).

Information sharing

17. These provisions would enable information obtained voluntarily, or through inspections, to be shared with the General Medical Council, UK Responsible Officers (for UK-connected practitioners), the Commission (for purposes connected with their functions under the new Law) and the Minister for Social Security, for purposes connected with the Minister's approval of practitioners under the [Health Insurance \(Jersey\) Law 1967](#). The Order would require practitioners to be informed when their data is shared with other bodies or public authorities for the purposes of carrying out duties under the Order.

Keeping of information

18. These provisions would require Responsible Officers to securely store information and destroy or return the information when no longer needed.

Duty of the Registrar

19. These provisions would place a duty on the Commission to forward any information that may raise fitness to practise concerns to the relevant Responsible Officer, including UK Responsible Officers for those with prescribed connections. This is taken from Article 8 of the existing [Medical Practitioners \(Registration\) \(General Provisions\) \(Jersey\) Order 2014](#).

Draft Registration of Specialist Healthcare Services (Yellow Fever Vaccination) (Jersey) Order 202-

20. A draft Order has been developed as part of this legislation, which would be made by the Minister once the new Law is in force. This Order sets out a regime for registering Yellow Fever Vaccine Centres as a specialist healthcare service under Part 8 of the new Law. This regime will mirror the [designation process for Yellow Fever Vaccination Centres \(YFVCs\)](#) in the UK as far as possible.
21. The draft Order would provide definitions of terms used in this Order as well as a broad definition of "yellow fever vaccination service" (i.e. a health facility that administers yellow fever vaccines to the public and is registered to do so by the Commission). The content of the draft Order is summarised below:

Application for registration

22. Provisions in this Order would specify the meaning of "provider" of a yellow fever vaccination centre, in that only health facilities in Jersey (for example, GP clinics and hospitals) can apply to be registered as a YFVC. The Order would require applications to include details of the health facility, as well as the nomination of a responsible supervising clinician²³ (who would be responsible for compliance with registration requirements) and an administrative lead²⁴ (a practice manager or healthcare professional who would act as the point of contact for the YFVC). This reflects the YFVC designation process in the UK.

Registration process

23. The Order would provide the Commission with the ability to assess applications and inspect premises to ensure the application requirements are met. If approved, the health facility

²³ The responsible supervising clinician must hold valid, unrestricted registration in Jersey as a medical practitioner; a nurse; a nurse independent prescriber or a pharmacist independent prescriber.

²⁴ The administrative lead must hold valid, unrestricted registration in Jersey as a medical practitioner; nurse; pharmacist or dentist.

would be registered as a YFVC and issued a certificate of registration. Registered facilities are officially registered as Yellow Fever Vaccination Centres (YFVCs). Registration would last 12 months from the registration date and must be renewed annually.

Matters to be included in the Register

24. This Order would require the Commission's register of YFVCs in Jersey to include basic details, including:
 - a. the name and address of the centre (in Jersey);
 - b. the date of registration or last renewal;
 - c. whether the registration has conditions placed on it or is suspended (the reason for this must be recorded by the Commission); and
 - d. the name of the responsible supervising clinician and the administrative lead.

25. This Order would also specify which information the Commission must publish from the register on its website for the public to access.

Powers to place conditions, cancel or suspend registration

26. In the case of specialist healthcare services, the Commission would act as the primary Registrar in Jersey. The Commission should therefore have the power to impose conditions on registration and a duty to record conditions in the register. The Commission would also have unilateral powers to suspend or cancel registration in the case of non-compliance with registration requirements or fraudulent applications. The Commission can also suspend registration if it needs to investigate whether the provision of a service presents a risk to life or public safety. Under Article 25 of the draft Law, YFVCs would have the right to appeal the Commission's decisions to refuse to grant an application for registration, to suspend, or to cancel registration to the Royal Court.

Transitional provisions

27. Existing registered YFVCs would be automatically registered on the commencement date and be required to annually renew their registration. These transitional provisions would expire 12 months after the Order comes into force. The Order itself would come into effect 7 days after it is made.

EXPLANATORY NOTE

The Health and Social Care Professionals Register (Jersey) Law 202-, if passed, will –

- provide for a common system of re-registration for all health and social care professionals who are qualified in the United Kingdom and wish to practise in Jersey;
- continue the existing fitness to practise regime for registered medical practitioners;
- provide for a registration system for specialist healthcare services in Jersey.

Part 1 – Interpretation and application

Article 1 defines the terms used throughout the Law. The Registrar is defined as the Health and Social Care Commission.

Article 2 applies provisions in the Interpretation (Jersey) Law 1954 and the Legislation (Jersey) Law 2021 to references to Acts or subordinate legislation of the United Kingdom that are contained within the Law.

Article 3 introduces 4 key concepts in the Law, all of which are contained in the table in *Schedule 1* –

- (a) **scheduled occupation** – these are all the occupations that fall within the scope of the Law;
- (b) **qualification requirement** – these are the qualifications that an individual is required to have in order to be registered in Jersey;
- (c) **relevant UK regulatory body** – these are UK regulatory bodies with whom an applicant must be registered to be registered in Jersey;
- (d) **protected title or permitted annotation** – these are the titles or annotations that an individual is permitted to hold themselves out in the United Kingdom as having and may use in Jersey if they are registered in Jersey.

Article 4 exempts certain categories of individuals from the application of this Law so that the restrictions in the Law do not apply to them.

Part 2 – Registrar and Register

Article 5 sets out the functions of the Registrar, which include establishing and maintaining the Jersey Health and Social Care Professionals Register (the “Register”), encouraging, facilitating and monitoring compliance with the Law, and assisting other bodies to discharge their statutory functions in relation to registered professionals, particularly by providing them with information.

Article 5 also provides for the division of the Register by scheduled occupation and its amendment to correct entries. *Article 5* provides that when the Registrar exercises any of its functions it must do so to protect public trust and confidence in registered professionals.

Part 3 – Practising of scheduled occupations

This Part sets out the main criminal offence relating to practising a registrable occupation without first being registered under the Law. It also sets out the ancillary offences of making false representations and employing unregistered professionals, as well as 2 exemptions to those offences.

Article 6 makes it an offence to practise a scheduled occupation without being registered, and provides for circumstances when an offence is not committed.

Article 7 creates 4 offences relating to making false representations connected to the registration of professionals under the Law and the titles or annotations that they are permitted to use.

Article 8 makes it an offence to employ a person in a scheduled occupation if they are not registered.

Article 9 contains an exemption from the Law for those practising for 72 hours or less each year in Jersey for transplantation activities or organised events. The Article also provides for those persons to keep records of their time spent practising in Jersey.

Article 10 provides for a 12-month grace period after an occupation first becomes regulated within which individuals must register under the Law. During that grace period they can continue to practise their scheduled occupation despite being unregistered.

Part 4 – Registration

Article 11 provides that an application for annual registration and renewal must be made to the Registrar, in the form the Registrar requires and contain specified details. The Minister may provide by Order particulars that the Registrar must require an applicant to provide.

Article 12 provides that the Minister may specify by Order that a fee is payable for annual applications and applications for renewal. Any fees must be reasonable and proportionate to the costs of dealing with the application, published and payable electronically. There is a duty to consult the Registrar before setting fees.

Article 13 provides for how the Registrar must determine an application for annual registration or renewal and in what circumstances it must refuse or grant the application.

Article 14 provides for the register of granted applications and what details must be entered into the Register. The Minister is given the power by Order to specify additional information that must be entered into the Register.

Article 15 provides that the Registrar must set an annual expiry date for every registration and inform the registered professional of that date. Provision is also made for the lapse of registrations if an application for renewal or payment of the renewal fee is not made before the annual expiry date.

Article 16 sets out the conditions that automatically attach to every registration, including any specified by the Minister by Order the must apply for particular scheduled occupations. It also provides that the Registrar may impose additional conditions it thinks appropriate at the time of or after a registration or renewal. There is also a power given to the Registrar to vary the timing element of the automatic condition that requires an applicant to hold a qualification within a specified period or to vary any additional conditions imposed. A notice regime is provided for when a time period is specified within which a registered professional must satisfy the qualification requirements or when additional conditions are imposed. This includes the applicant's ability to make written representations in respect of that time period or those conditions.

Article 17 provides that the Registrar must publish on its website certain details from the Register so that they are publicly available.

Article 18 provides that the Registrar must issue a certificates of registration and replacements in certain circumstances. A certificate is automatically treated as cancelled if a registration ends.

Article 19 makes it an offence if a person fails to comply with a condition of their registration.

Article 20 makes it an offence if a registered professional does not make certain notifications to their employer, the agency who supplies them as an agency worker or the charity or non-profit organisation for whom they volunteer.

Article 21 in turn places a duty on those entities to inform the Registrar of certain circumstances in relation to the registered professionals that work or volunteer for them.

Part 5 – Cancellation, removal, suspension and appeal

Article 22 provides that a registered professional may apply to cancel their registration and if so, the Registrar must remove the registered professional's details from the website and name from the Register. In addition, the Registrar must cancel a registration in certain circumstances, including where the registration in the UK has come to an end, there is evidence that the registration in Jersey was obtained by fraudulent means, or the registered professional has failed to comply with conditions. A notice regime which provides for written representations to be made before a cancellation is confirmed is also set out.

Article 23 provides that the Registrar must suspend a registered professional's registration if it is suspended in the United Kingdom and on the same terms. There is provision for notice to be given to the registered professional and written representations received before a suspension is confirmed by the Registrar. Provision is also made for notification of a suspension to a registered professional's employer, recording the suspension on the website and entering details in the Register. Suspensions must be kept under review and ended if the suspension in the UK comes to an end.

Article 24 makes provision for removal from the Register if an individual is no longer practising in Jersey and in the event of death. Restoration on request or on the initiative of the Registrar is provided for.

Article 25 makes provision for appeals against specific decisions of the Registrar that require the exercise of their discretion. Appeals must be made to the Royal Court within 28 days of notice of the Registrar's final decision.

Part 6 – Registration in urgent health situation

Article 26 makes provision for the Minister to make an Urgent Health Situation Order (an "UHSO"). An UHSO may be made if the Minister considers that an event or situation has occurred or is about to occur that threatens serious damage to human welfare in Jersey and the serious damage involves, causes or may cause loss of human life or human illness or injury. The Minister must also be satisfied that it is necessary to authorise the Registrar to use powers under *Articles 27 or 28* to contribute to protection against that danger.

Article 27 provides for when the Registrar can register health and social care professionals if an UHSO is made. Registration under this Article continues until the UHSO expires.

Article 28 makes provision for annotation of the Register if an UHSO is in force to indicate that a registered professional may order specified drugs, medicines or appliances in a specified capacity with regard to the urgent health situation. Annotations under this Article continue until the UHSO expires.

Part 7 – Fitness to practise evaluation

Article 29 largely replicates existing Article 10C of the Medical Practitioners (Registration) (Jersey) Law 1960 and provides for a series of Order-making powers for the Minister to create fitness to practise arrangements for registered medical practitioners. This responsible officer regime is currently contained within the Medical Practitioners (Registration) (Responsible Officers) (Jersey) Order 2014. The 2014 Order will be replicated in a new Order made under this Law.

Part 8 – Regulation of provision of specialist healthcare services

Article 30 states that a “specialist healthcare service” means a yellow fever vaccination centre. The States may, by Regulations, amend the meaning of “specialist healthcare service” to bring other services into the scope of this Part. The Minister must consult the Registrar before lodging those Regulations.

Article 31 makes it an offence for a person to provide a specialist healthcare service if they are not registered under this Part as a provider of the service or are not providing the service on behalf of a provider that is registered. It also makes it an offence for a person to falsely represent themselves as being registered under this Part.

Article 32 states that a person who wishes to be registered as a provider of a specialist healthcare service must apply to the registrar, and provides for the Minister, by Order and after consultation with the Registrar, to specify the detail of the application and registration process.

Article 33 requires the Registrar to determine and publish the requirements for registration as a provider of a specialist healthcare service. These may include, for example, requirements about the qualifications, accreditation and training of a registered professional providing the specialist healthcare service. It also requires registered providers of a specialist healthcare service to comply with the requirements for registration.

Article 34 requires the Registrar to keep a register of providers of specialist healthcare services. The Minister may, by Order, specify information to be recorded in the register, and any information on the register that must be published.

Article 35 allows the Registrar to inspect premises on which a specialist healthcare service is provided, to determine whether the provider of that service is meeting the requirements for registration.

Part 9 – Information powers and offences

Article 36 provides for information sharing between registered professionals, the Registrar in its role under this Law but also in its statutory role under the Regulation of Care (Jersey) Law 2014, and other relevant bodies (which is defined within the Article). The Registrar must make an onward disclosure to a relevant UK regulatory body if information it holds leads it to suspect that a registered professional’s fitness to practise may be impaired.

Article 37 provides a power of the Registrar to issue information notices requiring persons to provide information that it needs to carry out its functions under this Law (see *Article 5* (functions)). The regime around the issue of information notices is set out and *Article 37* also makes it an offence to, without reasonable cause, comply with the requirements of an information notice.

Article 38 makes it an offence to knowingly or recklessly provide false and misleading material in the context of this Law.

Article 39 makes it an offence to obstruct or impede the Registrar, or a person appointed by the Registrar under the fitness to practise regime for registered medical practitioners (i.e. responsible officers) in the exercise of their duties and powers under this Law.

Part 10 – Miscellaneous and final

Article 40 provides a general power to amend the Law by Regulations as the States Assembly consider appropriate.

Article 41 sets out the existing legislation that is repealed and replaced by this consolidating Law.

Article 42 introduces Schedule 2 that contains amendments consequential to this Law. These are primarily changes to cross references to Laws that are repealed under *Article 41*. There is also an

Order-making power to amend Schedule 2 and a Regulation-making power to amend other enactments consequential on the repeals in Article 41.

Article 43 provides that transitional provisions needed to move existing registered professionals across to this new regime may be dealt with by Regulations or by the Minister by Order. Any Order or Regulations made under the Law may also contain transitional or saving provisions.

Article 44 sets out the name by which this Law will be known and that commencement will be by Order of the Minister for Health and Social Services.



Jersey

DRAFT HEALTH AND SOCIAL CARE PROFESSIONALS REGISTER (JERSEY) LAW 202-

Contents

Article

PART 1		42
INTERPRETATION AND APPLICATION		42
1	Interpretation	42
2	References to United Kingdom Acts and subordinate legislation	43
3	Meaning of “scheduled occupation”, “qualification requirement” and related terms	44
4	Application of Law	44
PART 2		44
REGISTRAR AND REGISTER		44
5	Functions of Registrar and establishment of Register	44
PART 3		45
PRACTISING OF SCHEDULED OCCUPATIONS		45
6	Offence – practising scheduled occupation if unregistered	45
7	Offences – false representations	45
8	Offence – employing unregistered person	46
9	Special purpose exemption from application	46
10	Exemption period for previously unregulated occupations	47
PART 4		47
REGISTRATION		47
11	Application for annual registration or renewal	47
12	Fees	48
13	Determination of application for annual registration or renewal	48
14	Registration of professionals	48
15	Duration of registration	49
16	Conditions	49
17	Publication of details from Register	50
18	Certificate of registration	51
19	Offence – failure to comply with condition of registration	51

20	Offence – failure to notify employer of condition or suspension	51
21	Duty on employers of registered professionals.....	52
PART 5		52
CANCELLATION, REMOVAL, SUSPENSION AND APPEAL		52
22	Cancellation	52
23	Suspension	53
24	Removal of name from Register if ceased to practise or on death	54
25	Appeals against decisions of the Registrar	54
PART 6		55
REGISTRATION IN URGENT HEALTH SITUATION		55
26	Urgent Health Situation Order.....	55
27	Temporary registration in urgent health situation	56
28	Temporary annotations	56
PART 7		57
FITNESS TO PRACTISE EVALUATION		57
29	Fitness to practise.....	57
PART 8		58
REGULATION OF PROVISION OF SPECIALIST HEALTHCARE SERVICES		58
30	Meaning of specialist healthcare service.....	58
31	Restriction on providing specialist healthcare service	59
32	Registration as provider of specialist healthcare service	59
33	Registrar to determine requirements for registration as specialist healthcare service	60
34	Register of providers of specialist healthcare service	60
35	Inspection of premises.....	61
PART 9		61
INFORMATION POWERS AND OFFENCES		61
36	Information sharing	61
37	Information notices	62
38	Offence – false or misleading information	63
39	Offences – obstructing Registrar or appointed person	63
PART 10		63
MISCELLANEOUS AND FINAL		63
40	Power to amend by Regulations.....	63
41	Repeals.....	63
42	Consequential provisions.....	64
43	Transitional and saving provisions.....	64
44	Citation and commencement	64

SCHEDULE 1	65
<hr/>	
SCHEDULED OCCUPATIONS, QUALIFICATION REQUIREMENTS, RELEVANT UK REGULATORY BODIES, PROTECTED TITLES AND PERMITTED ANNOTATIONS	65
1 Interpretation	65
SCHEDULE 2	73
<hr/>	
CONSEQUENTIAL AMENDMENTS	73
1 Capacity and Self-Determination (Independent Capacity Advocates) (Jersey) Regulations 2018 amended	73
2 Capacity and Self-Determination (Miscellaneous Provisions and Prescribed Fees and Forms) (Jersey) Order 2018	73
3 Capacity and Self-Determination (Supervision of Delegates etc.) (Jersey) Regulations 2018	73
4 Children and Young People (Jersey) Law 2022	73
5 Children (Jersey) Law 2002	73
6 Control of Housing and Work (Exemptions) (Jersey) Order 2013	74
7 Covid-19 (Control of Testing) (Jersey) Regulations 2020.....	74
8 Cremation (Jersey) Regulations 1961	74
9 Criminal Justice (Evidence of Children) (Jersey) Law 2002	74
10 Data Protection (Jersey) Law 2018	74
11 Education (Jersey) Law 1999	74
12 Emergency Powers and Planning (Jersey) Law 1990	75
13 Employment (Jersey) Law 2003	75
14 Food Safety (Jersey) Law 1966.....	75
15 Gender Recognition (Disclosure of Information) (Jersey) Order 2010	75
16 Goods and Services Tax (Jersey) Law 2007	75
17 Health Insurance (Approved Prescribing Practitioners) (Jersey) Order 2025.....	76
18 Health Insurance (Jersey) Law 1967	76
19 Health Insurance (Medical Benefit) (General Provisions) (Jersey) Order 1967	78
20 Health Insurance (Performers List for General Medical Practitioners) (Jersey) Regulations 2014	78
21 Health Insurance (Pharmaceutical Benefit Advisory Committee) (Jersey) Order 2017	80
22 Human Transplantation and Anatomy (Jersey) Law 2018.....	80
23 Income Support (General Provisions) (Jersey) Order 2008	80
24 Income Support (Jersey) Regulations 2007	81
25 Income Tax (Jersey) Law 1961	81
26 Inquests and Post-Mortem Examinations (Jersey) Law 1995.....	81
27 Interpretation (Jersey) Law 1954.....	82
28 Loi (1919) sur le traitement des maladies vénériennes	82
29 Loi (1934) sur la Santé Publique	82
30 Long-Term Care (General Provisions) (Jersey) Order 2014	82
31 Long-Term Care (Jersey) Law 2012	83
32 Marriage and Civil Status (Jersey) Law 2001	83
33 Medicines (Jersey) Law 1995	83
34 Medicines (Health Professionals - Exemption) (Jersey) Order 2001	84
35 Medicines (Pharmacy and General Sale Exemptions) (Jersey) Order 1997.....	84
36 Medicines (Prescription Only) (Jersey) Order 1997	84

37	Medicines (Sale and Supply) (Miscellaneous Provisions) (Jersey) Order 1997	86
38	Mental Health (Jersey) Law 2016	86
39	Misuse of Drugs (Addicts) (Jersey) Order 1980	87
40	Misuse of Drugs (General Provisions) (Jersey) Order 2009	87
41	Nursing Homes (General Provisions) (Jersey) Order 1995	88
42	Nursing Homes (Jersey) Law 1994	88
43	Poisons (General Provisions) (Jersey) Order 1968.....	89
44	Poisons (Jersey) Law 1952	89
45	Police Procedures and Criminal Evidence (Jersey) Law 2003	89
46	Policing of Parks (Jersey) Regulations 2005.....	89
47	Register of Names and Addresses (Access for Medical Purposes) (Jersey) Regulations 2015	89
48	Regulation of Care (Jersey) Law 2014.....	90
49	Rehabilitation of Offenders (Exceptions) (Jersey) Regulations 2002	90
50	Road Traffic (Lighting) (Jersey) Order 1998	90
51	Road Traffic (Jersey) Law 1956	91
52	Royal Court Rules 2004.....	91
53	Sexual Offences (Jersey) Law 2018	91
54	Social Security (Health Bonus Scheme) (Jersey) Regulations 2016	91
55	Social Security (Medical Certification) (Jersey) Order 1974	92
56	Social Security (Parental Benefit) (Jersey) Order 2020.....	92
57	Social Security (Jersey) Law 1974	92
58	Stamp Duties and Fees (Jersey) Law 1998.....	92
59	Termination of Pregnancy (Jersey) Law 1997.....	92
60	Terrorism (Jersey) Law 2002.....	92



Jersey

DRAFT HEALTH AND SOCIAL CARE PROFESSIONALS REGISTER (JERSEY) LAW 202-

A **LAW** to provide for the registration in Jersey of health and social care professionals and specialist healthcare services.

<i>Adopted by the States</i>	<i>[date to be inserted]</i>
<i>Sanctioned by Order of His Majesty in Council</i>	<i>[date to be inserted]</i>
<i>Registered by the Royal Court</i>	<i>[date to be inserted]</i>
<i>Coming into force</i>	<i>[date to be inserted]</i>

THE STATES, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law –

PART 1

INTERPRETATION AND APPLICATION

1 Interpretation

(1) In this Law –

“agency worker” has the meaning given in Article 1(2) of the [Employment \(Jersey\) Law 2003](#);

“agent” means a person who supplies the registered professional as an agency worker for work in a scheduled occupation or who, under an agency within the meaning of Article 22 of the [Control of Housing and Work \(Jersey\) Law 2012](#), supplies the registered professional as an agency worker;

“applicant” means a person who makes an application for annual registration or renewal under Article 11;

“application for annual registration” means an application for annual registration of a professional under Article 11;

“application for renewal” means an application for renewal of the annual registration of a professional under Article 11;

“application requirements” means the requirements in Article 11(2);

“Dentists Act” means the Dentists Act 1984 of the United Kingdom;

“Health Professions Order” means the Health Professions Order 2001 of the United Kingdom (S.I. 2002/254);

“Health Professions register” has the meaning given in Schedule 1, paragraph 1(1);

“Jersey registration number” means the number given by the Registrar to a registered professional upon registration;

“material date”, in relation to an unregulated occupation, means the date that it becomes a scheduled occupation;

“Medical Act” means the Medical Act 1983 of the United Kingdom;

“Minister” means the Minister for Health and Social Services;

“nurse” has the meaning given in Schedule 1, paragraph 1(1);

“nursery nurse” has the meaning given in Schedule 1, paragraph 1(1);

“Nursing and Midwifery register” has the meaning given in Schedule 1, paragraph 1(1);

“Opticians register” means the register continued and maintained under section 7 of the Opticians Act 1989 of the United Kingdom;

“permitted annotation” has the meaning given in Article 3;

“Pharmacy register” means the register established and maintained under article 19 of the Pharmacy Order 2010 of the United Kingdom (S.I. 2010/231);

“prescription only medicine” has the meaning given in Schedule 1, paragraph 1(1);

“protected title” has the meaning given in Article 3;

“qualification requirement” has the meaning given in Article 3;

“Register” means the Jersey Health and Social Care Professionals Register established under Article 5;

“registered”, unless otherwise stated, in relation to an individual, means registered under Part 4 with a current entry in the Register that is not lapsed or cancelled, and “registered professional” is construed accordingly;

“Registrar” means the Health and Social Care Commission established under Article 35 of the Regulation of Care Law;

“registration in the United Kingdom” means registration with the relevant UK regulatory body;

“Regulation of Care Law” means the [Regulation of Care \(Jersey\) Law 2014](#);

“relevant UK regulatory body” has the meaning given in Article 3;

“relevant UK registration number” means the registration number given to the applicant by the relevant UK regulatory body;

“scheduled occupation” has the meaning given in Article 3;

“unregulated occupation” means an occupation for which registration under Jersey law is not required to practise.

2 References to United Kingdom Acts and subordinate legislation

If this Law, or Regulations or an Order made under this Law, refers to an Act or subordinate legislation of the United Kingdom –

- (a) Article 9(3) of the [Interpretation \(Jersey\) Law 1954](#) applies to that reference as it applies to a reference to an enactment; and

- (b) Article 6 of the [Legislation \(Jersey\) Law 2021](#) applies in relation to that Act or subordinate legislation of the United Kingdom, and to any legislation of the United Kingdom that repeals or re-enacts it, as it applies in relation to Jersey legislation.

3 Meaning of “scheduled occupation”, “qualification requirement” and related terms

- (1) In this Law –
 - (a) “scheduled occupation” means an occupation listed in column 1 of the table in Schedule 1;
 - (b) “qualification requirement”, in relation to a scheduled occupation, means a requirement listed in column 2 of the table in Schedule 1;
 - (c) “relevant UK regulatory body”, in relation to a scheduled occupation, means a body listed in column 3 of the table in Schedule 1;
 - (d) “protected title”, in relation to a scheduled occupation, means a title listed in column 4 of the table in Schedule 1.
 - (e) “permitted annotation”, in relation to a scheduled occupation, means an annotation listed in column 4 of the table in Schedule 1;
- (2) The Minister may by Order amend the list of scheduled occupations in Schedule 1 but only so that the list contains occupations for which registration in the United Kingdom is required to practise in the United Kingdom.
- (3) The Minister may by Order amend the qualification requirements, relevant UK regulatory bodies, protected titles or permitted annotations in Schedule 1.
- (4) The Minister must consult the Registrar before making an Order under paragraph (2) or (3).

4 Application of Law

This Law does not apply to –

- (a) the practising of a scheduled occupation as a member of the armed forces of the Crown;
- (b) the giving of advice by a person who is resident outside Jersey and who has been called into consultation by a registered professional; or
- (c) the lawful occupation, trade or business of a registered professional so far as to extends to selling, compounding or dispensing medicines.

PART 2

REGISTRAR AND REGISTER

5 Functions of Registrar and establishment of Register

- (1) The functions of the Registrar are –
 - (a) to establish and maintain a register of registered professionals known as the Jersey Health and Social Care Professionals Register;

- (b) to encourage, facilitate and monitor the compliance of persons with this Law and any enactment under this Law;
 - (c) to assist, particularly by giving information about registered professionals under Part 9 (information powers and offences), another person in the discharge of that person's functions in relation to registered professionals under any enactment of Jersey and of any other country or territory; and
 - (d) to exercise all other functions conferred on the Registrar under this Law or any other enactment.
- (2) In Article 1(c) "another person" includes relevant UK regulatory bodies, the Health and Social Care Commission, the States of Jersey Police Force, the Attorney General, and a court.
 - (3) The Registrar must divide the Register into parts, each of which correspond to a scheduled occupation.
 - (4) The Registrar must amend the Register if the Registrar believes that an entry is incorrect, even if the entry was correct at the time it was made in the Register.
 - (5) The Registrar, in performing its functions, must seek to act in a way that protects public trust and confidence in registered professionals.

PART 3

PRACTISING OF SCHEDULED OCCUPATIONS

6 Offence – practising scheduled occupation if unregistered

- (1) A person must not practise a scheduled occupation unless they are registered for that scheduled occupation.
- (2) A person who breaches paragraph (1) commits an offence and –
 - (a) if the breach only occurs within 28 days starting on the day on which the person's registration for the scheduled occupation lapsed under Article 15(2), is liable to a fine of level 2 on the standard scale; or
 - (b) in any other case, is liable to imprisonment for a term of 12 months and to a fine.
- (3) A person does not commit the offence under paragraph (1) if they prove they were acting reasonably in an emergency.
- (4) A person does not commit the offence under paragraph (1) if they prove they are undertaking, under the supervision of an appropriate practitioner, a course of training or examination specified by the Minister by Order or other course of training or examination that is approved in writing by the Registrar.
- (5) In paragraph (4), "appropriate practitioner" means –
 - (a) a person who is registered for the scheduled occupation; or
 - (b) a person of a class specified by the Minister by Order.

7 Offences – false representations

- (1) A person must not represent themselves as registered for a scheduled occupation unless they are so registered.

- (2) A person must not represent themselves as being entitled to practise a scheduled occupation unless they are registered for that scheduled occupation.
- (3) A person who is not registered for a scheduled occupation must not use, or permit to be used, in connection with the person's business, written words, titles or initials that imply that the person is –
 - (a) registered for a scheduled occupation; or
 - (b) qualified to practise a scheduled occupation.
- (4) A person must not use a protected title or permitted annotation unless –
 - (a) they are registered for the corresponding scheduled occupation; and
 - (b) they are permitted to hold themselves out in the United Kingdom as having that title or annotation.
- (5) A person who breaches this Article commits an offence and is liable to imprisonment for a term of 12 months or to a fine.

8 Offence – employing unregistered person

- (1) A person must not employ another person in a scheduled occupation unless that other person is registered for that scheduled occupation.
- (2) A person who breaches paragraph (1) commits an offence and is liable to imprisonment for a term of 12 months and to a fine of level 2 on the standard scale.

9 Special purpose exemption from application

- (1) This Law does not apply to a person –
 - (a) who is registered for a scheduled occupation with a relevant UK regulatory body; and
 - (b) who practises that scheduled occupation in Jersey –
 - (i) for no more than 72 hours in a calendar year; and
 - (ii) only for a special purpose.
- (2) A person exempt from the application of this Law under paragraph (1) or, if the person is employed in Jersey, their employer, must keep a written record that includes –
 - (a) the hours and dates on which they practise in Jersey; and
 - (b) details of the special purpose for that practise.
- (3) In this Article, “special purpose” means –
 - (a) providing support in relation to transplantation activity within the meaning given in Article 2(1) of the [Human Transplantation and Anatomy \(Jersey\) Law 2018](#); or
 - (b) attending an organised event.
- (4) The Minister may by Order amend paragraph (1).

10 Exemption period for previously unregulated occupations

A person who immediately before the material date was practising an unregulated occupation may continue to practise that occupation without being registered under this Law despite it becoming a scheduled occupation –

- (a) during the period of 12 months beginning with the material date; and
- (b) if within that period an application for annual registration is made, until that application is finally determined or withdrawn.

PART 4

REGISTRATION

11 Application for annual registration or renewal

- (1) A person who wishes to be registered to practise a scheduled occupation must make an application for annual registration or application for renewal to the Registrar.
- (2) The application must be in the form required by the Registrar and must –
 - (a) contain the name, postal address and email address of the applicant;
 - (b) if the applicant intends to provide services in Jersey for them, be supplied for work by them or act as a director, partner or other officer of them, contain the name, postal address and email address of –
 - (i) a person who employs the registered professional in a scheduled occupation;
 - (ii) an agent;
 - (iii) a charity entered on the register of charities under Article 8 of the [Charities \(Jersey\) Law 2014](#) for which the registered professional works as a volunteer in a scheduled occupation; or
 - (iv) an NPO, as defined in the [Non-Profit Organizations \(Jersey\) Law 2008](#), for which the registered professional works as a volunteer in a scheduled occupation;
 - (c) state whether the applicant intends to provide medical services in Jersey on a self-employed basis;
 - (d) contain the addresses at which the applicant intends to provide medical services in Jersey;
 - (e) contain the date from which the applicant intends to provide medical services in Jersey; and
 - (f) state whether the services are intended to be provided indefinitely or, if not, the period for which the services are intended to be provided;
 - (g) contain or be accompanied by any particulars required by the Registrar;
 - (h) include a declaration, signed and dated by the applicant, that, to the best of the applicant's knowledge and belief, the information provided by the applicant is true and complete;
 - (i) be accompanied by the application or renewal fee specified by the Minister by Order, if any.

- (3) The Minister may by Order specify particulars that must be required by the Registrar under paragraph (2)(g).

12 Fees

- (1) The Minister may specify by Order the fee payable if an application for annual registration or application for renewal is made to the Registrar.
- (2) A fee specified by the Minister by Order must be –
 - (a) reasonable and proportionate to the cost of dealing with the application;
 - (b) published on the Registrar’s website; and
 - (c) payable by electronic means through the Registrar’s website.
- (3) The Minister must consult the Registrar before making an Order that specifies fees payable under this Law.

13 Determination of application for annual registration or renewal

- (1) The Registrar must determine whether an application for annual registration, or an application for renewal, meets the application requirements.
- (2) If the Registrar is not satisfied that an application meets the application requirements, the Registrar must –
 - (a) inform the applicant; and
 - (b) give the applicant an opportunity to make representations or to amend the application within a period specified by the Registrar.
- (3) The Registrar must refuse an application if the applicant –
 - (a) fails to satisfy the Registrar that the application requirements are met; or
 - (b) fails to respond before the end of the period specified under paragraph (2)(b).
- (4) The Registrar must, when refusing an application –
 - (a) give notice to the applicant of their decision to refuse the application and the reasons for that refusal; and
 - (b) if paid, refund any fee to the applicant.
- (5) The Registrar must grant an application if the Registrar is satisfied that –
 - (a) the application requirements are met; and
 - (b) the applicant –
 - (i) holds the qualification requirements that correspond to the scheduled occupation for which the applicant is making the application; or
 - (ii) was on the material date practising in Jersey in an unregulated occupation and is pursuing the qualification requirements for the scheduled occupation for which the application for registration is made.

14 Registration of professionals

- (1) The Registrar must register the applicant if the Registrar has granted their application under Article 13.
- (2) The Registrar must enter the following information in relation to the applicant into the relevant part of the Register –

- (a) their name;
 - (b) their postal and email address;
 - (c) their employer;
 - (c) their qualifications for the scheduled occupation to which the part relates;
 - (d) the date of registration;
 - (e) their Jersey registration number;
 - (f) the relevant UK regulatory body;
 - (g) the relevant UK registration number, if any, unless the number is confidential between the registered professional and the relevant UK regulatory body;
 - (h) any condition of registration.
- (3) The Registrar may enter any additional information that the Registrar considers appropriate.
- (4) The Minister may by Order specify additional information that must be entered into the Register by the Registrar.
- (5) The Registrar must not register the applicant if –
- (a) information has come to the notice of the Registrar since granting the application for registration; and
 - (b) it appears to the Registrar from that information that the application requirements were not met when the Registrar granted the application.

15 Duration of registration

- (1) The Registrar must determine an annual expiry date for a registered professional's registration and notify the registered professional of that date.
- (2) Unless a registered professional makes an application for renewal under Article 11 and pays the renewal fee before the annual expiry date, their registration lapses.

16 Conditions

- (1) The registration of every registered professional is subject to the following conditions –
- (a) the registered professional must comply with any condition imposed on them, or undertaking given by them, in connection with their registration with the relevant UK regulatory body;
 - (b) the registered professional must give written notification to the Registrar no later than 7 days after the following events –
 - (i) a condition is imposed on the registered professional's registration in the United Kingdom that relates to the registered professional's fitness to practise;
 - (ii) the registered professional's registration in the United Kingdom is suspended or cancelled; or
 - (iii) the registered professional no longer has the qualification requirements;
 - (c) the registered professional must give written notification to the Registrar no later than 28 days after any change in the information contained in their application for annual registration or application for renewal, including if –

- (i) the registered professional changes their name, together with evidence of that change;
 - (ii) the registered professional changes their postal or email address; or
 - (iii) the registered professional's employer changes;
- (d) if a registration is based on the grounds in Article 13(5)(b)(ii) (practising in an unregulated occupation and pursuing qualification requirements), the registered professional must satisfy the qualification requirements within a time period specified by the Registrar;
- (e) the registered person must comply with a condition for a scheduled occupation that the Minister specifies by Order.
- (2) The Registrar may impose any additional condition for a scheduled occupation that the Registrar thinks appropriate.
- (3) The Registrar may impose a condition under paragraph (2) at the time of, or after, registration or renewal.
- (4) The Registrar may at any time vary –
- (a) the time period specified in a condition imposed under paragraph (1)(d); or
 - (b) a condition imposed under paragraph (2).
- (5) As soon as reasonably practicable after specifying a time period under paragraph (1)(d), imposing a condition under paragraph (2) or varying a condition under paragraph (4), the Registrar must serve notice on the registered professional that –
- (a) informs them of the time period specified, a condition that the Registrar imposes on their registration or a variation of that condition;
 - (b) gives reasons for the Registrar's decision to specify that time period, or impose or vary the condition;
 - (c) indicates the date on which the condition or variation takes effect and the circumstances in which it will cease to have effect; and
 - (d) give notice of the registered professional's right to make written representations to the Registrar within 14 days after receipt of the notice.
- (6) The Registrar must –
- (a) consider any written representations made under paragraph (5)(d);
 - (b) in the case of a specified time period under paragraph (1)(d), confirm or amend it;
 - (c) in the case of an imposed or varied condition, confirm, amend or remove it;
 - (d) inform the registered professional of their decision as soon as reasonably practicable; and
 - (e) serve notice on the registered professional of their right of appeal under Article 25(1)(a), (b) or (c), as applicable.
- (7) In paragraph (1)(a) and (1)(b)(i), "condition" includes conditions imposed by an interim conditions of practice order under article 31 of the Health Professions Order.

17 Publication of details from Register

The Registrar must publish on the Registrar's website the following details for each registered professional –

- (a) their name;

- (b) their scheduled occupation;
- (c) their Jersey registration number;
- (d) the relevant UK regulatory body;
- (e) the relevant UK registration number, if any, unless the number is confidential between the registered professional and the relevant UK regulatory body;
- (f) any condition of registration.

18 Certificate of registration

- (1) The Registrar must issue a certificate of registration to a registered professional –
 - (a) on annual registration;
 - (b) on the renewal of annual registration.
- (2) The Registrar may issue a replacement certificate of registration to a registered professional if the Registrar is satisfied that the certificate of registration issued to the registered professional has been lost, stolen or damaged.
- (3) If the holder of the certificate is no longer a registered professional the certificate is treated as cancelled from the date the registration ended.

19 Offence – failure to comply with condition of registration

A person who fails to comply with any condition of their annual registration or renewal of registration commits an offence and is liable to a fine of level 3 on the standard scale.

20 Offence – failure to notify employer of condition or suspension

- (1) A registered professional must notify the persons or entities listed in paragraph (2) within 7 days if –
 - (a) a condition is imposed on the registered professional's registration in the United Kingdom;
 - (b) the Registrar imposes a condition on the registered professional's registration;
 - (c) the registered professional's registration in the United Kingdom is cancelled;
 - (d) the registered professional's registration is cancelled by the Registrar under Article 22;
 - (e) the registered professional's registration in the United Kingdom is suspended;
 - (f) the registered professional's registration is suspended by the Registrar under Article 23.
- (2) The persons and entities are –
 - (a) a person who employs the registered professional in a scheduled occupation;
 - (b) an agent who supplies the registered professional for work in a scheduled occupation;
 - (c) a charity entered on the register of charities under Article 8 of the [Charities \(Jersey\) Law 2014](#) for which the registered professional works as a volunteer in a scheduled occupation; or

- (d) an NPO, as defined in the [Non-Profit Organizations \(Jersey\) Law 2008](#), for which the registered professional works as a volunteer in a scheduled occupation.
- (3) A person who breaches paragraph (1) commits an offence and is liable to a fine of level 2 on the standard scale.

21 Duty on employers of registered professionals

- (1) A person or entity listed in Article 20(2) must inform the Registrar of any of the circumstances listed in paragraph (2) in relation to a registered professional who works for them or, in the case of an agent, in relation to a registered professional who the agent supplies for work.
- (2) The circumstances are that the person or entity –
 - (a) is aware of information that contradicts the information entered by the Registrar in the Register for the registered professional;
 - (b) knows that the registered professional has been referred to the relevant UK regulatory body for a matter that could impair their fitness to practise;
 - (c) knows of issues relating to the practice of the registered professional that appear to merit a referral to the relevant UK regulatory body according to that regulatory body's published guidance on thresholds of referral; or
 - (d) knows that the registered professional's registration in the United Kingdom has been suspended or cancelled or made subject to a condition.

PART 5

CANCELLATION, REMOVAL, SUSPENSION AND APPEAL

22 Cancellation

- (1) A registered professional may request in writing that the Registrar cancels the registered professional's registration.
- (2) As soon as reasonably practicable after receipt of a written request under paragraph (1) the Registrar must –
 - (a) cancel the registration;
 - (b) remove the details of the registered professional published on the Registrar's website under Article 17; and
 - (c) remove the name of the registered professional from the Register.
- (3) The Registrar must cancel a registered professional's registration if –
 - (a) the Registrar becomes aware that the professional's registration with the UK relevant UK regulatory body has been cancelled;
 - (b) the Registrar obtains evidence that the registered professional obtained their registration by fraudulent means;
 - (c) the registered professional has failed to comply with a condition of their registration imposed under Article 16.
- (4) As soon as reasonably practicable, the Registrar must –
 - (a) serve notice of a cancellation on the registered professional;

- (b) if cancelled under paragraph (3), give reasons in the notice for the Registrar's decision to cancel;
 - (c) indicate in the notice the date on which the cancellation takes effect; and
 - (d) give notice of the registered professional's right to make written representations to the Registrar within 14 days after receipt of the notice.
- (5) The Registrar must –
- (a) consider any written representations under paragraph (4);
 - (b) confirm the cancellation or reinstate the registration; and
 - (c) inform the registered professional of their decision as soon as reasonably practicable; and
 - (d) if applicable, serve notice on the registered professional of their right of appeal under Article 25(1)(d).
- (6) If it confirms a cancellation of a registration under this Article, the Registrar must –
- (a) give written notice of the cancellation to the persons and entities listed in Article 20(2);
 - (b) give written notice of the cancellation to any individual who supplied information that led to the cancellation;
 - (c) remove the details of the registered professional published on the Registrar's website under Article 17; and
 - (d) remove the name of the registered professional from the Register.

23 Suspension

- (1) The Registrar must suspend the registration of a registered professional if the Registrar becomes aware that the professional's registration with the relevant UK regulatory body has been suspended (a "suspension in the UK").
- (2) The Registrar must suspend the registration on the same terms as the suspension in the UK.
- (3) As soon as reasonably practicable, the Registrar must –
- (a) serve notice of the suspension on the registered professional;
 - (b) indicate in the notice the date on which the suspension takes effect.
- (4) A registered professional may make written representations that they are not in fact suspended in the UK to the Registrar within 14 days after receipt of the notice given under paragraph (3).
- (5) The Registrar must –
- (a) consider any written representations under paragraph (4);
 - (b) confirm the suspension or reinstate the registration; and
 - (c) inform the registered professional of their decision as soon as reasonably practicable.
- (6) If it confirms a suspension of a registration under this Article, the Registrar must –
- (a) give written notice of the suspension to the registered professional's employer;
 - (b) record the suspension alongside the details of the registered professional published on the Registrar's website under Article 17; and
 - (c) enter details of the suspension in the Register.

- (7) The Registrar must keep a suspension under review.
- (8) The Registrar must end a registered professional's suspension if the Registrar becomes aware that the suspension in the UK has ended.
- (9) In this Article, "suspension in the UK" includes a suspension by an interim suspension order under article 31 of the Health Professions Order.

24 Removal of name from Register if ceased to practise or on death

- (1) If the Registrar believes that a registered professional is no longer practising in Jersey, the Registrar may write to the registered professional asking whether they want their name to be retained on the Register.
- (2) The Registrar must remove the registered professional from the register –
 - (a) if no reply is received within 6 months of the date of writing; or
 - (b) in the case of a letter sent to the registered professional's postal address listed on the Register or the registered professional's last known address, if the letter is returned undelivered to the Registrar.
- (3) The Registrar must remove the name of a registered professional from the Register if the Registrar has evidence to confirm their death.
- (4) An individual whose name has been removed from the Register under this Article may apply to the Registrar to have their name restored.
- (5) The Registrar may restore the registered professional's name to the Register after payment of a restoration fee as specified by the Minister by Order.

25 Appeals against decisions of the Registrar

- (1) An individual may appeal to the Royal Court against –
 - (a) the Registrar's specification under Article 16(1)(d) of a time period within which that individual must hold the qualification requirements as a condition of the individual's registration;
 - (b) the Registrar's imposition of a condition under Article 16(2);
 - (c) the Registrar's decision under Article 16(4) to vary the time period specified in a condition imposed under Article 16(1)(d) or a condition imposed under Article 16(2);
 - (d) the Registrar's decision to cancel the individual's registration under Article 22(3)(b) (cancellation because obtained registration by fraudulent means) or 22(3)(c) (cancellation for failure to comply with condition).
- (2) An individual must lodge an appeal under paragraph (1) with the Royal Court within 28 days after the day on which notice of the Registrar's final decision is served on the individual under Article 16(6) or Article 22(5).
- (3) The Royal Court may extend the period of 28 days in paragraph (2).
- (4) On appeal under this Article, the Royal Court may –
 - (a) dismiss the appeal;
 - (b) allow the appeal and quash the decision against which the appeal is made;
 - (c) substitute for the decision appealed any other decision that the Registrar could have made under this Law;

- (d) refer the matter back to the Registrar for reconsideration in accordance with its directions.
- (5) The Royal Court may make additional orders that it thinks appropriate, including ancillary orders and orders as to costs.

PART 6

REGISTRATION IN URGENT HEALTH SITUATION

26 Urgent Health Situation Order

- (1) The Minister may make an Order declaring an urgent health situation (an “Urgent Health Situation Order”) if they consider that –
 - (a) an event or situation has occurred or is about to occur (whether in Jersey or elsewhere) that threatens serious damage to human welfare in Jersey that involves, causes or may cause loss of human life or human illness or injury; and
 - (b) it is necessary to authorise the use by the Registrar of the powers under Article 27 or 28 in respect of a scheduled occupation to contribute to protection against that danger.
- (2) Before making an Urgent Health Situation Order, the Minister must consult the Medical Officer of Health and the Registrar as to whether the conditions in paragraph (1) are met.
- (3) The Minister must specify in the Urgent Health Situation Order –
 - (a) the scheduled occupations to which it relates; and
 - (b) whether it authorises the Registrar to exercise the power in Article 27, Article 28, or both.
- (4) The Minister must specify an expiry date in the Urgent Health Situation Order that is –
 - (a) a weekday; and
 - (b) no more than 2 months after commencement of the Order.
- (5) If, during the period that an Urgent Health Situation Order has effect, the Minister considers that sub-paragraphs (a) and (b) of paragraph (1) no longer apply, they must repeal the Order by further Order.
- (6) An Urgent Health Situation Order ceases to have effect –
 - (a) on its expiry date; or
 - (b) if earlier, immediately after it is repealed.
- (7) If an Urgent Health Situation Order ceases to have effect that does not affect anything done while the Order had effect.
- (8) In this Article –
 - “Medical Officer of Health” means the person who holds the post of Medical Officer of Health (“Inspecteur Médical”) through appointment under Article 10 of the [Loi \(1934\) sur la Santé Publique](#);
 - “weekday” means Monday, Tuesday, Wednesday, Thursday or Friday.

27 Temporary registration in urgent health situation

- (1) The Registrar may register a health and social care professional for a scheduled occupation if –
 - (a) an Urgent Health Situation Order under Article 26 is in force in relation to that scheduled occupation that authorises the Registrar to exercise the power under this Article; and
 - (b) the Registrar considers that the emergency registration requirement is met in relation to that health and social care professional..
- (2) For the purposes of paragraph (1)(b) the emergency registration requirement is met in relation to a health or social care professional, if the Registrar considers that the health or social care professional is a fit, proper and suitably experienced person to be registered for the scheduled occupation with regard to the urgent health situation.
- (3) The registration of a health and social care professional under this Article has effect subject to any conditions imposed by the Registrar, and the Registrar may at any time vary or revoke a condition or add new conditions.
- (4) A health and social care professional's registration under this Article ceases to have effect on the expiry of the Urgent Health Situation Order.
- (5) The Registrar may at any time revoke the registration for any other reason, including if the Registrar suspects the health and social care professional's fitness to practise may be impaired.
- (6) If a health and social care professional's registration under this Article is revoked, the registration ceases to have effect immediately.
- (7) Part 7 (fitness to practise evaluation) of this Law does not apply to health and social care professionals registered under this Article.
- (8) If a health and social care professional breaches a condition to which their registration under this Article is subject, anything done by the health and social care professional in breach of the condition is to be treated as not done by a registered professional.
- (9) The Registrar may do anything, including issuing guidance, that appears to it to be necessary or expedient for the purpose of, or in connection with, the performance of its functions under this Article.

28 Temporary annotations

- (1) If an Urgent Health Situation Order under Article 26 is in force in relation to a scheduled occupation for which a registered professional is registered and that authorises the Registrar to exercise the power under this Article, the Registrar may annotate the Register in accordance with paragraph (2).
- (2) The Registrar may annotate the Register to indicate that a registered professional is, in the opinion of the Registrar, a fit, proper and suitably experienced person to order specified drugs, medicines or appliances in a specified capacity with regard to the urgent health situation.
- (3) Annotations made under this Article –
 - (a) must be removed by the Registrar on the expiry of the Urgent Health Situation Order;

- (b) may be removed by the Registrar at any time for any other reason, including if the Registrar suspects that the registered professional's fitness to order drugs, medicines or appliances may be impaired.

PART 7

FITNESS TO PRACTISE EVALUATION

29 Fitness to practise

- (1) The Minister may by Order arrange for the fitness to practise of registered medical practitioners to be evaluated to assist the continuance of their licence to practice granted in accordance with regulations made under section 29A of the Medical Act.
- (2) Before making the Order the Minister must consult with the bodies in Jersey that appear to the Minister to be representative of the class of registered medical practitioners to which the Order applies.
- (3) An Order made under paragraph (1) may –
 - (a) classify registered medical practitioners;
 - (b) provide for the appointment of a person to direct the arrangements described in paragraph (1) in relation to a class of registered medical practitioners and specify the name by which that person will be known;
 - (c) specify the responsibilities of an appointed person for the evaluation of the fitness to practise of a class of registered medical practitioners;
 - (d) require the appointed person to co-operate with a body outside Jersey that has responsibility for the issuing, suspension or withdrawal of an authority to practise under which a person is registered, or eligible to be registered, in Jersey;
 - (e) require the appointed person to have regard to guidance issued by a body specified in the Order; and
 - (f) give the appointed person powers that are appropriate to enable that person to discharge their responsibilities under the Order.
- (4) An Order made under paragraph (1) may create other procedures or apply, with modifications, existing procedures in other enactments for enforcing a provision of the Order.
- (5) In particular, an Order made under paragraph (1) may, under paragraph (7), apply Article 26 of the Regulation of Care Law for the purposes of the Order.
- (6) An Order made under paragraph (1) may, subject to paragraphs (10) to (14) –
 - (a) enable an appointed person to require another person to supply information or produce a document that appears relevant to the discharge of the responsibilities of the appointed person; and
 - (b) enable an appointed person to apply to the Royal Court for an order requiring the information to be supplied or the document produced.
- (7) An Order made under paragraph (1) must not give a power to an appointed person to require another person to supply information or produce a document if the supply or production is prohibited by an enactment.

- (8) But an Order made under paragraph (1) may give an appointed person the power to require that information is put in a form that prevents the identification of an individual if a prohibition in another enactment operates only because information that is capable of identifying an individual is –
- (a) contained in the document referred to in paragraph (6); or
 - (b) forms part of the information referred to in paragraph (6).
- (9) An Order made under paragraph (1) may provide that, for the purpose of determining whether a disclosure is permitted under Article 64 of the [Data Protection \(Jersey\) Law 2018](#), there must be an assumption that the disclosure is required by the Order.
- (10) An Order made under paragraph (1) must not give a power to an appointed person to require another person to supply information or produce a document that the person could not be compelled to supply or produce in civil proceedings before the Royal Court.
- (11) An Order made under paragraph (1) that gives power to an appointed person to require another person to supply information or produce a document –
- (a) must –
 - (i) specify the uses to which the information or documents obtained may be put; and
 - (ii) restrict the persons to whom the information or documents obtained may be released; and
 - (b) may, subject to sub-paragraph (a), require an appointed person to release the information or documents in the circumstances, for the purposes and to persons, that are specified in the Order.
- (12) A person must not –
- (a) deliberately delay or obstruct the exercise of any powers given by the Order;
 - (b) refuse or neglect to answer a question asked in exercise of the powers given under the Order; or
 - (c) refuse or neglect to produce a record or document in their possession or control when required in exercise of the powers given under the Order.
- (13) A person who breaches paragraph (12) commits an offence and liable to a fine of level 3 on the standard scale.
- (14) A person does not commit an offence under paragraph (13) if the person refuses to answer a question or produce a document that the person could not be compelled to supply or produce in civil proceedings before the Royal Court.
- (15) In this Article “appointed person” means a person appointed for the purposes described in paragraph (3)(b).

PART 8

REGULATION OF PROVISION OF SPECIALIST HEALTHCARE SERVICES

30 Meaning of specialist healthcare service

- (1) In this Part, “specialist healthcare service” means a yellow fever vaccination service.
- (2) The Minister may by Order prescribe what constitutes a yellow fever vaccination service.

- (3) The States may by Regulations –
 - (a) amend the meaning of “specialist healthcare service”; and
 - (b) make any consequential amendments to the Order-making power in paragraph (2) that they think fit.
- (4) The Minister must consult the Registrar before lodging Regulations under paragraph (3).

31 Restriction on providing specialist healthcare service

- (1) A person must not provide a specialist healthcare service unless –
 - (a) they are registered under this Part as a provider of that specialist healthcare service; or
 - (b) they do so on behalf of a registered provider of that specialist healthcare service.
- (2) A person must not represent themselves as being registered as a provider of a specialist healthcare service if they are not registered under this Part.
- (3) A person who breaches paragraph (1) or (2) commits an offence and is liable to imprisonment for term of 12 months and to a fine.

32 Registration as provider of specialist healthcare service

- (1) A person who wishes to be registered as a provider of a specialist healthcare service must apply to the Registrar.
- (2) The Minister may by Order specify the application and registration process.
- (3) An Order under paragraph (2) may in particular –
 - (a) specify who may apply to be registered as a provider of a specialist healthcare service;
 - (b) specify the form and manner of the application, and may do so by specifying that the form and manner may be determined by the Registrar;
 - (c) specify matters to be taken into account by the Registrar in determining an application;
 - (d) specify fees;
 - (e) provide for the Registrar to issue a certificate of registration;
 - (f) provide for the lapse and renewal of registration;
 - (g) provide for the Registrar to attach conditions to registration; and
 - (h) provide for the Registrar to suspend or cancel registration.
- (4) The Minister must consult the Registrar before making an Order under paragraph (3)(d).
- (5) An Order under paragraph (2) must provide for an appeal against a decision of the Registrar to –
 - (a) refuse an application for registration or renewal of registration;
 - (b) suspend or continue to suspend a registration; and
 - (c) cancel a registration.

- (6) Without limiting Article 9(5) of the [Legislation \(Jersey\) Law 2021](#), an Order under paragraph (2) may make provision that is transitional in relation to the Order.

33 Registrar to determine requirements for registration as specialist healthcare service

- (1) The Registrar must determine the requirements for initial and continued registration as a provider of a specialist healthcare service (“requirements for registration”).
- (2) Requirements for registration may in particular –
 - (a) relate to the qualifications, accreditation and training of a registered professional providing the specialist healthcare service;
 - (b) relate to the premises at which the specialist healthcare service is provided;
 - (c) specify information about the provision of the specialist healthcare service that the provider must give to the Registrar; and
 - (d) include any other matter the Registrar considers necessary or appropriate.
- (3) The Registrar must consult the Minister before determining requirements for registration that relate to qualifications, accreditation and training.
- (4) Requirements for registration may include requirements or standards set by a person other than the Registrar including requirements or standards under the legislation of Jersey or any another jurisdiction and, if they do so, may include reference to those requirements or standards as they have effect from time to time.
- (5) The Registrar must publish on its website –
 - (a) the requirements for registration, and any amendments to them; or
 - (b) in the case of requirements or standards set by a person other than the Registrar, details of where those requirements or standards may be found.
- (6) The Registrar must notify a registered provider of a specialist healthcare service –
 - (a) if a relevant requirement for registration is published or amended; and
 - (b) of the time within which the registered provider must comply with any new or amended requirement.
- (7) A registered provider of a specialist healthcare service must comply with the requirements for registration that are published by the Registrar from time to time.
- (8) The obligation in paragraph (7) is subject to paragraph (6)(b).

34 Register of providers of specialist healthcare service

- (1) The Registrar must maintain a register of providers of specialist healthcare services.
- (2) The Minister may by Order specify –
 - (a) the matters to be included on the register in relation to a registered provider of a specialist healthcare service; and
 - (b) the matters on the register that the Registrar must publish on its website.
- (3) If no Order under paragraph (2)(b) is in effect in relation to a specialist healthcare service, the Registrar may publish on its website those matters on the register relating to providers of that specialist healthcare service that the Registrar considers appropriate.

- (4) The Registrar must use its best endeavours to ensure that the information on the register is kept up to date.

35 Inspection of premises

- (1) The Registrar may inspect premises on which a specialist healthcare service is provided (the “premises”) to determine whether the provider of that service continues to meet the requirements for registration.
- (2) A person authorised by the Registrar to act on its behalf (an “authorised person”) may enter premises, at a reasonable time, for the purpose of carrying out an inspection.
- (3) An authorised person must produce evidence of their authority if requested by the owner or occupier of the premises to do so.
- (4) An authorised person may –
 - (a) inspect the premises, and any item on the premises, used for the purposes of the specialist healthcare service;
 - (b) inspect and take copies of any document or other record held at the premises;
 - (c) if documents or records are held at the premises electronically, require the provider to produce them in a form in which they may be taken away;
 - (d) remove from the premises any document, record or other item used for the purposes of the specialist healthcare service; and
 - (e) take measurements, photographs or recordings that they consider necessary.
- (5) But the authorised person may not copy, photograph or take away the records of a person treated by the specialist healthcare service unless the following have been obtained –
 - (a) the person’s written consent to the production of the records; or
 - (b) an order of the Royal Court authorising their production.

PART 9

INFORMATION POWERS AND OFFENCES

36 Information sharing

- (1) A person may disclose information to the Registrar if the disclosure is made in connection with the exercise of a function of the Registrar under this Law.
- (2) Information obtained by, or documents or records produced to, the Registrar in connection with the exercise of a power or fulfilment of a duty under this Law may also be used by the Registrar in connection with the exercise of its duties and powers as the Health and Social Care Commission under the Regulation of Care Law.
- (3) The Registrar may disclose information supplied to or acquired by it under this Law to a relevant body if it considers –
 - (a) it necessary for the purposes of the Registrar’s functions under this Law; and
 - (b) that the disclosure is limited to information that is relevant and proportionate to the purpose for which it is shared.

- (4) If information is disclosed under paragraph (3), the relevant body may disclose the information to another relevant body if –
 - (a) the relevant body considers that the conditions in paragraph (3) apply; and
 - (b) the Registrar gives consent.
- (5) The Registrar must disclose information supplied to the Registrar or acquired by the Registrar under this Law to a relevant UK regulatory body if, as a result of that information, the Registrar suspects that a registered professional's fitness to practise may be impaired.
- (6) Disclosure under this Article is not to be treated as a breach of a restriction imposed by contract, enactment or otherwise.
- (7) In this Article, "relevant body" means –
 - (a) a relevant UK regulatory body or regulatory body in other countries or territories;
 - (b) an applicant's or registered professional's employer or prospective employer;
 - (c) a relevant law enforcement authority; or
 - (d) other persons that the Registrar considers appropriate.

37 Information notices

- (1) The Registrar may by written notice served on a person (an "information notice") require the person to provide the Registrar with the information the Registrar reasonably requires to carry out its functions under this Law.
- (2) An information notice must –
 - (a) describe the information that is required by the Registrar;
 - (b) give the Registrar's reasons for requesting the information; and
 - (c) specify the time within which, and the form and manner in which, the requested information must be provided.
- (3) The power to require production of information under paragraph (1) does not include power to require production of the records of a patient unless the following have been obtained –
 - (a) the patient's written consent to the production of the records; or
 - (b) an order of the Royal Court authorising their production.
- (4) Nothing in this Article requires or permits the disclosure of information that is prohibited under any other enactment.
- (5) But if information is held in a form that is prohibited from disclosure under another enactment because it is capable of identifying an individual, the Registrar may, in exercising its powers under this Article, require that the information be put in a form that is not capable of identifying that individual.
- (6) Nothing in this Article is to be construed as requiring the disclosure or production by a person to the Registrar of information or documents that the person would in an action in court be entitled to refuse to disclose or produce on the grounds of legal professional privilege.
- (7) Disclosure under this Article is not to be treated as a breach of a restriction imposed by contract, enactment or otherwise.

- (8) A person who, without reasonable cause, does not comply with the requirements of an information notice commits an offence and is liable to a fine of level 3 on the standard scale.
- (9) The Registrar may withdraw an information notice by giving written notice to the person on whom the information notice was served.

38 Offence – false or misleading information

A person commits an offence, and is liable to imprisonment for a term of 12 months and to a fine, if they knowingly or recklessly provide the Registrar with information that is false or misleading in a material particular –

- (a) in purported compliance with a requirement of this Law; or
- (b) in circumstances in which the person intends, or could reasonably be expected to know, that the information would be used by the Registrar for the purpose of carrying out their functions under this Law.

39 Offences – obstructing Registrar or appointed person

- (1) A person must not obstruct or impede the Registrar in the exercise of the Registrar's duties and powers under this Law.
- (2) A person must not obstruct or impede a person appointed by the Registrar under an Order under Article 29 in the exercise of that person's duties and powers under this Law.
- (3) A person who breaches paragraph (1) or (2) commits an offence and is liable to a fine of level 3 on the standard scale.

PART 10

MISCELLANEOUS AND FINAL

40 Power to amend by Regulations

- (1) The States may by Regulations amend this Law (other than this Article) to make alternative or supplementary provision that appears to the States to be appropriate.
- (2) This Article does not limit other powers to amend this Law by Regulations or Order.

41 Repeals

The following enactments are repealed –

- (a) the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#);
- (b) the [Opticians \(Registration\) \(Jersey\) Law 1962](#);
- (c) the [Injury or Disease of the Eye \(Jersey\) Order 1963](#);
- (d) the [Health Care \(Registration\) \(Jersey\) Law 1995](#);
- (e) the [Health Care \(Registration\) \(Prescribed Qualifications\) \(Jersey\) Order 2003](#);
- (f) the [Pharmacists and Pharmacy Technicians \(Registration\) \(Jersey\) Law 2010](#);

- (g) the [Pharmacists and Pharmacy Technicians \(Registration\) \(General Provisions\) \(Jersey\) Order 2010](#);
- (h) the [Medical Practitioners \(Registration\) \(Responsible Officers\) \(Jersey\) Order 2014](#);
- (i) the [Medical Practitioners \(Registration\) \(General Provisions\) \(Jersey\) Order 2014](#);
- (j) the [Dentistry \(Jersey\) Law 2015](#).

42 Consequential provisions

- (1) Schedule 2 contains consequential amendments.
- (2) The Minister may by Order amend Schedule 2.
- (3) The States may by Regulations amend any other enactment (not including this Law or the [Human Rights \(Jersey\) Law 2000](#)) to make provision that the States consider necessary or expedient in relation to a reference (direct or indirect) in that other enactment to the enactments repealed under Article 41.

43 Transitional and saving provisions

- (1) The States may by Regulations, or the Minister may by Order, make saving and transitional provisions they consider necessary or expedient in consequence of the coming into force of this Law.
- (2) Any Regulations or an Order made under this Law may contain transitional and saving provision that appears to the Minister or the States to be necessary or expedient for the purposes of the Regulations or the Order.

44 Citation and commencement

This Law may be cited as the Health and Social Care Professionals Register (Jersey) Law 202- and comes into force on a day to be specified by the Minister by Order.

SCHEDULE 1

(Article 3)

SCHEDULED OCCUPATIONS, QUALIFICATION REQUIREMENTS, RELEVANT UK REGULATORY BODIES, PROTECTED TITLES AND PERMITTED ANNOTATIONS**1 Interpretation**

(1) In this Schedule –

“Health Professions register” means the register established and maintained under article 5 of the Health Professions Order;

“nurse” does not include –

(a) a person who practises or holds themselves out only as a dental nurse or veterinary nurse; or

(b) a person who acts or holds themselves out only as a nursery nurse;

“nursery nurse” means a person who has the care (not being the health care) of children;

“Nursing and Midwifery register” means the register established and maintained under article 5 of the Nursing and Midwifery Order 2001 of the United Kingdom (S.I. 2002/263);

“prescription only medicine” has the same meaning as in article 2 of the [Medicines \(Prescription Only\) \(Jersey\) Order 1997](#).

(2) The scheduled occupations, qualification requirements, relevant UK regulatory bodies, permitted annotations and protected titles referred to in Article 3 are as follows –

Column 1	Column 2	Column 3	Column 4
Scheduled occupation	Qualification requirements	Relevant UK regulatory body	Protected titles and permitted annotations
Arts therapist	Entry as an arts therapist in the Health Professions register	Health Professions Council	Arts therapist Arts psychotherapist Drama therapist Music therapist
Biomedical scientist	Entry as a biomedical scientist in the Health Professions register	Health Professions Council	Biomedical scientist
Chiropodist / podiatrist	Entry as a chiropodist/podiatrist in the Health Professions register	Health Professions Council	Chiropodist/podiatrist Chiropodist/podiatrist – independent prescriber Chiropodist/podiatrist – supplementary prescriber

Column 1	Column 2	Column 3	Column 4
Scheduled occupation	Qualification requirements	Relevant UK regulatory body	Protected titles and permitted annotations
			<p>Chiropodist/podiatrist – prescriptions only medicines – administration (POM-A)</p> <p>Chiropodist/podiatrist – prescriptions only medicines – sale (POM-S)</p> <p>Podiatric surgery (listed as “podiatrist practising podiatric surgery”)</p> <p>Chiropodist/podiatrist – prescription only medicines administration (POM-A) – including local anaesthetics</p> <p>Chiropodist/podiatrist – prescription only medicines – sale/supply (POM-S)</p>
Chiropractor	Entry as a chiropractor in the register established and maintained under section 2 of the Chiropractors Act 1994 of the United Kingdom	General Chiropractic Council	Chiropractor
Clinical scientist	Entry as a clinical scientist in the Health Professions register	Health Professions Council	Clinical scientist
Dentist	Entry as a dentist in the register continued and kept under section 14 of the Dentists Act	General Dental Council	<p>Dentist</p> <p>Dentist – specialist care dentistry</p> <p>Dentist – oral surgery</p> <p>Dentist – orthodontics</p> <p>Dentist – paediatric dentistry</p> <p>Dentist – endodontics</p> <p>Dentist – periodontics</p> <p>Dentist – prosthodontics</p> <p>Dentist – restorative dentistry</p> <p>Dentist – dental public health</p>

Column 1	Column 2	Column 3	Column 4
Scheduled occupation	Qualification requirements	Relevant UK regulatory body	Protected titles and permitted annotations
			Dentist – oral microbiology Dentist – oral and maxillofacial pathology Dentist – oral medicine Dentist – dental and maxillofacial radiology
Dental care professional	Entry as a dental care professional in the register established and kept under section 36B of the Dentists Act	General Dental Council	Clinical dental technician Dental hygienist Dental nurse Dental technician Dental therapist Orthodontic therapist
Dietitian	Entry as a dietitian in the Health Professions register	Health Professions Council	Dietitian Dietitian – supplementary prescriber
Hearing aid dispenser	Entry as a hearing aid dispenser in the Health Professions register	Health Professions Council	Hearing aid dispenser
Medical practitioner	Entry as a medical practitioner in the register continued and kept under section 2 of the Medical Act and holds a licence to practise granted in accordance with regulations made under section 29A of the Medical Act	General Medical Council	Medical practitioner Medical doctor Physician CCT specialities – Anaesthetics Cardiology Clinical Oncology Dermatology Emergency Medicine General (Internal) medicine General Surgery Geriatric Medicine Neurology Obstetrics and Gynaecology Ophthalmology Paediatrics Psychiatry (with sub-specialities like Forensic Psychiatry, Child and Adolescent Psychiatry) Radiology

Column 1	Column 2	Column 3	Column 4
Scheduled occupation	Qualification requirements	Relevant UK regulatory body	Protected titles and permitted annotations
			Respiratory Medicine Rheumatology Urology
Midwife	Entry as a midwife in the Nursing and Midwifery register	Nursing and Midwifery Council	Midwife Midwife - Independent Prescriber
Nurse	Entry as a registered nurse: first level, a registered nurse: second level, or a specialist community public health nurse in the Nursing and Midwifery register	Nursing and Midwifery Council	Nurse Registered nurse Community nurse – Independent Prescriber RN1: Adult nurse, level 1 RNA: Adult nurse, level 1 RN3: Mental health nurse, level 1 RNMH: Mental health nurse, level 1 RN5: Learning disabilities nurse, level 1 RNLD: Learning disabilities nurse, level 1 RN8: Children’s nurse, level 1 RNC: Children’s nurse, level 1 RN2: Adult nurse, level 2 RN4: Mental health nurse, level 2 RN6: Learning disabilities nurse, level 2 RN7: General nurse, level 2 RN9: Fever nurse, level 2 V100: Community practitioner nurse – prescriber V150: Community practitioner nurse – prescriber (without SPQ or SCPHN)

Column 1	Column 2	Column 3	Column 4
Scheduled occupation	Qualification requirements	Relevant UK regulatory body	Protected titles and permitted annotations
			<p>V200: Nurse – independent prescriber (extended formulary)</p> <p>V300: Nurse – independent/supplementary prescriber</p> <p>LPE: Lecturer/practice educator</p> <p>TCH: Teacher</p> <p>SPA: Specialist practitioner: Adult nursing</p> <p>SPMH: Specialist practitioner: mental health</p> <p>SPC: Specialist practitioner: children’s nursing</p> <p>SPLD: Specialist practitioner: learning disability nurse</p> <p>SPGP: Specialist practitioner: general practice nursing</p> <p>SCMH: Specialist practitioner: community mental health nursing</p> <p>SCLD: Specialist practitioner: community learning disabilities nursing</p> <p>SPCC: Specialist practitioner: community children’s nursing</p> <p>SPDN: Specialist practitioner: district nursing</p>
Nursing associate	Entry as a nursing associate in the Nursing and Midwifery register	Nursing and Midwifery Council	Nursing associate
Occupational therapist	Entry as an occupational therapist in the Health Professions register	Health Professions Council	Occupational therapist
Operating department practitioner	Entry as an operating department practitioner in the Health Professions	Health Professions Council	Operating department practitioner

Column 1	Column 2	Column 3	Column 4
Scheduled occupation	Qualification requirements	Relevant UK regulatory body	Protected titles and permitted annotations
	register		
Optician	Entry as a dispensing optician or optometrist in the Opticians register	General Optical Council	Optician Dispensing optician Student dispensing optician
Optometrist	Entry as an optometrist in the Opticians register	General Optical Council	Optometrist Student optometrist Optometrist – independent prescriber Optometrist – supplementary prescriber Optometrist – additional supply
Orthoptist	Entry as an orthoptist in the Health Professions register	Health Professions Council	Orthoptist Orthoptist – prescription only medicines (POM-S)
Orthotist	Entry as an orthotist in the Health Professions register	Health Professions Council	Orthotist
Osteopath	Entry as an osteopath in the register established and maintained under section 2 of the Osteopaths Act 1993 of the United Kingdom	General Osteopathic Council	Osteopath
Paramedic	Entry as a paramedic in the Health Professions register	Health Professions Council	Paramedic Ambulance paramedic Paramedic – independent prescriber Paramedic – supplementary prescriber
Pharmacist	Entry as a pharmacist in the Pharmacy register	General Pharmaceutical Council	Pharmacist Pharmaceutical chemist Pharmacist – independent prescriber Pharmacist - supplementary

Column 1	Column 2	Column 3	Column 4
Scheduled occupation	Qualification requirements	Relevant UK regulatory body	Protected titles and permitted annotations
			prescriber
Pharmacy technician	Entry as a pharmacy technician in the Pharmacy register	General Pharmaceutical Council	Pharmacy technician
Physiotherapist		Health Professions Council	Physiotherapist Physical therapist Physiotherapist – independent prescriber Physiotherapist – supplementary prescriber
Practitioner psychologist	Entry as a practitioner psychologist in the Health Professions register	Health Professions Council	Practitioner psychologist Registered psychologist Clinical psychologist Forensic psychologist Counselling psychologist Health psychologist Educational psychologist Occupational psychologist Sport and exercise psychologist
Prosthetist	Entry as a prosthetist in the Health Professions register	Health Professions Council	Prosthetist
Radiographer	Entry as a radiographer in the Health Professions register	Health Professions Council	Radiographer Diagnostic radiographer Therapeutic radiographer Sonographer Radiographer – supplementary prescriber Therapeutic radiographer – independent prescriber Therapeutic radiographer – supplementary prescriber

Column 1	Column 2	Column 3	Column 4
Scheduled occupation	Qualification requirements	Relevant UK regulatory body	Protected titles and permitted annotations
			Diagnostic radiographer – supplementary prescriber
Social worker	Entry as a social worker in the register kept under section 39 of the Children and Social Work Act 2017 of the United Kingdom	Social Work England	Social worker Approved mental health professional Best interests assessor
Specialist community public health nurse	Entry as a specialist community public health nurse in Nursing and Midwifery register	Nursing and Midwifery Council	Specialist community public health nurse Specialist community public health nurse – independent prescriber RHV: health visitor HV: health visitor RSN: school nurse SN: school nurse ROH: occupational health nurse OH: occupational health nurse RFHN: family health nurse FHN: family health nurse RPHN: specialist community public health nurse
Speech and language therapist	Entry as a speech and language therapist in the Health Professions register	Health Professions Council	Speech and language therapist Speech therapist

SCHEDULE 2

(Article 42)

CONSEQUENTIAL AMENDMENTS

1 [Capacity and Self-Determination \(Independent Capacity Advocates\) \(Jersey\) Regulations 2018](#) amended

In the [Capacity and Self-Determination \(Independent Capacity Advocates\) \(Jersey\) Regulations 2018](#), in Regulation 4(2)(c)(ii), for “[Health Care \(Registration\) \(Jersey\) Law 1995](#)” there is substituted “Health and Social Care Professionals Register (Jersey) Law 202-”.

2 [Capacity and Self-Determination \(Miscellaneous Provisions and Prescribed Fees and Forms\) \(Jersey\) Order 2018](#)

In the [Capacity and Self-Determination \(Miscellaneous Provisions and Prescribed Fees and Forms\) \(Jersey\) Order 2018](#) –

- (a) Article 3(g) is deleted;
- (b) in Article 3(h), for “[Health Care \(Registration\) \(Jersey\) Law 1995](#)” there is substituted “Health and Social Care Professionals Register (Jersey) Law 202-”.

3 [Capacity and Self-Determination \(Supervision of Delegates etc.\) \(Jersey\) Regulations 2018](#)

In the [Capacity and Self-Determination \(Supervision of Delegates etc.\) \(Jersey\) Regulations 2018](#), in Regulation 5(2)(b)(i), for “[Health Care \(Registration\) \(Jersey\) Law 1995](#)” there is substituted “Health and Social Care Professionals Register (Jersey) Law 202-”.

4 [Children and Young People \(Jersey\) Law 2022](#)

In the [Children and Young People \(Jersey\) Law 2022](#), for Article 42(10) there is substituted –

- (10) In this Article, “social worker” means a person registered to practise the occupation of social worker under the Health and Social Care Professionals Register (Jersey) Law 202-.

5 [Children \(Jersey\) Law 2002](#)

In the [Children \(Jersey\) Law 2002](#), in Article 1(1), for the definition “registered medical practitioner” there is substituted –

“registered medical practitioner” means a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;

6 [Control of Housing and Work \(Exemptions\) \(Jersey\) Order 2013](#)

In the [Control of Housing and Work \(Exemptions\) \(Jersey\) Order 2013](#) –

- (1) In Article 1 –
 - (a) the definition “nurse” is deleted;
 - (b) the definition “registrable occupation ” is deleted.
- (2) The Schedule is deleted.

7 [Covid-19 \(Control of Testing\) \(Jersey\) Regulations 2020](#)

In the [Covid-19 \(Control of Testing\) \(Jersey\) Regulations 2020](#), in Regulation 3(3)(b), for “a health care practitioner registered under [Health Care \(Registration\) \(Jersey\) Law 1995](#)” there is substituted “a person who is registered under the Health and Social Care Professionals Register (Jersey) Law 202-”.

8 [Cremation \(Jersey\) Regulations 1961](#)

In the [Cremation \(Jersey\) Regulations 1961](#), in Regulation 1, for the definition “registered medical practitioner” there is substituted –

“registered medical practitioner” means a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;

9 [Criminal Justice \(Evidence of Children\) \(Jersey\) Law 2002](#)

In the [Criminal Justice \(Evidence of Children\) \(Jersey\) Law 2002](#), for Article 7(2) there is substituted –

- (2) In this Article, “registered medical practitioner” means a person registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-.

10 [Data Protection \(Jersey\) Law 2018](#)

In the [Data Protection \(Jersey\) Law 2018](#), in Article 1(1), for the definition “health professional” there is substituted –

“health professional” means a person registered under the Health and Social Care Professionals Register (Jersey) Law 202- or any person who may be prescribed;

11 [Education \(Jersey\) Law 1999](#)

In the [Education \(Jersey\) Law 1999](#), in Article 1(1), for the definition “registered medical practitioner” there is substituted –

“registered medical practitioner” means a person registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;

12 [Emergency Powers and Planning \(Jersey\) Law 1990](#)

In the [Emergency Powers and Planning \(Jersey\) Law 1990](#), in Article 8A(5) –

- (a) for the definition “health care professional” there is substituted –
“health care professional” means a person registered under the Health and Social Care Professionals Register (Jersey) Law 202-;
- (b) for the definition “pharmacy technician” there is substituted –
“pharmacy technician” means a person registered to practise the occupation of pharmacy technician under the Health and Social Care Professionals Register (Jersey) Law 202-;

13 [Employment \(Jersey\) Law 2003](#)

In the [Employment \(Jersey\) Law 2003](#), in Article 55A(1) –

- (a) for the definition “registered medical practitioner” there is substituted –
“registered medical practitioner” means a person registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;
- (b) for the definition “registered midwife” there is substituted –
“registered midwife” means a person registered to practise the occupation of midwife under the Health and Social Care Professionals Register (Jersey) Law 202-;
- (c) for the definition “registered nurse” there is substituted –
“registered nurse” means a person registered to practise the occupation of nurse under the Health and Social Care Professionals Register (Jersey) Law 202-;

14 [Food Safety \(Jersey\) Law 1966](#)

In the [Food Safety \(Jersey\) Law 1966](#), for Article 25(3) there is substituted –

- (3) In this Article, “registered medical practitioner” means a person registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-.

15 [Gender Recognition \(Disclosure of Information\) \(Jersey\) Order 2010](#)

In the [Gender Recognition \(Disclosure of Information\) \(Jersey\) Order 2010](#), in Article 4(2), for the definition “health professional” there is substituted –

“health professional” means a doctor or dentist, or a person registered to practise the occupation of nurse, pharmacist or paramedic under the Health and Social Care Professionals Register (Jersey) Law 202-, or a person working lawfully as a trainee of any of those professions.

16 [Goods and Services Tax \(Jersey\) Law 2007](#)

In the [Goods and Services Tax \(Jersey\) Law 2007](#), in Schedule 5 –

- (a) in paragraph 4(1)(c), for “registered Optician (within the meaning of the [Opticians \(Registration\) \(Jersey\) Law 1962](#))” there is substituted “person who is registered to practise the occupation of optometrist or optician under the Health and Social Care Professionals Register (Jersey) Law 202-”;
- (b) in paragraph 4(1)(d), for “person registered under the [Health Care \(Registration\) \(Jersey\) Law 1995](#) in the course of his or her practice in his or her relevant scheduled occupation within the meaning of that Law” there is substituted “person registered under the Health and Social Care Professionals Register (Jersey) Law 202- in the course of their practice in their relevant occupation”.

17 [Health Insurance \(Approved Prescribing Practitioners\) \(Jersey\) Order 2025](#)

In the [Health Insurance \(Approved Prescribing Practitioners\) \(Jersey\) Order 2025](#), for the table in Article 2(3)(b) there is substituted –

Prescribing practitioner	Registration requirement
Non-GP doctor	Registered to practise the scheduled occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-
Nurse – independent prescriber	Registered to practise the scheduled occupation of nurse under the Health and Social Care Professionals Register (Jersey) Law 202- and permitted to hold themselves out in the United Kingdom as having this protected title or permitted annotation
Paramedic – independent prescriber	Registered to practise the scheduled occupation of paramedic under the Health and Social Care Professionals Register (Jersey) Law 202- and permitted to hold themselves out in the United Kingdom as having this protected title or permitted annotation
Pharmacist – independent prescriber	Registered to practise the scheduled occupation of pharmacist under the Health and Social Care Professionals Register (Jersey) Law 202- and permitted to hold themselves out in the United Kingdom as having this protected title or permitted annotation

18 [Health Insurance \(Jersey\) Law 1967](#)

In the [Health Insurance \(Jersey\) Law 1967](#) –

- (a) in Article 1(1), the definition “dentist” is deleted;
- (b) in Article 1(1), for the definition “health care professional” there is substituted –

- “health care professional” means a person who is registered under the HSC Professionals Register Law;
- (c) in Article 1(1), after the definition “His Majesty’s dominions” there is inserted –
- “HSC Professionals Register Law” means the Health and Social Care Professionals Register (Jersey) Law 202-;
- (d) in Article 1(1), for the definition “medical practitioner” there is substituted –
- “medical practitioner” means a person who is registered to practise the scheduled occupation of medical practitioner under the HSC Professionals Register Law;
- (e) in Article 1(1), for the definition “optician” there is substituted –
- “optician” means a person who is registered to practise the scheduled occupation of optometrist or optician under the HSC Professionals Register Law;
- (f) in Article 1(1), for the definition “pharmacist” there is substituted –
- “pharmacist” means a person who is registered to practise the scheduled occupation of pharmacist under the HSC Professionals Register Law-;
- (g) in Article 1(1), the definition “registrable occupation” is deleted; –
- (h) in Article 1(1), in the definition “responsible officer” for “Article 10C of the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#)” there is substituted “Article 29 of the HSC Professionals Register Law”;
- (i) in Article 1(1), after the definition “responsible officer”, there is inserted –
- “scheduled occupation” has the meaning given in the HSC Professionals Register Law;
- (j) In Article 20B(6)(b), for “Article 10C of the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#)” there is substituted “Article 29 of the HSC Professionals Register Law”;
- (k) for Article 20B(6)(d) there is substituted –
- (d) the Commission, for use only for the purposes of the discharge of its functions under the HSC Professionals Register Law in respect of medical practitioners.
- (l) for Article 20B(7) there is substituted –
- (7) Information obtained in the exercise of rights of entry and inspection referred to in paragraph (3)(g)(v) that raises an issue regarding the fitness to practise of a pharmacist must be passed to the Commission, for use only for the purposes of the discharge of its functions under the HSC Professionals Register Law.
- (m) for Article 20B(8) there is substituted –
- (8) Information obtained in the exercise of rights of entry and inspection referred to in paragraph (3)(g)(v) that raises an issue regarding the fitness to practise of a health care professional must be passed to the Commission, for use only for the purposes of the discharge of its functions under the HSC Professionals Register Law.
- (n) for Article 20B(11) there is substituted –
- (11) In this Article –

“Commission” means the Health and Social Care Commission established under Article 35 of the [Regulation of Care \(Jersey\) Law 2014](#);

“payments” includes fees, allowances, reimbursements, loans and repayments.

- (o) in Article 21(1A)(b)(ii), for “Article 10C of the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#)” there is substituted “Article 29 of the HSC Professionals Register Law”;
- (p) in Article 27A(6)(b), for “[Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#)” there is substituted “HSC Professionals Register Law in respect of medical practitioners”;
- (q) in Article 27A(6)(c), for “Article 10C of the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#)” there is substituted “Article 29 of the HSC Professionals Law”;
- (r) in Article 27B(1) “dentists, opticians, pharmacists, ” is deleted.
- (s) in Article 27B(2), for “ and to the [Dentistry \(Jersey\) Law 2015](#), the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#), the [Health Care \(Registration\) \(Jersey\) Law 1995](#), the [Medicines \(Jersey\) Law 1995](#), the [Opticians \(Registration\) \(Jersey\) Law 1962](#) and the [Pharmacists and Pharmacy Technicians \(Registration\) \(Jersey\) Law 2010](#)” there is substituted “, the HSC Professionals Register Law and the [Medicines \(Jersey\) Law 1995](#)”.

19 [Health Insurance \(Medical Benefit\) \(General Provisions\) \(Jersey\) Order 1967](#)

In the [Health Insurance \(Medical Benefit\) \(General Provisions\) \(Jersey\) Order 1967](#), in Schedule 1, for “registered medical practitioner within the meaning of the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#)” there is substituted “a person who is registered to practise the scheduled occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-”.

20 [Health Insurance \(Performers List for General Medical Practitioners\) \(Jersey\) Regulations 2014](#)

In the [Health Insurance \(Performers List for General Medical Practitioners\) \(Jersey\) Regulations 2014](#) –

- (a) in Regulation 1(1), the definition “1960 Law” is deleted;
- (b) in Regulation 1(1), the definition “1967 Law” is deleted;
- (c) in Regulation 1(1), after the definition “GP trainer” there is inserted –
 - “Health Insurance Law” means the [Health Insurance \(Jersey\) Law 1967](#);
 - “HSC Professionals Register Law” means the Health and Social Care Professionals Register (Jersey) Law 202-;
- (d) in Regulation 1(1), for the definition “registered medical practitioner” there is substituted –
 - “registered medical practitioner” means a person who is registered to practise the scheduled occupation of medical practitioner under the HSC Professionals Register Law;
- (e) for Regulation 2(2) there is substituted –

- (2) The responsible officer appointed in relation to performers under an Order made under Article 29(3)(b) of the HSC Professionals Register Law must also be the Medical Director.
- (f) for Regulation 2(3)(b) there is substituted –
 - (b) generally to assist the Medical Director in the discharge of their functions under these Regulations and, as a responsible officer, under an Order made under Article 29 of the HSC Professionals Register Law.
- (g) for Regulation 3(3)(c) there is substituted –
 - (c) the date of the performer’s registration as a medical practitioner under the HSC Professionals Register Law; and
- (h) in Regulation 30(3)(a), for “[Health Insurance \(Jersey\) Law 1967](#)” there is substituted “Health Insurance Law”;
- (i) in the following places, for “under the 1960 Law” there is substituted “under the HSC Professionals Register Law” –
 - (i) Regulation 31(2)(c);
 - (ii) Regulation 32(2)(c);
 - (iii) Regulation 33(2)(c);
- (j) for Regulation 44(1)(b) there is substituted –
 - (b) the Minister for Health and Social Services, for purposes connected with the Minister’s functions under the HSC Professionals Register Law;
- (k) in Regulation 44(1)(c), for “Article 10C of the 1960 Law” there is substituted “Article 29 of the HSC Professionals Register Law”;
- (l) for Regulation 44(2) there is substituted –
- (2) The Medical Director may use information obtained or received under or for the purposes of these Regulations for purposes connected with the discharge of their functions as the individual appointed under Article 29 of the HSC Professional Register Law as the responsible officer for performers.
- (m) in the following places, for “1967 Law” there is substituted “Health Insurance Law” –
 - (i) Regulation 1(1), in the definition “inspector”;
 - (ii) Regulation 10(2)(c);
 - (iii) Regulation 19(1);
 - (iv) Regulation 30(2);
 - (v) Regulation 31(2)(a) and (d);
 - (vi) Regulation 32(2)(c) and (d);
 - (vii) Regulation 33(2)(d);
 - (viii) Regulation 44(1)(a);
 - (ix) Regulation 45(6), in the definition “existing approved medical practitioner”.

21 [Health Insurance \(Pharmaceutical Benefit Advisory Committee\) \(Jersey\) Order 2017](#)

In the [Health Insurance \(Pharmaceutical Benefit Advisory Committee\) \(Jersey\) Order 2017](#), in Article 1, for the definition “nurse” there is substituted –

“nurse” means a person who is registered to practise the scheduled occupation of nurse under the Health and Social Care Professionals Register (Jersey) Law 202-;

22 [Human Transplantation and Anatomy \(Jersey\) Law 2018](#)

In the [Human Transplantation and Anatomy \(Jersey\) Law 2018](#) –

- (a) in Article 1(1), after the definition “gametes” there is inserted –
“HSC Professionals Register Law” means the Health and Social Care Professionals Register (Jersey) Law 202-;
- (b) in Article 1(1), for the definition “registered medical practitioner” there is substituted –
“registered medical practitioner” means a person who is registered to practise the occupation of medical practitioner under the HSC Professionals Register Law;
- (c) in Article 10(1)(b), for “qualified” there is substituted “who holds the qualification requirements”;
- (d) in Article 10(2), “for “thereby contravene Article 2 of the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#)” there is substituted “breach Article 6 (offence – practising scheduled occupation if unregistered) or Article 7 (offences – false representations) of the HSC Professionals Register Law”.

23 [Income Support \(General Provisions\) \(Jersey\) Order 2008](#)

In the [Income Support \(General Provisions\) \(Jersey\) Order 2008](#) –

- (a) in Article 1(1), after the definition “approved registered person” there is inserted –
“HSC Professionals Register Law” means the Health and Social Care Professionals Register (Jersey) Law 202-;
- (b) for Article 5B(4) there is substituted –
- (4) The Minister must not grant an application under paragraph (3) unless the Minister is satisfied that –
 - (a) the applicant is a person who is registered to practise the occupation of nurse, social worker, occupational therapist or medical practitioner under the HSC Professionals Register Law; and
 - (b) the applicant is competent to make the assessments, or to give the approvals, referred to in Article 5(3A) of the Law.
- (c) for Article 5B(6), there is substituted –
- (6) A person’s status as an approved registered person under paragraph (5) is suspended if –

- (a) the person’s registration under the HSC Professionals Register Law is cancelled under Article 22 (cancellation) of that Law;
 - (b) the person’s registration under the HSC Professionals Register Law is suspended under Article 23 (suspension) of that Law; or
 - (c) the person’s name is removed from the register under Article 24 (removal of name from register if ceased to practise or on death) of the HSC Professionals Register Law.
- (d) for Article 5B(7) there is substituted –
- (7) A suspension of a person’s status as an approved registered person under paragraph (6) no longer applies and the person’s status as an approved registered person is restored if, following the suspension –
- (a) the person’s name is restored to the register under Article 24(5) of the HSC Professionals Register Law;
 - (b) the cancellation or suspension of a person’s registration under the HSC Professionals Register Law ends.
- (e) in Article 7(3), for “person on the list of registered persons made and kept under Article 11 of the [Health Care \(Registration\) \(Jersey\) Law 1995](#)” there is substituted “person who is registered under the HSC Professionals Register Law”.

24 [Income Support \(Jersey\) Regulations 2007](#)

In the [Income Support \(Jersey\) Regulations 2007](#), in Regulation 1, in the definition “healthcare professional” for “doctor, dentist or a person on the list of registered persons made under Article 11 of the [Health Care \(Registration\) \(Jersey\) Law 1995](#)” there is substituted “person registered to practise an occupation under the Health and Social Care Professionals Register (Jersey) Law 202-”.

25 [Income Tax \(Jersey\) Law 1961](#)

In the [Income Tax \(Jersey\) Law 1961](#), in Article 3, for the definition “medical practitioner” there is substituted –

“medical practitioner” means a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;

26 [Inquests and Post-Mortem Examinations \(Jersey\) Law 1995](#)

In the [Inquests and Post-Mortem Examinations \(Jersey\) Law 1995](#), in Article 1, for the definition “registered medical practitioner” there is substituted –

“registered medical practitioner” means a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202- and, for the purposes of the performance of a post-mortem examination under Article 17 or 18, includes a person who holds the qualification requirements for registration as a registered medical practitioner under that Law;

27 [Interpretation \(Jersey\) Law 1954](#)

In the [Interpretation \(Jersey\) Law 1954](#), in the Schedule, Part 1 –

- (a) for the definition “dentist” there is substituted –
“dentist” means a person who is registered to practise the occupation of dentist under the Health and Social Care Professionals Register (Jersey) Law 202-;
- (b) for the definition “doctor” there is substituted –
“doctor” means a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;
- (c) for the definition “pharmacist” there is substituted –
“pharmacist” means a person who is registered to practise the occupation of pharmacist under the Health and Social Care Professionals Register (Jersey) Law 202-;

28 [Loi \(1919\) sur le traitement des maladies vénériennes](#)

In the [Loi \(1919\) sur le traitement des maladies vénériennes](#) –

- (a) in Article 1, in sub-paragraph 1, for “quiconque, en contravention à l’Article 2 de la [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#)” there is substituted “quiconque, en contravention à l’Article 6 de la Health and Social Care Professionals Register (Jersey) Law 202-”;
- (b) in Article 1, in sub-paragraph 1., “, comme medical practitioner,” is inserted after –
 - (i) “traitera”;
 - (ii) “prescrira”; and
 - (iii) “donnera”.

29 [Loi \(1934\) sur la Santé Publique](#)

Article 9(d) of the [Loi \(1934\) sur la Santé Publique](#) is deleted.

30 [Long-Term Care \(General Provisions\) \(Jersey\) Order 2014](#)

In the [Long-Term Care \(General Provisions\) \(Jersey\) Order 2014](#) –

- (a) in Article 1, the definition “Health Care Law 1995” is deleted;
- (b) in Article 1, the definition “Medical Practitioners Law 1960” is deleted;
- (c) for Article 12(6)(a) there is substituted –
 - (a) the person is registered to practise the occupation of nurse, social worker, occupational therapist or medical practitioner under the HSC Professionals Register Law;
- (d) Article 12(6)(b) is deleted;
- (e) for Article 12(8) there is substituted –
 - (8) A person’s status as an approved registered person under paragraph (7) is suspended if –

- (a) the person's name is removed from the register under Article 24 (removal of name from register if ceased to practise or on death) of the HSC Professionals Register Law;
 - (b) the person's registration under the HSC Professionals Register Law is cancelled under Article 22 (cancellation) of that Law; or
 - (c) the person's registration under the HSC Professionals Register Law is suspended under Article 23 (suspension) of that Law.
- (e) for Article 12(9), there is substituted –
- (9) A suspension of a person's status as an approved registered person under paragraph (8) no longer applies and the person's status as an approved registered person is restored for the purposes stated in the Minister's decision under paragraph (4) if, following the suspension –
- (a) the person's name is restored to the register under Article 24(5) of the HSC Professionals Register Law;
 - (b) the cancellation or suspension of a person's registration under the HSC Professionals Register Law ends.
- (f) after Article 12(15) there is inserted –
- (16) In this Article, "HSC Professionals Register Law" means the Health and Social Care Professionals Register (Jersey) Law 202-.

31 [Long-Term Care \(Jersey\) Law 2012](#)

In the [Long-Term Care \(Jersey\) Law 2012](#), in Article 1, for the definition "registered person" there is substituted –

"registered person" means a person who is registered under the Health and Social Care Professionals Register (Jersey) Law 202-;

32 [Marriage and Civil Status \(Jersey\) Law 2001](#)

In the [Marriage and Civil Status \(Jersey\) Law 2001](#), in Article 1(1), for the definition "registered medical practitioner" there is substituted –

"registered medical practitioner" means a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;

33 [Medicines \(Jersey\) Law 1995](#)

In the [Medicines \(Jersey\) Law 1995](#) –

- (a) in Article 1(1), the definition "certified midwife" is deleted;
- (b) in Article 1(1), after the definition "product licence" there is inserted –
 - "registered midwife" means a person who is registered to practise the occupation of midwife under the Health and Social Care Professionals Register (Jersey) Law 202-;
- (c) in Article 1(1), for the definition "registered nurse" there is substituted –
 - "registered nurse" means a person who is registered to practise the occupation of nurse under the Health and Social Care Professionals Register (Jersey) Law 202-;

- (d) in Article 12, for “certified midwife” there is substituted “registered midwife”;
- (e) in Article 54(2)(b), in both places, for “certified” there is substituted “registered”;
- (f) in Article 69(3), for “Article 8 of the [Pharmacists and Pharmacy Technicians \(Registration\) \(Jersey\) Law 2010](#) or deemed, by an Order made under Article 29(c) of that Law, to have been issued under that Article” there is substituted “Article 18 of the Health and Social Care Professionals Register (Jersey) Law 202- or taken, by an Order made under Article 42 of that Law, to have been issued under Article 18”.

34 Medicines (Health Professionals - Exemption) (Jersey) Order 2001

In the [Medicines \(Health Professionals – Exemption\) \(Jersey\) Order 2001](#), in Article 1(5) for the definition “health professional” there is substituted –

“health professional” means a person who is registered to practise 1 or more of the following occupations under the Health and Social Care Professionals Register (Jersey) Law 202- –

- (a) chiropodist;
- (b) midwife;
- (c) nurse;
- (d) optometrist;
- (e) orthoptist;
- (f) paramedic;
- (g) pharmacist;
- (h) physiotherapist;
- (i) radiographer;

35 Medicines (Pharmacy and General Sale Exemptions) (Jersey) Order 1997

In the [Medicines \(Pharmacy and General Sale Exemptions\) \(Jersey\) Order 1997](#) –

- (a) in Article 1(1), for the definition “registered chiropodist” there is substituted –
“registered chiropodist” means a person who is registered to practise the occupation of chiropodist under the Health and Social Care Professionals Register (Jersey) Law 202-;
- (b) in Article 1(1), for the definition “registered optometrist” there is substituted –
“registered optometrist” means a person who is registered to practise the occupation of optometrist under the Health and Social Care Professionals Register (Jersey) Law 202-;

36 Medicines (Prescription Only) (Jersey) Order 1997

In the [Medicines \(Prescription Only\) \(Jersey\) Order 1997](#) –

- (a) in Article 1(1), for the definition “registered optometrist” there is substituted –
“registered optometrist” means a person who is registered to practise the occupation of optometrist under the Health and Social Care Professionals Register (Jersey) Law 202-;

- (b) after Article 5(1)(c) there is inserted –
 - (ca) chiropracist/podiatrist – independent prescribers, but only in relation to a medicinal product that does not contain a controlled drug other than Dihydrocodeine or Temazepam;
 - (cb) midwife – independent prescribers;
- (c) in Article 5(1)(d) for “nurse independent prescribers” there is substituted “nurse – independent prescribers”;
- (d) in Article 5(1)(e) for “optometrist independent prescribers” there is substituted “optometrist – independent prescribers”;
- (e) in Article 5(1)(f) for “paramedic independent prescribers” there is substituted “paramedic – independent prescribers”;
- (f) in Article 5(1)(g) for “pharmacist independent prescribers” there is substituted “pharmacist – independent prescribers”;
- (g) in Article 5(1)(h) for “– independent prescribers” there is substituted “physiotherapist – independent prescribers”;
- (h) Article 5(1)(i) is deleted;
- (i) in Article 5(1)(k) for “therapeutic radiographer independent prescribers” there is substituted “therapeutic radiographer – independent prescribers”;
- (j) for Article 5(2) there is substituted –
 - (2) In this Article, a reference to the following is taken to be a reference to a person who is permitted to hold themselves out in the United Kingdom as having that protected title or permitted annotation and is registered for the corresponding occupation under the Health and Social Care Professionals Register (Jersey) Law 202- –
 - (a) chiropracist/podiatrist – independent prescriber;
 - (b) midwife – independent prescriber;
 - (c) nurse – independent prescriber;
 - (d) optometrist – independent prescriber;
 - (e) paramedic – independent prescriber;
 - (f) pharmacist – independent prescriber;
 - (g) physiotherapist – independent prescriber;
 - (h) therapeutic radiographer – independent prescriber.
- (j) for Article 5(2) there is substituted –
 - (3) In this Article,
“nurse - independent prescriber” means a person who is registered to practise the occupation of nurse as a nurse under the Health and Social Care Professionals Register (Jersey) Law 202- and are permitted to hold themselves out in the United Kingdom as having 1 or more of the following protected titles or permitted annotations –
 - (a) community nurse – independent prescriber;
 - (b) V100: community practitioner nurse – prescriber;
 - (c) V150: community practitioner nurse – prescriber;
 - (d) V200: nurse – independent prescriber (extended formulary)
 - (e) V300: nurse – independent prescriber;

“supplementary prescriber” means a person who is registered to practise under the Health and Social Care Professionals Register (Jersey) Law 202- and are permitted to hold themselves out in the United Kingdom as having 1 or more of the following protected titles or permitted annotations –

- (a) chiropodist/podiatrist – supplementary prescriber;
 - (b) dietitian – supplementary prescriber;
 - (c) V300 nurse – supplementary prescriber;
 - (d) optometrist – supplementary prescriber;
 - (e) paramedic – supplementary prescriber;
 - (f) pharmacist – supplementary prescriber;
 - (g) physiotherapist – supplementary prescriber;
 - (h) radiographer – supplementary prescriber;
 - (i) therapeutic radiographer – supplementary prescriber;
 - (j) diagnostic radiographer – supplementary prescriber;
- (c) in Schedule 2, Part 3, in column 1, in the entry relating to chiropodists, for “Chiropodists, registered under the [Health Care \(Registration\) \(Jersey\) Law 1995](#)” there is substituted “Persons who are registered to practise the occupation of chiropodist/podiatrist under the Health and Social Care Professionals Register (Jersey) Law 202-”.
- (d) in Schedule 2, Part 3, in column 1, in the entry relating to certified midwives, for “certified midwives” there is substituted “registered midwives”.
- (e) in Schedule 2, Part 3, in column 1, in the entry relating to paramedics, for “Persons who hold certificates of proficiency in ambulance paramedical skills issued by or with the approval of the Secretary of State of the United Kingdom, or persons who are state registered paramedics” there is substituted “Persons who are registered to practise the occupation of paramedic under the Health and Social Care Professionals Register (Jersey) Law 202-”.

37 [Medicines \(Sale and Supply\) \(Miscellaneous Provisions\) \(Jersey\) Order 1997](#)

In the [Medicines \(Sale and Supply\) \(Miscellaneous Provisions\) \(Jersey\) Order 1997](#), in Article 1(1), for the definition “registered optometrist” there is substituted –

“registered optometrist” means a person who is registered to practise the occupation of optometrist under the Health and Social Care Professionals Register (Jersey) Law 202-;

38 [Mental Health \(Jersey\) Law 2016](#)

In the [Mental Health \(Jersey\) Law 2016](#) –

- (a) in Article 1(1), after the definition “function” there is inserted –
 - “HSC Professionals Register Law” means the Health and Social Care Professionals Register (Jersey) Law 202-;
- (b) in Article 1(1), for the definition “registered medical practitioner” there is substituted –

“registered medical practitioner” means a person who is registered to practise the occupation of medical practitioner under the HSC Professionals Register Law;

- (c) in Article 6, for “pursuant to the Health Care Registration (Jersey) Law 1995” there is substituted “to practise an occupation under the HSC Register Law”;
- (d) in Article 17(5), for “as a nurse under the [Health Care \(Registration\) \(Jersey\) Law 1995](#)” there is substituted “to practise the occupation of nurse under the HSC Professionals Register Law”.

39 [Misuse of Drugs \(Addicts\) \(Jersey\) Order 1980](#)

In the [Misuse of Drugs \(Addicts\) \(Jersey\) Order 1980](#), in Article 1(1), for the definition “nurse independent prescriber” there is substituted –

“nurse independent prescriber” means –

- (a) a person registered to practise the occupation of midwife under the Health and Social Care Professionals Register (Jersey) Law 202- and permitted to hold themselves out in the United Kingdom as having the protected title or permitted annotation of midwife –independent prescriber;
- (b) a person registered to practise the occupation of nurse under the Health and Social Care Professionals Register (Jersey) Law 202- and permitted to hold themselves out in the United Kingdom as having the following protected titles or permitted annotations –
 - (i) nurse – independent prescriber;
 - (ii) community nurse – independent prescriber;
 - (iii) V100: community practitioner nurse – prescriber;
 - (iv) V150: community practitioner nurse – prescriber (without SPQ or SCPHN);
 - (v) V200: nurse – independent prescriber (extended formulary);
 - (vi) V300: nurse – independent/supplementary prescriber.

40 [Misuse of Drugs \(General Provisions\) \(Jersey\) Order 2009](#)

In the [Misuse of Drugs \(General Provisions\) \(Jersey\) Order 2009](#) –

- (a) in Article 1(1), for the definition “midwife” there is substituted –

“midwife” means a person who is registered to practise the occupation of midwife under the Health and Social Care Professionals Register (Jersey) Law 202-;
- (b) in Article 1(1), for the definition “operating department practitioner” there is substituted –

“operating department practitioner” means a person who is registered to practise the occupation of operating department practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;
- (c) in Article 1(1), for the definition “registered nurse” there is substituted –

“registered nurse” means a person who is registered to practise the occupation of nurse under the Health and Social Care Professionals Register (Jersey) Law 202-;

- (d) in Article 1(1), for the definition “registered ambulance paramedic” there is substituted –

“registered ambulance paramedic” means a person who is registered to practise the occupation of paramedic under the Health and Social Care Professionals Register (Jersey) Law 202- and permitted to hold themselves out in the United Kingdom as having the protected title or permitted annotation of ambulance paramedic;

- (e) for Article 1(1A) there is substituted –

- (1A) A registered independent prescriber falls under this paragraph if that person is registered in respect of a occupation under the Health and Social Care Professionals Register (Jersey) Law 202- and permitted to hold themselves out in the United Kingdom as having a protected title or permitted annotation for independent prescribing.

- (f) in Article 18(5), for the definition “healthcare professional” there is substituted –

“healthcare professional” means a person who is registered to practise an occupation under the Health and Social Care Professionals Register (Jersey) Law 202-;

41 [Nursing Homes \(General Provisions\) \(Jersey\) Order 1995](#)

In the [Nursing Homes \(General Provisions\) \(Jersey\) Order 1995](#), in Article 6(2)(a), for “registered dentist” there is substituted “dentist”.

42 [Nursing Homes \(Jersey\) Law 1994](#)

In the [Nursing Homes \(Jersey\) Law 1994](#) –

- (a) in Article 1(1), the definition “certified” is deleted;
- (b) in Article 1(1), for the definition “registered medical practitioner” there is substituted –

“registered medical practitioner” means a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;

- (c) for Article 1A(2)(c)(ii) there is substituted –

(ii) for the purpose of treating patients by a –

(A) dentist;

(B) person who is registered to practise the occupation of chiropractor/podiatrist under the Health and Social Care Professionals Register (Jersey) Law 202-; or

- (d) in Article 7(1)(f), for “certified midwives” there is substituted “registered midwives”;
- (e) after Article 7(2) there is inserted –

- (3) In this Article, “registered midwife” means a person who is registered to practise the occupation of midwife under the Health and Social Care Professionals Register (Jersey) Law 202-.

43 [Poisons \(General Provisions\) \(Jersey\) Order 1968](#)

In the [Poisons \(General Provisions\) \(Jersey\) Order 1968](#), in the following places, for “registered dentist” there is substituted “dentist” –

- (a) Article 7(4)(b);
- (b) Article 10(1), (6) and (7);
- (c) Article 11(2);
- (d) Article 27(2);
- (e) Article 28(3);
- (f) Schedule 4, in the heading.

44 [Poisons \(Jersey\) Law 1952](#)

In the [Poisons \(Jersey\) Law 1952](#), in Article 1(1) and Article 17(3), for “registered dentist” there is substituted “dentist”.

45 [Police Procedures and Criminal Evidence \(Jersey\) Law 2003](#)

In the [Police Procedures and Criminal Evidence \(Jersey\) Law 2003](#), in Article 1(1), for the definition “registered medical practitioner” there is substituted –

“registered medical practitioner” means a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;

46 [Policing of Parks \(Jersey\) Regulations 2005](#)

In the [Policing of Parks \(Jersey\) Regulations 2005](#), in Article 1(1), in the definition “assistance dog”, in sub-paragraph (c), for “medical practitioner within the meaning of the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#)” there is substituted “person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-”.

47 [Register of Names and Addresses \(Access for Medical Purposes\) \(Jersey\) Regulations 2015](#)

In the [Register of Names and Addresses \(Access for Medical Purposes\) \(Jersey\) Regulations 2015](#), in Regulation 1, for the definition “health professional” there is substituted –

“health professional” means a person who is registered to practise an occupation under the Health and Social Care Professionals Register (Jersey) Law 202-;

48 [Regulation of Care \(Jersey\) Law 2014](#)

In the [Regulation of Care \(Jersey\) Law 2014](#) –

- (a) in Article 1(1), for the definition “medical practitioner” there is substituted –
“medical practitioner” means a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;
- (b) in Article 1(1), for the definition “nurse” there is substituted –
“nurse” means a person who is registered to practise the occupation of nurse under the Health and Social Care Professionals Register (Jersey) Law 202-;
- (c) in Schedule 1, paragraph 2, the definition “Health Care Registration Law” is deleted;
- (d) in Schedule 1, paragraph 2, for the definition “registrable occupation” there is substituted –
“scheduled occupation” has the meaning given in Article 3(1) of the Health and Social Care Professionals Register (Jersey) Law 202-;
- (e) in Schedule 1, paragraph 2, for the definition “social worker” there is substituted –
“social worker” means a person who is registered to practise the occupation of social worker under the Health and Social Care Professionals Register (Jersey) Law 202-.
- (f) in Schedule 1, for paragraph 15(3) there is substituted –
- (3) In this paragraph, “specialist community public health nurse” means a person who is registered to practise the occupation of specialist community public health nurse under the Health and Social Care Professionals Register (Jersey) Law 202-.

49 [Rehabilitation of Offenders \(Exceptions\) \(Jersey\) Regulations 2002](#)

In the [Rehabilitation of Offenders \(Exceptions\) \(Jersey\) Regulations 2002](#), for Regulation 5(2) there is substituted –

- (2) Article 10(1) of the Law does not apply if a question is asked to assess the suitability of the person to whom the question relates for authorisation or registration to practise in Jersey –
 - (a) an occupation under the Health and Social Care Professionals Register (Jersey) Law 202-; or
 - (b) as a veterinary surgeon under the [Veterinary Surgeons \(Jersey\) Law 1999](#).

50 [Road Traffic \(Lighting\) \(Jersey\) Order 1998](#)

In the [Road Traffic \(Lighting\) \(Jersey\) Order 1998](#), in Article 1(1), for the definition “registered medical practitioner” there is substituted –

“registered medical practitioner” means a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;

51 [Road Traffic \(Jersey\) Law 1956](#)

In the [Road Traffic \(Jersey\) Law 1956](#), in Article 1(1), for the definition “registered medical practitioner” there is substituted –

“registered medical practitioner” means a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;

52 [Royal Court Rules 2004](#)

In the [Royal Court Rules 2004](#), in rule 17/3(1)(c) “, a registered person under the [Dentistry \(Jersey\) Law 2015](#), a medical practitioner under the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#), an optometrist or a dispensing optician under the [Opticians \(Registration\) \(Jersey\) Law 1962](#),” is deleted.

53 [Sexual Offences \(Jersey\) Law 2018](#)

In the [Sexual Offences \(Jersey\) Law 2018](#) –

(a) for Article 28(4)(a)(iii) there is substituted –

(iii) a person who is registered to practise the occupation of midwife under the Health and Social Care Professionals Registration (Jersey) Law 202-; or

(b) for Article 31(2)(b) there is substituted –

(b) a person who is registered to practise the occupation of social worker under the Health and Social Care Professionals Registration (Jersey) Law 202-;

(c) for Article 31(2)(d) there is substituted –

(d) a person who is registered to practise the occupation of midwife, nurse or specialist community public health nurse under the Health and Social Care Professionals Registration (Jersey) Law 202-;

54 [Social Security \(Health Bonus Scheme\) \(Jersey\) Regulations 2016](#)

In the [Social Security \(Health Bonus Scheme\) \(Jersey\) Regulations 2016](#) –

(a) in Regulation 1(1), for the definition “chiropodist” there is substituted –

“chiropodist” means a person who is registered to practise the occupation of chiropodist under the Health and Social Care Professionals Register (Jersey) Law 202-;

(b) in Regulation 1(1), the definition “dentist” is deleted;

(c) in Regulation 1(1), for the definition “optician” there is substituted –

“optician” means a person who is registered to practise the occupation of optometrist or optician under the Health and Social Care Professionals Register (Jersey) Law 202-;

(d) in Regulation 1(1), for the definition “podiatrist” there is substituted –

“podiatrist” means a person who is registered to practise the occupation of podiatrist under the Health and Social Care Professionals Register (Jersey) Law 202-;

55 [Social Security \(Medical Certification\) \(Jersey\) Order 1974](#)

In the [Social Security \(Medical Certification\) \(Jersey\) Order 1974](#), for Schedule 2, paragraph 1, there is substituted –

1. In these rules, “midwife” means a person who is registered to practise the occupation of midwife under the Health and Social Care Professionals Register (Jersey) Law 202-.

56 [Social Security \(Parental Benefit\) \(Jersey\) Order 2020](#)

In the [Social Security \(Parental Benefit\) \(Jersey\) Order 2020](#), in Article 3(1), for “medical practitioner registered under the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#)” there is substituted “person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-”.

57 [Social Security \(Jersey\) Law 1974](#)

In the [Social Security \(Jersey\) Law 1974](#), in Article 1(1), for the definition “medical practitioner” there is substituted –

“medical practitioner” means –

- (a) a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-; or
- (b) a “fully registered person” as defined in section 55 of the Medical Act 1983 of the United Kingdom;

58 [Stamp Duties and Fees \(Jersey\) Law 1998](#)

In the [Stamp Duties and Fees \(Jersey\) Law 1998](#), in Schedule 1, paragraph 3 (tables of judicial fees), in item 8, for “AUTHORITY TO PRACTISE as an architect, dentist, medical practitioner, optician, veterinary surgeon” there is substituted “AUTHORITY TO PRACTISE as an architect or veterinary surgeon”.

59 [Termination of Pregnancy \(Jersey\) Law 1997](#)

In the [Termination of Pregnancy \(Jersey\) Law 1997](#), in Article 1(1), for the definition “registered medical practitioner” there is substituted –

“registered medical practitioner” means a person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-;

60 [Terrorism \(Jersey\) Law 2002](#)

In the [Terrorism \(Jersey\) Law 2002](#) –

- (a) in Schedule 9, paragraph 14(2), “person registered as a medical practitioner under the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#)” there is substituted “person who is registered to practise the occupation of medical practitioner under the Health and Social Care Professionals Register (Jersey) Law 202-”;

- (b) in Schedule 9, paragraph 14(3), for “as a dentist under the [Dentistry \(Jersey\) Law 2015](#)” there is substituted “to practise the occupation of dentist under the Health and Social Care Professionals Register (Jersey) Law 202-”.