

A BILL

entitled

BERMUDA HOSPITALS BOARD AMENDMENT ACT 2013

WHEREAS it is expedient to amend the Bermuda Hospitals Board Act 1970;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act may be cited as the Bermuda Hospitals Board Amendment Act 2013.

Amends section 13 of the Bermuda Hospitals Board Act 1970

2 Section 13 of the Bermuda Hospitals Board Act 1970 is amended—

- (a) in subsection (2) by deleting “affirmative” and substituting “negative”; and
- (b) in subsection (3) by, immediately after “this subsection” inserting “, or such later date as the Minister may in the Notice appoint”.

Amends section 13A of the Bermuda Hospitals Board Act 1970

3 Section 13A of the Bermuda Hospitals Board Act 1970 is amended—

- (a) in subsection (1), by deleting “may prepare” and substituting “shall determine”;
- (b) in subsection (2), by deleting “the preparation of” and substituting “determining”;
- (c) by repealing subsection (3) and substituting—

“(3) In relation to a scale of fees under this section, the Minister shall by order—

- (a) in accordance with subsection (4), provide for the calculation, by reference to units, of the fees which may be so charged; and
- (b) where necessary also—

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- (i) provide that certain fees which may be so charged are to be in accordance with such other scale of fees as is specified in the order; and
- (ii) set certain fees which may be so charged,

and different fees may in the order be prescribed in relation to different cases and different types of practitioner.”;

- (d) in subsection (4), by deleting “subsection (3)” and substituting “subsection (3)(a)”;
- (e) in subsections (5), (6) and (8), by deleting “prepared” wherever it appears and substituting “determined”;
- (f) in subsection 8(b), by deleting “to the medical staff and other persons”; and
- (g) in subsection (9), by deleting “subsection (4)(b)” and substituting “subsections (3) and (4)(b)”.

Commencement

4 This Act comes into operation on 1 April 2013.

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EXPLANATORY MEMORANDUM

This Bill amends the Bermuda Hospitals Board Act 1970 to make regulations under section 13 of the Act subject to the negative resolution procedure. It also amends section 13A of the Act.

Clause 1 is self-explanatory.

Clause 2 amends section 13 of the Bermuda Hospitals Board Act 1970 to provide that regulations made under that section are subject to the negative resolution procedure rather than the affirmative resolution procedure (which currently applies).

Clause 3 amends section 13A of the Bermuda Hospitals Board Act 1970 to clarify that the Minister determines (rather than prepares) the scale of fees under that section. Subsection (3) of that section is also replaced to provide that such scale of fees is not restricted to one that must be calculated by reference only to “units” of the amounts that may be charged (as it currently is).

Clause 4 provides for the coming into operation of the Act on 1 April 2013.