

**BERMUDA STATUTORY INSTRUMENT**

**SR&O 19/1971**

**HEALTH INSURANCE (INSPECTION OF RECORDS)  
REGULATIONS 1971**

*[made under section 40 of the Health Insurance Act 1970 and brought into  
operation on 1 April 1971]*

ARRANGEMENT OF REGULATIONS

1	Interpretation	4	Employer to maintain
2	Inspectors		records of employment
3	Powers		and wages
		5	Offences

*[NB Formerly the Hospital Insurance (Inspection of Records) Regulations 1971. Title amended, and references to "hospital insurance", "Hospital Insurance Fund" and "Commission" substituted by "health insurance", "Health Insurance Fund" and "Council" by 2004:22 s.19 & Sch para 2 effective 1 January 2006. These amendments are not individually noted]*

**Interpretation**

1 In these Regulations —

"the Act" means the Health Insurance Act 1970;

"non-employed" in relation to a wife, has the same meaning as in section 19 of the Act;

**HEALTH INSURANCE (INSPECTION OF RECORDS)  
REGULATIONS 1971**

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"self-employed" means liable to pay a contribution as a self-employed person under section 4 of the Contributory Pensions Act 1970.

*[Regulation 1 amended by 2004:22 effective 1 January 2006]*

**Inspectors**

2 The inspectors appointed in pursuance of section 29 of the Contributory Pensions Act 1970, for the purposes of that Act shall be inspectors for the purposes of the Act.

**Powers**

3 (1) An inspector shall, for the purpose of performing his functions under these Regulations, have power —

- (a) to enter, without previous notice, at all reasonable times any premises or place liable to inspection under these Regulations;
- (b) to examine the records maintained under regulation 4 and to make such examination and inquiry as may be necessary for ascertaining whether the provisions of Part III of the Act are being or have been complied with;
- (c) to examine, with respect to any matter under the Act or these Regulations on which he may reasonably require information, every person whom he finds in any such premises or place or whom he has reasonable cause to believe to be or have been a person insured under Part III of the Act;
- (d) to exercise such other powers as may be necessary for carrying the provisions of Part III of the Act into effect.

(2) The occupiers of any premises or place liable to inspection under these Regulations and any employer who is or has been employing any person and the servants or agents of any such occupier or employer and any insured person shall furnish to an inspector all such information and shall produce for inspection all such documents, including employment and wages records, as the inspector may reasonably require.

(3) The premises and places liable to inspection under this regulation are any premises or place where the inspector has reasonable grounds for supposing that any person who is or ought to be insured under Part III of the Act is employed.

(4) Every inspector shall be furnished with a certificate of his appointment signed by a person duly authorized by the Council, and on

applying for admission to any premises or place for the purposes of these Regulations shall, if so required, produce that certificate.

*[Regulation 3 amended by 2002:26 s.3(8) effective 1 August 2005; subsection (4) amended by 2009:49 s.15(8) effective 15 December 2009]*

**Employer to maintain records of employment and wages**

4 Every employer shall maintain employment and wages records relating to every person in his employment showing—

- (a) the name, address, sex and date of birth of each such person;
- (b) the dates of commencement and termination of employment;
- (c) if such person is married, the name and address of his wife, whether she is employed, self-employed or non-employed and, if employed, the name of her employer;
- (d) if such person is insured by the employer under Part III of the Act and if so, whether with a licensed insurer or under an approved scheme;
- (e) the name and address of the licensed insurer, where applicable, and the record of payments remitted to the insurer;
- (f) in relation to an approved scheme, a full record of all claim payments;
- (g) the amount deducted weekly or monthly, as the case may be, from such person in respect of insurance under Part III of the Act.

**Offences**

5 (1) Any employer who fails to maintain the records required under regulation 4 commits an offence against these Regulations:

Punishment on summary conviction: a fine of \$250.

- (2) Any person who —
  - (a) wilfully delays or obstructs an inspector in the exercise of any power under these Regulations; or
  - (b) refuses or neglects to answer any questions or to produce any document or record when required to do so by an inspector

commits an offence against these Regulations:

**HEALTH INSURANCE (INSPECTION OF RECORDS)  
REGULATIONS 1971**

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Punishment on summary conviction: a fine of \$250.

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*[Amended by:*

*2002 : 26*

*2004 : 22*

*2009 : 49]*