

BERMUDA STATUTORY INSTRUMENT

SR&O 15/1971

HEALTH INSURANCE (COVER) REGULATIONS 1971

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

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[NB Formerly the Hospital Insurance (Cover) 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; "Council" substituted by "Committee" by 2009:49 s.15(1) effective 15 December 2009. These amendments are not individually noted]

Interpretation

1 In these Regulations —

"the Act" means the Health Insurance Act 1970;

"compulsorily insurable" in relation to any person means a person in respect of whom an employer is required to effect a

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contract of health insurance in pursuance of section 20 of the Act;

"contribution week" has the same meaning as in section 1 of the Contributory Pensions Act 1970.

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

Minimum period

2 Subject to these Regulations, the minimum period of cover provided under a contract of health insurance shall be one month.

[Regulation 2 amended by 2004:22 effective 1 January 2006]

Employment on first day of month

3 (1) Subject to regulation 4, the effective day for the purpose of determining the liability of an employer under section 20 of the Act shall be the first day of each month.

(2) Any person who is compulsorily insurable by an employer on the first day of any month shall be insured by that employer under a contract of health insurance for the duration of that month, notwithstanding that during the course of that month his employment may be terminated or he may otherwise cease to be compulsorily insurable by that employer.

[Regulation 3 amended by 2004:22 effective 1 January 2006]

Change of employment

4 (1) Where an employee takes up employment in the course of a month the effective day for the purpose of determining the liability of his employer under section 20 of the Act shall be the first day of employment, except that, where the employee is already compulsorily insured for the month in which the employment begins under a contract of health insurance effected by his previous employer the effective day shall be the first day of the month next following the first day of employment.

(2) The provisions of paragraph (1) shall apply mutatis mutandis in respect of the non-employed wife of an employee.

[Regulation 4 amended by 2004:22 effective 1 January 2006]

When cover is to continue for 4 weeks

5 Without prejudice to regulation 3(2), where a person ceases to be compulsorily insured by an employer, whether by virtue of the termination of his employment or otherwise, and does not become compulsorily insurable by any other employer, the first mentioned employer shall continue to provide health insurance cover in respect of

that person for a period of four weeks from the date on which that person ceased to be compulsorily insurable by that employer.

[Regulation 5 amended by 2004:22 effective 1 January 2006]

Application to Committee to provide cover

6 (1) Where a person ceases to be compulsorily insured in pursuance of regulation 3(2) or 5, he may, within fourteen days of the date on which he ceased to be compulsorily insured, apply to the Committee for cover and the Committee may conclude a health insurance plan or a FutureCare plan (as the case may be), with him which shall be effective from the date on which he ceased to be compulsorily insured.

(2) Paragraph (1) shall have effect notwithstanding the application for cover is made outside an enrolment period.

[Regulation 6 amended by 2004:22 effective 1 January 2006; amended by 2009:10 s.21 effective 1 April 2009]

Committee not to charge for extension of cover

7 Where an employer provides insurance cover in respect of any person for a period of less than one month between the first day of employment and the first day of the succeeding month in pursuance of regulation 4, or extends such cover for a period of two weeks in pursuance of regulation 5, and that employer discharges his obligations under section 20 of the Act by insuring those persons who are compulsorily insurable by him with the Committee, no charge shall be made by the Committee to that employer for the provision of cover in respect of those periods.

[Regulation 7 amended by 2004:22 effective 1 January 2006]

[Amended by:

1981: 37

BR 39/1987

2004 : 2

2009 : 10

2009 : 49]