

## **HOSPITAL INSURANCE AMENDMENT (NO. 3) ACT 2002**

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**BERMUDA  
2002 : 32**

### **HOSPITAL INSURANCE AMENDMENT (NO. 3) ACT 2002**

[Date of Assent: 11 December 2002]

[Operative Date: 11 December 2002]

WHEREAS it is expedient to amend the Hospital Insurance Act 1970 to extend the powers of the Minister to suspend or revoke licences:

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 Hospital Insurance Amendment (No. 3) Act 2002.

#### **Amendment of section 29**

2 The Hospital Insurance Act 1970 (in this Act referred to as "the principal Act") is amended by deleting section 29 and substituting the following section:

##### **"Refusal to grant licence**

29 Where the Minister of Finance refuses to grant a licence under section 28 he shall give his reasons for such refusal, in writing, to the applicant."

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### **Insertion of section 29A**

3 The principal Act is amended by inserting the following section immediately after section 29:

#### **"Suspension or revocation of licence**

29A (1) The Minister of Finance may at any time suspend or revoke a licence—

- (a) if he is satisfied that a licensed insurer is no longer a fit and proper person to undertake insurance business;
- (b) for any contravention of any terms or conditions subject to which the licence is granted;
- (c) if a licensed insurer is carrying on business in a manner detrimental to the public interest;
- (d) if a licensed insurer defaults without just cause on any contract of hospital insurance;
- (e) if a licensed insurer ceases to carry on business in Bermuda; or
- (f) if a licensed insurer does not reimburse a medical or a dental practitioner in accordance with the scale of fees prescribed under section 13A of the Bermuda Hospitals Board Act 1970.

(2) A suspension or a revocation under subsection (1) shall not affect the liability of the insurer in respect of any contract of hospital insurance in force at the date of such suspension or revocation."

### **Amendment of section 30**

4 Section 30 of the principal Act is amended by deleting subsection (1) and substituting the following subsection—

"(1) Where the Minister of Finance-

- (a) refuses to grant a licence under section 28; or
- (b) suspends or revokes a licence under section 29A(1);

the insurer concerned may appeal against that refusal, suspension or revocation, to the Supreme Court."