



STATUTORY INSTRUMENTS.

**S.I. No. 224 of 2018**

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HEALTH INSURANCE ACT 1994 (DETERMINATION OF RELEVANT  
INCREASE UNDER SECTION 7A AND PROVISION OF  
INFORMATION UNDER SECTION 7B) (AMENDMENT)  
REGULATIONS 2018

HEALTH INSURANCE ACT 1994 (DETERMINATION OF RELEVANT  
INCREASE UNDER SECTION 7A AND PROVISION OF  
INFORMATION UNDER SECTION 7B) (AMENDMENT)  
REGULATIONS 2018

I, SIMON HARRIS, Minister for Health, in exercise of the powers conferred on me by section 7A (amended by section 2 of the Health Insurance (Amendment) Act 2017 (No. 37 of 2017)) and section 7B (inserted by section 7 of the Health Insurance (Amendment) Act 2001 (No. 17 of 2001)) of the Health Insurance Act 1994 (No. 16 of 1994), hereby make the following regulations:

1. These Regulations may be cited as the Health Insurance Act 1994 (Determination of Relevant Increase under section 7A and Provision of Information under section 7B) (Amendment) Regulations 2018.

2. (a) Subject to paragraph (b), these Regulations shall come into operation on 1 September 2018.

(b) Regulation 4(c) shall—

(i) insofar as it relates to the insertion of subparagraph (a) of paragraph (2A) of Regulation 6 of the Principal Regulations, come into operation on 1 February 2019, and

(ii) insofar as it relates to the insertion of subparagraph (b) of paragraph (2A) of Regulation 6 of the Principal Regulations, come into operation on 1 November 2018.

3. In these Regulations, “Principal Regulations” means the Health Insurance Act 1994 (Determination of Relevant Increase under section 7A and Provision of Information under section 7B) Regulations 2014 (S.I. No. 312 of 2014).

4. Regulation 6 of the Principal Regulations is amended—

(a) by the substitution of the following paragraph for paragraph (1):

“(1) Subject to paragraphs (1A) and (1B), an undertaking shall treat as being a credited period of an insured person or formerly insured person (“relevant person”) any period in respect of which the relevant person, or another person on behalf of the relevant person, satisfies the undertaking that it falls within paragraph (2) or (2A).”

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 29th June, 2018.*

(b) by the insertion of the following paragraphs after paragraph (1):

“(1A) Any period which an undertaking treats as being a credited period of a relevant person, or another person on behalf of the relevant person, by virtue of the fact that the relevant person has satisfied the undertaking in accordance with paragraph (2) shall not be treated as a credited period of the relevant person, or another person on behalf of the relevant person, for the purposes of paragraph (2A)(a).

(1B) Any period which an undertaking treats as being a credited period of a relevant person, or another person on behalf of the relevant person, by virtue of the fact that the relevant person has satisfied the undertaking in accordance with paragraph (2A)(a) shall not be treated as a credited period of the relevant person, or another person on behalf of the relevant person, for the purposes of paragraph (2).”, and

(c) by the insertion of the following paragraph after paragraph (2):

“(2A) (a) Any period or periods commencing on or after 1 February 2019 in respect of which the relevant person, having been an insured person for a period of not less than 3 years, ceases to be an insured person for a period or periods (each of which period is not less than 6 months) totalling not more than 3 years.

(b) Any period of not less than 6 months commencing on or after 1 November 2018 in respect of which a relevant person resides outside the State, provided he or she becomes an insured person within 9 months of ceasing to reside outside the State.

(c) In respect of a person who was formerly a member of the Permanent Defence Force, any period during which he or she was such member, provided he or she becomes an insured person within 9 months of ceasing to be such member.

(d) In respect of a person who resides in the State and is insured under the Joint Sickness Insurance Scheme of the European Union, the period during which the person concerned has been a member of that scheme, provided he or she becomes an insured person within 9 months of ceasing to be insured under that scheme.”.

5. The Principal Regulations are amended by the substitution of the following Regulation for Regulation 7:

“7. The Minister may, from time to time, whenever he or she considers it appropriate to do so, request the Authority to review the operation of these Regulations.”.



GIVEN under my Official Seal,  
26 June 2018.

SIMON HARRIS,  
Minister for Health.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation).*

These Regulations amend the Health Insurance Act 1994 (Determination of Relevant Increase under section 7A and Provision of Information under section 7B) Regulations 2014 (S.I. No. 312 of 2014) and provide that, in certain specified circumstances, relevant increases arising on premiums for health insurance contracts may not apply.

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