
STATUTORY INSTRUMENTS

2013 No. 259

The National Institute for Health and Care Excellence
(Constitution and Functions) and the Health and Social
Care Information Centre (Functions) Regulations 2013

PART 2

The National Institute for Health and Care Excellence

NICE recommendations: appeals

9.—(1) A person aggrieved by a recommendation described in paragraph (2) may bring an appeal against the recommendation on grounds described in paragraph (3).

- (2) A recommendation against which an appeal may be brought is—
- (a) a technology appraisal recommendation, or
 - (b) a highly specialised technology recommendation.
- (3) The grounds on which an appeal may be brought are that—
- (a) in making the assessment that preceded the recommendation, NICE—
 - (i) failed to act fairly, or
 - (ii) exceeded its powers; or
 - (b) the recommendation is unreasonable in the light of the evidence submitted to NICE.