

*These notes refer to the Health and Social Care Act 2012
(c.7) which received Royal Assent on 27 March 2012*

HEALTH AND SOCIAL CARE ACT 2012

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 8 – The National Institute for Health and Care Excellence

Supplementary

Section 249 – Consequential and transitional provision

1396. This section gives effect to Schedule 17 (part 8: consequential amendments) which makes consequential amendments to a range of statutory provisions to ensure that NICE is referenced appropriately. It includes, for example, changes to the Freedom of Information Act 2000, so that the Act would apply to NICE as re-established. It also includes a change to the Health Act 2009, so that NICE will have a duty to have regard to the NHS Constitution.
1397. This section also makes provision to ensure that any pre-existing “quality standard”, referred to in *subsection (2)* as a “statement of standards” prepared and published by the Special Health Authority, the National Institute for Health and Clinical Excellence, prior to commencement has the same status on and after commencement as a quality standard prepared by NICE as re-established.