
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

Transitional provision – procedures: health care interventions

20.—(1) A recommendation made by the Institute in relation to a health care intervention in a Technology Appraisal Guidance issued by the Institute before the relevant date, is to be treated, on and after the relevant date, as if it were a technology appraisal recommendation made by NICE pursuant to regulation 7(1).

(2) A procedure for the appraisal by the Institute of the clinical benefits and costs of a health care intervention, in connection with the promotion of clinical excellence and the effective use of available resources in the health service, established by the Institute before the relevant date, is to be treated, on and after the relevant date, as a procedure for the appraisal of a health technology pursuant to regulation 7(9).

(3) Anything done by the Institute by way of appraisal of the clinical benefits and costs of a health care intervention, in connection with the promotion of clinical excellence and the effective use of available resources in the health service, before the relevant date, is to be treated, on and after the relevant date, as done in accordance with a procedure established by NICE pursuant to regulation 7(9).

(4) Consultation undertaken by the Institute for the appraisal by the Institute of the clinical benefits and costs of a health care intervention, in connection with the promotion of clinical excellence and the effective use of available resources in the health service, before the relevant date, is to be treated, on and after the relevant date, as consultation undertaken by NICE in accordance with arrangements included in the procedure established pursuant to regulation 7(9) as set out in regulation 7(10).

(5) The issuance by the Institute of a Technology Appraisal Guidance to the health service on the use of a health care intervention before the relevant date, is to be treated, on and after the relevant date, as publication of a technology appraisal recommendation by NICE in accordance with regulation 7(12).