
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

Charges for NICE advice, guidance, information or recommendations

6.—(1) NICE may impose a charge for or in connection with the giving of advice or guidance, provision of information or making of a recommendation in exercise of the functions conferred by regulation 5(1) on persons other than—

- (a) the Secretary of State, or
- (b) a person identified in a direction to NICE given by the Secretary of State under paragraph (2).

(2) The Secretary of State may direct NICE in writing not to impose a charge in relation to—

- (a) advice, guidance, information or a recommendation specified in the direction, or
- (b) advice, guidance, information or a recommendation of a description specified in the direction.

(3) Subject to paragraph (4), a charge imposed pursuant to paragraph (1) may be calculated as NICE considers—

- (a) appropriate to enable NICE to recover the cost of providing the service; or
- (b) to be the appropriate commercial basis.

(4) NICE may impose a charge on a devolved authority under paragraph (1) only if the charge is calculated so as to enable NICE to recover no more than the cost of providing the service.