
STATUTORY INSTRUMENTS

2005 No. 498

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Institute for Clinical
Excellence (Amendment) Regulations 2005**

Made - - - - *7th March 2005*

Laid before Parliament *10th March 2005*

Coming into force - - *1st April 2005*

The Secretary of State for Health, in exercise of the powers conferred by sections 16(4) and 126(4) of, and paragraphs 10, 12 and 16 of Schedule 5 to, the National Health Service Act 1977⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

(1) 1977 c. 49; section 16 was substituted by section 65 of, and paragraphs 4 and 9 of Schedule 4 to, the Health Act 1999 (c. 8) (“the 1999 Act”) and amended by sections 1(3) and 6(2) of, and paragraphs 1 and 3 of Schedule 1 and paragraphs 4 and 5 of Schedule 5 to, the National Health Service Reform and Health Care Professions Act 2002 (c. 17) (“the 2002 Act”); section 126(4) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 65(1) of, and paragraphs 4 and 37(1) and (6) of Schedule 4 to, the 1999 Act, section 67(1) of, and paragraphs 5(1) and (13)(b) of Schedule 5 to, the Health and Social Care Act 2001 (c. 15) (“the 2001 Act”), sections 6(3)(c) and 37(1) of, and paragraphs 1 and 10(a) of Schedule 8 to, the 2002 Act and section 184 of, and paragraph 38 of Schedule 11 and Part 4 of Schedule 14 to, the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) (“the 2003 Act”); paragraph 10 of Schedule 5 was amended by sections 14 and 15 of, and paragraph 3 of Schedule 6 to, the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), section 54(1) of, and paragraphs 8 and 10 of Schedule 5 to, the Dentists Act 1984 (c. 24), sections 5 and 24 of, and paragraph 14 of Schedule 3 and Part 1 of Schedule 8 to, the Health and Social Security Act 1984 (c. 48), article 7 of S.I. 1985/39, section 1 of, and paragraph 8 of Schedule 1 to, the 1990 Act, sections 2(1) and 5(1) of, and paragraph 60(c) of Schedule 1 and Schedule 3 to, the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), section 65 of, and paragraphs 4, 39(1) and (3) of Schedule 4 and Schedule 5 to, the 1999 Act and section 6 of the 2001 Act; paragraph 12 of Schedule 5 was amended by article 7 of S.I. 1985/39, section 1 of, and paragraph 9 of Schedule 1 to, the 1990 Act, sections 2(1) and 5(1) of, and paragraph 60(e) of Schedule 1 and Schedule 3 to, the 1995 Act and section 65(1) of, and paragraphs 4, 39(1) and (4) of Schedule 4 to, the 1999 Act. See section 128(1), as amended by section 26(2)(g) and (i) of the 1990 Act, for the definitions of “prescribed” and “regulations”. The functions of the Secretary of State under these provisions are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672 (“the 1999 Order”); see the entry in Schedule 1 for the National Health Service Act 1977 as amended by section 66(4) and (5)(a) of the 1999 Act, section 67(1) of, and paragraph 12(1) and (3) of Schedule 5 to, the 2001 Act and section 196 of, and Part 4 of Schedule 14 to, the 2003 Act. These Regulations are made by the Secretary of State in exercise of concurrent powers with the National Assembly for Wales. See article 2(c) of the Transfer Order.