
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: appeal panel

- 10.**—(1) The appeal panel by which an appeal brought under regulation 9 is to be heard must—
- (a) consist of members appointed by NICE whose appointment has been agreed by the Secretary of State;
 - (b) contain a majority of members who are not members or employees of NICE; and
 - (c) include—
 - (i) a member who has experience in the life sciences industry;
 - (ii) a member who is a patient or carer or member of an organisation that represents patients or carers; and
 - (iii) a member who is engaged in the provision of health care⁽¹⁾ in the health services.
- (2) A chair of the appeal panel must be appointed by NICE—
- (a) from amongst the members who are not members or employees of NICE; and
 - (b) only if the appointment as a chair has been agreed by the Secretary of State.

⁽¹⁾ “Health care” is defined in section 240(4) of the Act.