

# NATIONAL HEALTH SERVICE ENGLAND

## Further Directions to Primary Care Trusts and NHS trusts in England concerning Arrangements for the Funding of Technology Appraisal Guidance from the National Institute for Clinical Excellence (NICE) 2004

The Secretary of State for Health, in exercise of the powers conferred upon him by sections 17, 97C(8) and 126(4) of the National Health Service Act 1977(a) and of all other powers enabling him in that behalf, hereby gives the following directions—

### Commencement, application and interpretation

1.—(1) These Directions shall come into force on 30<sup>th</sup> September 2004 and shall apply to every Primary Care Trust and NHS trust in England

(2) These directions apply to England;

(3) In these Directions—

“the Principal Directions” means the Directions to Primary Care Trusts and NHS trusts in England concerning Arrangements for the Funding of Technology Appraisal Guidance from the National Institute for Clinical Excellence (NICE) dated 1 July 2003.

(4) These Directions further amend the principal Directions(b).

### Amendment of paragraph 3 of the principal Directions

2. After paragraph 3(1)(e) of the principal Directions (exempt technology appraisal guidance) insert the following new sub-paragraph:

“(f) the Technology Appraisal Guidance (No.83) on the use of Laparoscopic Surgery for Inguinal Hernia dated 22nd September 2004.”.

Signed by authority of the Secretary of State

30<sup>th</sup> September 2004

Member of the Senior Civil Service  
Department of Health

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(a) 1977 c. 49. Section 17 was substituted by section 12(1) of the Health Act 1999 (c.8) (“the 1999 Act”) and was amended by section 67(1), Schedule 5, Part 1, paragraph 5(1) and (3), to the Health and Social Care Act 2001 (c.15) and by section 1(3), and paragraphs 1 and 7 of Part 1 to Schedule I of the National Health Service Reform and Health Care Professions Act 2002 (c.17) (“the 2002 Act”); section 97C was inserted by the 1999 Act, section 3 and substituted by the 2002 Act, section 8; section 126(4) was amended by the National Health Service and Community Care Act 1990 (c.19), section 65(2). The function of the Secretary of State under sections 17 (except in some cases not relevant to these directions), section 97C and 126(4) are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672 as amended by section 66(4) to (6) of the 1999 Act.

(b) The principal Directions were amended by Directions dated 24 September 2003 and 13 February 2004.