SL1 FOR THE MEDICINES (PHARMACIES) (APPLICATIONS FOR REGISTRATION AND FEES) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2026

Department of Health
An Roinn Sláinte
Männystrie O Poustie
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Dear Mr McBride

The Medicines (Pharmacies) (Applications for Registration and Fees) (Amendment) Regulations (Northern Ireland) 2026

I am writing to advise that the Minister for Health in exercise of the powers conferred by 75(1) and (2), 76(1) and (2), 129(1) and (5) and 134(3) of, and paragraphs 6 and 8 of Schedule 4 to, the Medicines Act 1968 (the 1968 Act) proposes to make a Statutory Rule entitled **"**The Medicines (Pharmacies) (Applications for Registration and Fees) (Amendment) Regulations (Northern Ireland) 2026" which will amend the Medicines (Pharmacies)(Applications for Registration and Fees) Regulations (Northern Ireland) 2010 ("the 2010") to increase the fees to be paid for the registration of pharmacy premises, the retention fee to be paid for a pharmacy premises to remain on the pharmacy

register and the penalty to be paid, alongside a retention fee, for the restoration of a pharmacy premises to the pharmacy register.

In the absence of any other legislative power to enable an increase in Northern Ireland premises fees, in accordance with paragraph 6 of Schedule 4 to the 1968 Act, the Minister is of the opinion that there are special circumstances which render it expedient for him to make these Regulations which enables Minister to make these Regulations alone, rather than acting jointly with the UK Secretary of State for Health and Social Care as set out in Section 1(1) of the 1968 Act. The special circumstances identified are: there is no other power to amend the 2010 Regulations, as was the case in 2010 when the same power was used; the proposed amendment is limited to an uplift in premises fee amounts in Northern Ireland only; and given the extreme financial pressures facing the Society, this is considered an expedient approach in terms of timing of any fee increase.

The Minister has consulted with those with an interest in the proposed amendment and who are likely to be substantially affected by these Regulations as required by section 129(6) of the Act.

In accordance with Para 8 of Schedule 4 of the Act these Regulations will be subject to the negative resolution procedure.

Purpose of Statutory Rule

The Pharmaceutical Society of Northern Ireland (the Society) is the statutory regulator for pharmacists and pharmacy premises in Northern Ireland. Its work is essential to maintaining public confidence, supporting professional standards, and protecting patients. It is an independent legal entity, and its income is primarily generated through the fees it charges to registrants, trainee registrant fees, which had remained unchanged since 2016.

Unlike some other Health and Social Care regulators, such as the Regulation and Quality Improvement Authority and the Northern Ireland Social Care Council, the Society is a corporate body rather than an NDPB or ALB and therefore does not receive core funding from the Department. It is an independent body with income primarily generated through the fees it charges to registrants, trainee pharmacists and pharmacy premises.

The Society has faced increasing financial pressure over recent years. A prolonged period in which fees remained static, alongside rising operating costs, has created an urgent need to review how pharmacy regulation in Northern Ireland is funded. Inflation has affected the Society's expenditure across a range of areas, including utilities, supplier costs and salaries. Additional pressures, such as increased employer National Insurance contributions, have added to these costs.

At the same time, professional regulation has become more complex and resource intensive. The number and complexity of fitness to practise cases has increased, and the Society must be able to respond effectively to changes in the pharmacy profession and the wider health and social care system. A modern regulatory framework requires stable and sustainable funding. The Society, due to its financial situation, increased its registration and retention fees for registrants in June 2026, (from £398 to £477). These fees had not been increased in 10 years.

Premises Fees are used by the Society to cover the cost of developing and promoting standards and guidance relating to the operation of registered premises, conducting Fitness to Practise investigations and to fund staff and IT related costs. These are important functions and it is vital that the Society is resourced to continue delivering its statutory regulatory functions, with patient safety and public protection at the centre of pharmacy practice. The current level of premises fees no longer makes an adequate contribution to the cost of delivering modern pharmacy regulation in Northern Ireland.

The Department, which has statutory responsibility for the setting of Pharmacy Premises Fees, in recognition that change is needed to ensure that the Society can

continue to operate effectively and fulfil its statutory functions responsibilities, consulted on several options to increase the fees from January 2027.

Six options were selected for consultation as set out in the table below along with the potential annual increased revenue that could be generated, in the main through payment of retention fees by 537 pharmacies at the time of consulting.

	Option	**Potential Annual Increased Revenue**
1	Do nothing, fees remain the same.	NIL
2	Apply a percentage increase equal to the annual rate of inflation since 2012.	**£46.999**
3	Increase NI fees to align with the rate of the GB pharmacy regulator, the General Pharmaceutical Council (GB fees).	**£149,550**
4	Increase NI Fees to align with GB Fees in year 1 followed by an increase equal to the rate of inflation (2%)* over each of the following 2 years.	**Year 1 - £149,550** **Year 2 - £45,544** **Year 3 - £45,544**
5	Increase NI fees to the mid-way point between GB and the Republic of Ireland (RoI) equivalent fees.	**£575,735**
6	Increase NI fees to align with the RoI fees.	**£1,002,457**

The consultation did not identify a clear consensus in favour of any single option. While respondents expressed differing views on the scale and timing of any increase, many acknowledged that the current premises fee level has remained unchanged since 2011 and that the Society requires a sustainable source of funding to continue delivering its statutory functions. Further details on the consultation findings and the rational for the increase selected are set out in the consultation section below.

The purpose of the attached Statutory Rule is to amend the 2010 Regulations which set out the manner and the detail to be included, in applications for the registration of pharmacy premises for a current retail pharmacy business or a proposed retail pharmacy business.

The Statutory Rule will amend the 2010 Regulations to increase the fee for the application for registration of pharmacy premises from £113 to £300, the annual fee to remain registered on the pharmacy premises register maintained by the Society (referred to in the Act as a "retention fee") from £155 to £300.

Given that fees are the Society's primary source of oncome, generating additional income via its fees, remains a priority for the Society given its current financial situation.

Previous Engagement with the Committee

The Committee was notified prior to the commencement of the consultation which began on 8 June 2026 and ended 3 August 2026.

Financial Implications

The Society already collects premises fees, with retention fees generating the most income for the Society. However, the current level of pharmacy premises fees no longer makes an adequate contribution to the cost of delivering modern pharmacy regulation. This Statutory Rule increases the fee amounts currently collected, potentially generating additional annual income of **£83,662** for the Society which is experiencing significant financial pressure. There is no additional cost to the Society or the Department in relation to the implementation of this rule with fees being paid directly to the Society.

If the Rule is not implemented this will increase pressure on the Society's current financial situation which could potentially impact its ability to carry out its regulatory functions.

Consultation

The consultation was published on 8 June 2026 and closed on 3 August 2026. A copy of the Consultation Response Report is attached.

In summary, a total of 112 responses were received from pharmacy owners, pharmacists, pharmacy managers, HSC organisations, professional and academic bodies and other

interested stakeholders. Most responses were received from pharmacy owners. 56 respondents directly answered the question on their preferred option. The “do nothing option” received the highest number of votes (18) however this option would not provide a sustainable basis for funding the Society’s statutory functions in the longer term.

A further 56 identical responses received from the same pharmacy group did not support any option but commented on a hybrid approach somewhere between Options 1&2 as a preference. While Option 2 would generate some additional income, it would offer a more limited solution to the longer-term funding pressures facing the regulator, and the suggested hybrid model would generate even less income.

As highlighted above there was no clear consensus in favour of any single option consulted upon however many acknowledged that the Society requires a sustainable source of funding to continue delivering its statutory functions.

Concerns focused primarily on the affordability and impact of increases on pharmacy owners, the financial pressures facing community pharmacy, the need for greater transparency regarding the Society’s finances and consideration of alternative or additional funding arrangements for the Society. Accordingly, while the consultation identified a number of common themes, it did not reveal a preferred option that commanded broad support across stakeholders, requiring the Department to consider the responses alongside the policy objective of securing a sustainable and proportionate funding model for the Society.

Having considered all of the evidence, the Department has concluded that a phased increase in premises fees represents the most balanced and proportionate approach. The premises fees will therefore increase to **£300 from January 2027**; and work will begin immediately on preparing for the further increase to premises fees in alignment with GB fees from January 2028. The Department considers that this approach appropriately balances the need to secure sustainable funding for pharmacy regulation with the concerns raised by respondents regarding affordability and business impacts. It also

provides pharmacy owners with additional time to plan for the increase while ensuring that progress is made towards achieving a sustainable funding model.

Compliance with Section 24 of the Northern Ireland Act 1998

The provisions in this SR do not breach section 24 of the Northern Ireland Act 1998, as they are not incompatible with any of the Convention rights or community law, and they do not discriminate against a person on the grounds or religious belief or political opinion. Article 2 Windsor Framework screening was carried out by the Department on this proposal. It is not believed that the consultation engaged a right (or equality of opportunity protection) included in the relevant part of the Belfast/Good Friday 1998 Agreement.

Consideration by the Executive

N/A

Equality Impact

The Department carried out an Equality Impact screening against the proposals to identify if the policy might have an impact on any of the nine Section 75 groups listed in the Northern Ireland Act 1998. In view of adverse comments received through the consultation process in relation to age, disability and dependents, an updated Equality Impact screening document has been updated and will be available on the Department's website. However, the Department has concluded that a full Equality Impact Assessment is not required as any increase in pharmacy Premises Fees would directly affect all those responsible for paying the fees, rather than the service users. While there may be indirect impacts on service provision, the policy does not place any direct requirements on service users.

Regulatory Impact

The Department acknowledged in its consultation document that there may be an impact on pharmacy businesses due to the increase in pharmacy premises fees and advised that the consultation would provide an opportunity to gather direct evidence on the impact that an increase in pharmacy premises fees would have on business. In light of the comments received, a full RIA is being carried out on the final decision to increase premises fees and will be made available on the Department's website when completed.

Rural Needs Impact

The Department completed a rural needs screening exercise prior to consultation. The implementation of any increase in pharmacy Premises Fees would apply equally across both rural and urban areas, as location is not a factor in the application of the fee. However, the Department acknowledges that smaller pharmacies and particularly those operating in rural areas, are more likely to be impacted by the cost of an increase in premises fees, and views were sought from these pharmacies.

As part of the consultation, 75.9% of respondents noted that the actions/proposals set out are likely to have an adverse impact on rural areas. Respondents highlighted concerns that rural pharmacies often serve smaller populations while providing an essential healthcare service where alternative HSC services may be limited. It was suggested that increases in premises fees could have a proportionately greater financial impact on these rural pharmacies, regardless of dispensing volume or profitability and that this could increase the risk of reduced services, shorter opening hours or pharmacy closures, adversely affecting access to medicines and healthcare advice for rural communities.

The Department welcomed the comments provided and acknowledges the concerns raised, however the increase in pharmacy premises fees affects all pharmacy businesses that are responsible for paying these fees.

However, rural impacts will be monitored following implementation of the fees increase, through continued engagement with stakeholders.

Data Protection Impact

These Regulations will not involve or impact on the collection, processing or sharing of personal data in the UK therefore a Data Impact Assessment is not necessary.

Child Rights Impact

These Regulations will not have any direct impact on children's rights therefore a Child Rights Impact Assessment is not necessary.

Position in Great Britain

The General Pharmaceutical Council (GPhC) is the professional regulator of pharmacists and pharmacies in Great Britain, and it also regulates pharmacy technicians which are not yet regulated in Northern Ireland. Although the regulators are independent bodies, they work together on areas of common interest, particularly education, training and registration standards.

Premises Fees are set at a higher rate in GB than in Northern Ireland with the Registration Fee constructed in 2 parts as illustrated in the table below.

Region/ Regulator	Registration	Retention	Restoration
GB[1] **General Pharmaceutical Council (GPhC) (fees from 1 Sept 2016)**	**£1,153** (£712 Application Processing Fee £441 Registration Fee)	**£441**	**£1,196** .
NI[2] **Pharmaceutical Society NI (the Society)**	**£113** (NI does not charge an application processing fee)	**£155**	**£472** (retention fee of £155 plus a penalty of £317)

The rate of premises fees in GB formed part of the discussion in 3 of the 6 options developed for the consultation relating to aligning NI rates with comparable premises fee rates in GB. While this was the most proportionate and sustainable option for increasing these fees, respondents highlighted a phased approach to fees increases would be preferable. The Department concluded that the interim fee increase to £300 would most appropriately meet the needs of respondents and PSNI for 2027 while working towards future alignment with GB

Any other information

N/A

Proposed timing of consideration of the SL1

The SL1 has been submitted to the Committee in accordance with the minimum four-week timeframe. The proposed date for consideration of the SL1 by the Committee is 19 November 2026.

1 Applying-to-register-a-new-pharmacy-premises-December-2025.docx
2 Information for Premises Registration, Retention and Nomination of a Superintendent – Pharmaceutical Society NI

Proposed Operational Date

In order to apply the pharmacy premises fees increase from January 2027, the necessary provisions need to be in place by **1 January 2027.**

I would be grateful if you would bring this matter to the attention of the Health Committee at your earliest convenience.

Yours sincerely

Gillian Wright
Medicines Policy Unit

cc: NI Human Rights Commission
Equality Commission