EXPLANATORY MEMORANDUM TO

THE ANIMALS (SCIENTIFIC PROCEDURES) ACT 1986 (FEES) ORDER 2026

2026 No. 291

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Declaration

2.1 Lord Hanson of Flint, Minister of State at the Home Office confirms that this Explanatory Memorandum meets the required standard.

2.2 Will Reynolds, Deputy Director, Strategic Lead for Science Regulation and Innovation at the Home Office confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Alice Whiteman at the Home Office can be contacted by email at the following address with any queries regarding the instrument: animalsinsciencepolicy@homeoffice.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This Order will increase the licence fees administered by the Animals in Science Regulation Unit, which authorise establishments and individuals licensed under the Animals (Scientific Procedures) Act 1986 to carry out regulated scientific procedures on animals.

4.2 This Order revokes the Animals (Scientific Procedures) Act 1986 (Fees) Order 2024.

4.3 This Order, in accordance with His Majesty's (HM) Treasury guidance, also increases the licence fees to fully recover the costs that are directly incurred as part of the regulatory process.

Where does the legislation extend to, and apply?

4.4 The territorial extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England, Scotland, and Wales.

4.5 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England, Scotland and Wales.

5. Policy Context

What is being done and why?

5.1 Under the Animals (Scientific Procedures) Act 1986 (ASPA), the Regulator (the Animals in Science Regulation Unit (ASRU)) charges annual fees for licences that permit individuals and establishments to use animals in scientific procedures.

5.2 Licence applicants are charged a fee to cover the cost of administering the application, inspecting and monitoring the institution's compliance with ASPA, and other regulatory costs associated with administering ASPA.

5.3 The fees must comply with HM Treasury fees and charges principles, which sets out the standard expectation that charges are set to recover full costs. For ASRU, fees should cover all ASRU's direct and indirect costs of licensing, inspection and regulatory oversight. [1]

5.4 ASRU forecasts a deficit of £744,439.00 for the financial year 2026-2027 if fees remain at the current rates which would undermine its ability to meet statutory responsibilities set out in ASPA.

5.5 The forecasted deficit is largely due to increases in pay, pension, operational costs, investment in modernised IT systems, and a decline in numbers of chargeable licences.

5.6 To address the deficit and meet statutory obligations, this instrument will increase the fees by the following amounts:

- Increase the establishment licence fee from £1007 to £1168
- Increase the personal licence fee from £329 to £382

5.7 The fee increase will assure that ASRU can continue to meet its statutory regulatory duties, sustaining and enhancing service levels, and investing in modern systems that support long-term service quality and efficiency. This enables ASRU to assure the protection of animals used in scientific testing under ASPA while providing a quality service to the science sector to facilitate scientific progress and thus benefits to society, the environment and animals. By maintaining and continually improving service standards, ASRU intends to promote public trust in the regulation of animals in science.

What was the previous policy, how is this different?

5.8 Fees were last increased on 6th April 2024 from £915 to £1007 for establishment licences and from £299 to £329 for personal licences.

5.9 This instrument will increase the establishment licences fee from £1007 to £1168 and the personal licence fee from £329 to £382. These new fees will take effect from 6 April 2026 and are intended to align with ASRU's increased operating costs for the 2026/27 financial year.

5.10 ASRU fees are collected from licence-holders retrospectively, so the new fees will be payable in April 2027. Key stakeholders from the regulated sector were engaged on this proposal, and establishment licence holders were contacted as representatives of each establishment to be informed of the increase prior to this instrument being laid.

[1] https://assets.publishing.service.gov.uk/media/684ae4c6f7c9feb9b0413804/Managing_Public_Money.pdf

6. Legislative and Legal Context

How has the law changed?

6.1 ASPA provides for the protection of animals used in scientific research. Under ASPA, any such procedure, anyone carrying out such procedures, and the establishments in which such procedures are carried out, must be licensed. Regulations made under section 8 of ASPA provide that a fee must be paid for personal and establishment licences, however project licences do not require fees. This Order revokes the 2024 Order.

Why was this approach taken to change the law?

6.2 This is the only possible approach to adjust statutory fee levels.

7. Consultation

Summary of consultation outcome and methodology

7.1 This Order was not subject to a public consultation, as the fee charging structure is not being changed, and the increase reflects full cost recovery, in line with HM Treasury guidance.

7.2 Feedback on the proposed fee increase was gathered from key stakeholder organisations within the regulated sector during targeted engagement in November 2025. This included early discussions with a small group of key industry representatives and subsequent dialogue at a wider stakeholder meeting. Stakeholders understood the rationale for an increase and emphasised the importance of continuing regulatory improvements following recent reforms to ASRU.

7.3 Stakeholders also provided feedback as to how the overall fees model might be enhanced to anticipate changes in the regulated sector and help ensure a sustainable income for ASRU for the future. This feedback is presently being considered by officials for sustainability in the longer term.

8. Applicable Guidance

Guidance on the provision to charge fees and operational guidance for licence holders is provided in the Guidance on the Operation of the ASPA, published in March 2014.[2]

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because as it relates to a fee change outside the scope of the Better Regulation Framework. An Economic Note proportionate to the impacts has been prepared and published alongside the instrument.

9.2 The Economic Note found that the proposed fee increase has the benefit of enabling the Regulator to continue to meet its regulatory duties, maintaining public trust, and providing mandatory services for other UK agencies. It also identified benefits relating to the use of animals in scientific research for healthcare development, protection of the environment and to animals. The overall cost to businesses from ASRU fees in 2026/27 in total is expected to be £5.4m. £747,352 of this is new

[2] https://www.gov.uk/guidance/guidance-on-the-operation-of-the-animals-scientific-procedures-act-1986.

additional cost generated from the increase in fees. These costs will be split between a forecasted 132 establishments which will be impacted differently depending on the number of personal licences they hold.

9.3 The increase is also intended to fund essential modernisation of the Regulator through investment in IT systems, which aims to reduce administrative burden and improve regulatory efficiency, contributing positively to long term sector productivity.

9.4 Therefore, it is expected that any minimal negative financial impacts arising from the fee increase will be countered by the long-term positive impacts.

Impact on businesses, charities and voluntary bodies

9.5 The impact on business, charities or voluntary bodies has been considered in the Economic Note. The additional total cost to all businesses, compared with current fees, is £747,352 per year. Licence holders already pay a licence fee; this change adjusts the fee level. The increase represents a relatively small additional cost to businesses relative to operations, and there are no other significant impacts on businesses due to the fee change. The key non-monetised benefits are the continuation of both the regulatory standards and the level of service provided by ASRU.

9.6 The legislation does impact small or micro businesses. No disproportionate negative impacts on small or micro businesses (employing up to 50 people) are anticipated.

9.7 To minimise the impact of requirements on small or micro businesses the fee structure is designed to be proportionate, as lower numbers of licenced persons working at a licenced premises will result in fewer licence charges. Exemptions for small or micro businesses are not applicable, as all establishments operating in this sector are already regulated and required to pay the annual licence fees. The proposal solely increases the fee to enable ASRU to recover its costs and does not introduce any additional regulatory or administrative requirements for small businesses.

9.8 The impact on the public sector is that, through the fee increase, the Regulator will recover the full cost of its services, ensuring the public sector is not required to subsidise the cost of regulation and keeping the impact on public finances low.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this legislation is for the Home Office to review the fee structure and level of fees periodically to ensure continued compliance with Treasury principles and to maintain full cost recovery.

10.2 The instrument does not include a statutory review clause and, in line with the requirements of the Small Business, Enterprise and Employment Act 2015. Minister Hanson has made the following statement: “This instrument does not include a statutory review clause as it relates to a fee change outside the scope of the Better Regulation Framework and the Equivalent Annual Net Direct Cost to Business is under £10 million.”

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

Increase in fee maxima over inflation rate

11.1 A 16% fee increase is required to enable continued delivery of the statutory requirements under the by the ASRU and to ensure that ASRU continues to operate on a full-cost recovery basis. The level of fees is monitored annually to ensure continued cost recovery. The fee increase primarily relates to an increase in pay, pension, operational costs, investment in modernised IT systems, and a decline numbers of chargeable licences. Specifically, increased fees will support staffing capacity for inspectors conducting licence assessment, compliance monitoring and reporting.

12. European Convention on Human Rights

12.1 As the instrument is subject to the negative resolution procedure and does not amend primary legislation no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").