STATUTORY INSTRUMENTS

2026 No. 614

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

NATIONAL HEALTH SERVICE, SCOTLAND

HEALTH AND PERSONAL SOCIAL SERVICES, NORTHERN IRELAND

The Branded Health Service Medicines (Costs) (Amendment) Regulations 2026

Made - - - -	*9th June 2026*
Laid before Parliament	*10th June 2026*
Coming into force - -	*1st July 2026*

The Secretary of State for Health and Social Care makes the following Regulations in exercise of the powers conferred by sections 263(1)(b) and (c), (2) and (5), 264(3), 266(1) and 272(7)(a) and (b) and (8) of the National Health Service Act 2006(**a**) having had regard to the matters specified in section 266(3), (4) and (4A) of that Act.

The Secretary of State has consulted in accordance with sections 263(1) and (1A) of that Act.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Branded Health Service Medicines (Costs) (Amendment) Regulations 2026 and come into force on 1st July 2026.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendments to the Branded Health Service Medicines (Costs) Regulations 2018

2.—(1) Regulation 3 (payment scheme) of the Branded Health Service Medicines (Costs) Regulations 2018(**b**) is amended as follows.

(2) In paragraph (1), for the table substitute the following table—

"Table

(**a**) 2006 c. 41. Section 263 was amended by the Health Service Medical Supplies (Costs) Act 2017 (c. 23) ("the 2017 Act"), sections 5 and 10(5). Section 264 was amended by the 2017 Act, section 10(6). Section 266 was amended by the 2017 Act, sections 6(5) to (9) and 7(6). See section 275(1) of the National Health Service Act 2006 for definition of "regulations" that is relevant to the powers being exercised.

(**b**) S.I. 2018/345. Relevant amending instruments are S.I. 2018/1255, 2020/258, 2022/593, 2023/239, 2023/1307, 2024/1277 and 2025/667.

Applicable Period	*Newer presentation payment percentage*	*Older presentation payment percentage*
1st July 2026 to the end of 2026	16.5%	11%
1st January 2027 to the end of 2027 and any subsequent calendar year	16.5%	10.9%".

(3) In paragraph (1AB)—

(a) for "1st July 2025 and ending at the end of 2025", substitute "1st July 2026 and ending at the end of 2026"; and

(b) for "31.3% and not 23.4%", substitute "8.7% and not 16.5%".

(4) In paragraph (1AC)—

(a) for "1st July 2025 and ending at the end of 2025", substitute "1st July 2026 and ending at the end of 2026";

(b) in sub-paragraph (a), for "1st January 2025 and ending at the end of 30 June 2025", substitute "1st January 2026 and ending at the end of 30 June 2026"; and

(c) in sub-paragraph (b), for "15.5%", substitute "24.3%".

Signed by the authority of the Secretary of State for Health and Social Care

Preet Kaur Gill
Parliamentary Under-Secretary of State
Department of Health and Social Care

9th June 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Branded Health Service Medicines (Costs) Regulations 2018 (S.I. 2018/345) (the "Statutory Scheme Regulations"). The Statutory Scheme Regulations, amongst other matters, make a scheme for the purpose of requiring specific manufacturers and suppliers of branded medicines for health service use to pay certain amounts to the Secretary of State. These amounts are calculated by reference to the net sales income or estimated net sales income from supplies of such medicines. These amendments update the payment percentages for 2026 and subsequent years.

Regulation 2(2) makes provision to replace the newer presentation payment percentages in the table in regulation 3(1) of the Statutory Scheme Regulations with new payment percentages applicable to net sales income to be payable from 1st July 2026 for each applicable period.

Regulation 2(3) and (4) amend paragraphs (1AB) and (1AC) of regulation 3 of the Statutory Scheme Regulations. The amendments update the payment percentages to be paid by manufacturers or suppliers who have paid the higher rate of 24.3% on their supplies during the first half of 2026 and will pay a reduced rate of 8.7% from 1st July 2026 to 31st December 2026 to account for the higher rate they have paid on supplies during the first 6 months of 2026. The rate of 8.7% is instead of the 16.5% as stated in the table at regulation 3(1) which would otherwise apply.

An impact assessment relating to this instrument has been prepared and copies can be obtained from the Department of Health and Social Care, 39 Victoria Street, London, SW1H 0EU and is available on the www.legislation.gov.uk website.

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