businesscompanion
trading standards law explained

Non-surgical procedures (Botox, cosmetic fillers, etc)

In the guide

Key definitions
The law
Defences
Keeping within the law
- Age verification checks
- Operate a Challenge 21 / Challenge 25 policy
- Staff training
- Maintain a refusals log
- Till prompts
- Signage
- Closed circuit television (CCTV)
- Online appointments

Further information
Future changes
Trading Standards
In this update
Key legislation

In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for England

If you are a person who administers botulinum toxin (generally referred to as Botox) and cosmetic fillers, or if you own a business offering these procedures, the Botulinum Toxin and Cosmetic Fillers (Children) Act 2021 ('the Act') applies to you. The Act only applies to England.

In order to safeguard young people from physical and psychological health risks, the minimum legal age for undergoing this type of cosmetic procedure is 18. However, the Act makes provision for a registered medical practitioner or regulated health professional (an 'approved person') to administer these products to someone under the age of 18.

Key definitions

A 'filler' is defined in the Act as being any substance used for dermal or mucous membrane filling, whether or not it has been designed for that purpose.

The injection of a filler is regarded by the Act to be for a cosmetic purpose if:

- The filler is generally used for that purpose
  or
- The appearance of the person injected is likely to be affected by the injection

The Act defines a registered medical practitioner and a regulated health professional as an 'approved person'.

A regulated health professional is a registered:

- Nurse
- Dentist
- Pharmacist

The law

Please refer to the 'Key definitions' section above when reading this section.

It is an offence under the Act for anyone who is not an 'approved person' to administer botulinum toxin or cosmetic filler by injection to a person under the age of 18.

A business owner commits an offence if, in the course of the business, a person who is not an 'approved person' administers botulinum toxin or cosmetic filler by injection to a person under the age of 18.

There is a separate offence that is committed by a business owner when arrangements are made by them (or someone acting on their behalf, such as an employee) for someone other than an 'approved person' to administer these substances to a person under the age of 18.

The following would be considered to be 'making arrangements':

- Agreeing to perform a procedure on someone underage
- Making and/or confirming an appointment to perform a procedure on someone underage

Defences

A person charged with an offence of administering botulinum toxin or a cosmetic filler has a defence that they were either:

- A registered medical practitioner
  or
- A regulated health professional (see 'Key definitions' section) following the directions of a registered medical practitioner

A person charged with an offence also a defence that they had taken reasonable steps to establish the person's age and reasonably believed that the person was 18 or over.

If a business owner is charged with an offence, the 'due diligence' defence available to them. This means that they need to prove that they took all reasonable precautions and exercised all due diligence to avoid committing the offence.

Keeping within the law

In order to keep within the law and therefore satisfy the legal 'due diligence' defence, you, as the business owner, are advised to introduce an age verification policy and have effective systems to prevent the administering of, or making arrangements to administer, botulinum toxin or a cosmetic filler to a person under the age of 18. To ensure these systems stay effective, they need to be regularly monitored and updated (where necessary) to identify and put right any problems or weaknesses, and to keep pace with any advances in technology.

Key best practice features of an effective system include the following.

Age verification checks

Always ask young people to produce proof of their age. The Chartered Trading Standards Institute, the Home Office and the National Police Chiefs' Council support the UK's national Proof of Age Standards Scheme (PASS), which includes a number of card issuers. You can be confident that a card issued under the scheme and bearing the PASS hologram is an acceptable proof of age.

A passport or a UK photocard driving licence is also acceptable, but make sure that the card matches the person using it and the date of birth shows they are 18 or over. Military identification cards can be used as proof of age, but (as with other forms of identification) make sure the photo matches the person presenting the card and check the date of birth. Be aware that military identification cards can be held by 16 and 17-year-old service people.

You do not have to accept all of the above forms of identification, and it may be best to exclude any type of document that your staff are not familiar with.

Some young people may present false identification cards so it is advisable to also check the look and feel of a card. For example, the PASS hologram should be an integral part of a PASS card and not an add-on.

If the person cannot prove that they are at least the minimum legal age, or if you are in any doubt, do not make an appointment for a procedure.

Please see the Home Office *False ID Guidance* for more information.

Operate a Challenge 21 / Challenge 25 policy

This means that if the person appears to be under the age of 21 / 25, they will be asked to verify that they are 18 or over by providing valid proof of age before making an appointment (whether online, by phone or face-to-face) and again before the procedure is actually carried out.

Staff training

Make sure your staff are properly trained. They need to know which procedures are age restricted and the action they must take if they believe a person under the age of 18 is attempting to book an appointment. It is important that you can prove your staff have understood what is required of them under the legislation. This can be done by keeping a record of the training and asking members of staff to sign to say that they have understood it. These records can then be checked and signed on a regular basis by management or the owner.

Maintain a refusals log

It is best practice to record all refusals (date, time, incident, description of potential buyer). Maintaining a refusals log will help to demonstrate that you actively refuse sales and have an effective system in place. It is advisable that the manager / owner checks the log to ensure that all members of staff are using it.

A specimen refusals log is attached.

Some tills have a refusals system built in. If you use a till-based system, ensure that refusals can be retrieved at a later date.

Till prompts

If you possess an EPoS system, it may be possible to use it to remind staff of the age restriction via a prompt.

Signage

Display posters showing the age limit for these procedures and a statement regarding the refusal of appointments for them. This may deter potential purchasers and act as a reminder to staff.

Closed circuit television (CCTV)

A CCTV system may act as a deterrent and reduce the number of incidents of underage appointments.

Online appointments

If you take online appointments, it is best practice to set up an effective system capable of verifying the age of potential purchasers. Please see 'Online sales of age-restricted products' for more information.

Further information

The Department of Health and Social Care has produced guidance for businesses on how to comply with the law, which can be found on the GOV.UK website.

Visit the Advertising Standards Authority website for guidance on the marketing of surgical and non-surgical cosmetic procedures, which includes a prohibition on the advertising of cosmetic interventions aimed at children under the age of 18.

Future changes

The Government is taking forward plans to strengthen regulation of the non-surgical aesthetics sector. A national licensing scheme is being developed for England, which will be administered by local authorities. It is expected that both practitioners and the premises they use will need mandatory licences to lawfully provide non-surgical cosmetic procedures.

Trading Standards

For more information on the work of Trading Standards Services and the possible consequences of not abiding by the law, please see 'Trading Standards: powers, enforcement and penalties'.

In this update

New section: 'Future changes'.

Last reviewed / updated: June 2026

Key legislation

- Botulinum Toxin and Cosmetic Fillers (Children) Act 2021

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

© 2026 Chartered Trading Standards Institute

Source URL:
https://www.businesscompanion.info/en/quick-guides/underage-sales/non-surgical-procedures-botox-cosm

etic-fillers-etc