businesscompanion
trading standards law explained

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

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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 Scotland

If you are a person who administers non-surgical cosmetic procedures such as botulinum toxin (generally referred to as Botox) or cosmetic fillers, or if you own a business offering these procedures, the Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Act 2026 ('the Act') applies to you.

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.

Enforcement

In Scotland, this area is not enforced by Trading Standards Services; instead, the legislation is enforced by Healthcare Improvement Scotland and local authority Environmental Health Services. Please contact them if you need advice on your responsibilities.

Key rules for non-surgical cosmetic procedures

- Age limit. It is illegal to perform non-surgical cosmetic procedures, including Botox and dermal fillers, on anyone under the age of 18
- Approved locations. Botox injections and other non-surgical cosmetic procedures must be performed in permitted premises that are registered with Healthcare Improvement Scotland (HIS), such as private clinics, or within NHS settings like GP practices, pharmacies, and dental clinics
- Qualified supervision. Procedures must be carried out by or under the direct supervision of qualified, prescribing healthcare professionals (such as doctors, nurses, dentists, pharmacists or midwives)
- Timeline. Businesses have a transition period in which to adapt, with enforcement fully taking effect by September 2027

Keeping within the law

In order to keep within the law, you, as the business owner, are advised to introduce an age verification policy and have effective systems to prevent the performance of non-surgical cosmetic procedures on 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 Scottish Government and Police Scotland 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. The Scottish Government also endorses the Young Scot card.

A passport, photocard driving licence, Ministry of Defence form 90, European Union national identity card or a biometric immigration document is also acceptable but make sure that the card matches the person using it and the date of birth shows that they are at least the minimum age of 18.

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, refuse the sale.

Operate a Challenge 25 policy

This means that if the person appears to be under the age of 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 that 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.

In this update

New guidance: October 2026

Key legislation

- Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Act 2026

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.

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