



# Botulinum Toxin and Cosmetic Fillers (Children) Act 2021

## 2021 CHAPTER 19

### 1 Offence of administering certain substances to a child

- (1) It is an offence for a person to administer, in England, to another person (“A”)—
  - (a) botulinum toxin, or
  - (b) a subcutaneous, submucous or intradermal injection of a filler for a cosmetic purpose,where A is under the age of 18.
- (2) A “filler” is any substance used for dermal or mucous membrane filling (whether or not designed to be so used).
- (3) For the purposes of subsection (1)(b), an injection of a filler is, in particular, to be taken to be for a cosmetic purpose if—
  - (a) the filler is generally used for such a purpose, or
  - (b) the likely effect of the injection is to alter the appearance of the person injected.
- (4) It is a defence for a person charged with an offence under subsection (1) to show that at the time of the alleged offence—
  - (a) the defendant was a registered medical practitioner,
  - (b) the defendant was a regulated health professional who, in administering the botulinum toxin or the filler (as the case may be), was acting in accordance with the directions of a registered medical practitioner, or
  - (c) the defendant—
    - (i) had taken reasonable steps to establish A's age, and
    - (ii) reasonably believed that A was aged 18 or over.
- (5) A person is taken to have shown a matter mentioned in subsection (4) if—
  - (a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and
  - (b) the contrary is not proved beyond reasonable doubt.

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*Changes to legislation: There are currently no known outstanding effects for the Botulinum Toxin and Cosmetic Fillers (Children) Act 2021, Section 1. (See end of Document for details)*

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- (6) A person who commits an offence under subsection (1) is liable on summary conviction to a fine.
- (7) In this section “regulated health professional” means—
- (a) a registered nurse;
  - (b) a registered dentist within the meaning of the Dentists Act 1984 (see section 53 of that Act);
  - (c) a registered pharmacist within the meaning of the Pharmacy Order 2010 (S.I. 2010/231) (see article 3 of that Order);
  - (d) a registered person within the meaning of the Pharmacy (Northern Ireland) Order 1976 (S.I. 1976/1213 (N.I. 22)) (see Article 2 of that Order).

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**Commencement Information**

**II** S. 1 in force at 1.10.2021 by S.I. 2021/1004, reg. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Botulinum Toxin and Cosmetic Fillers (Children) Act 2021, Section 1.