



# Health and Care Act 2022

## 2022 CHAPTER 31

### PART 6

#### MISCELLANEOUS

#### *Cosmetic procedures*

#### **180 Licensing of cosmetic procedures**

- (1) The Secretary of State may, for the purposes of reducing the risk of harm to the health or safety of members of the public, make regulations—
- (a) prohibiting an individual in England from carrying out specified cosmetic procedures in the course of business, unless the person has a personal licence;
  - (b) prohibiting a person from using or permitting the use of premises in England for the carrying out of specified cosmetic procedures in the course of business, unless the person has a premises licence.

- (2) In this section—

“cosmetic procedure” means a procedure, other than a surgical or dental procedure, that is or may be carried out for cosmetic purposes; and the reference to a procedure includes—

- (a) the injection of a substance;
- (b) the application of a substance that is capable of penetrating into or through the epidermis;
- (c) the insertion of needles into the skin;
- (d) the placing of threads under the skin;
- (e) the application of light, electricity, cold or heat;

“licensed premises” means premises in respect of which a premises licence is in force;

“local authority” means—

- (a) a county council in England;
- (b) a district council in England;

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*Status: This is the original version (as it was originally enacted).*

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- (c) a London borough council;
- (d) a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;
- (e) the Common Council of the City of London (in its capacity as a local authority), the Sub-Treasurer of the Inner Temple or the Under Treasurer of the Middle Temple;
- (f) the Council of the Isles of Scilly;

“personal licence” means a licence, granted by a specified local authority under the regulations, which authorises an individual to carry out a cosmetic procedure of a description specified in the licence;

“premises licence” means a licence, granted by a specified local authority under the regulations, which authorises premises to be used for the carrying out of a cosmetic procedure of a description specified in the licence;

“specified cosmetic procedure” means a cosmetic procedure of a description specified in the regulations;

“specified local authority” means a local authority of a description specified in the regulations.

- (3) The provision which may be made by regulations under this section by virtue of section 183(1)(a) includes—
  - (a) provision amending Schedule 5 to the Consumer Rights Act 2015 (investigatory powers);
  - (b) provision repealing, revoking or amending provision made by or under any local Act.
- (4) Before making regulations under this section, the Secretary of State must consult such persons as the Secretary of State considers appropriate.
- (5) Schedule 19 makes further provision about regulations under this section (including provision for the imposition of fees, the creation of criminal offences and financial penalties).