

**Synopsis of the doctoral dissertation ‘Admissibility of the non-therapeutic aesthetic interventions’**

This doctoral dissertation analysed the conditions for the admissibility of aesthetic interventions, understood as interventions without a therapeutic purpose, performed using medical techniques and aimed at changing a person's appearance.

The aesthetic interventions are not regulated under the Polish law. It is therefore vital to establish their legal admissibility in a systemic context and to analyse the conditions under which they can be performed. It is assumed that aesthetic interventions in general are permissible, however, their admissibility is subject to certain limitations because of the special importance of values such as life and health. Due to the fact that such procedures are performed only on a contractual basis, it is also necessary to determine the restrictions on freedom to arrange the content or purpose of the contract. The dissertation presents not only Polish regulations, but also those under French law and the law of England and Wales, Scotland, Northern Ireland.

The conclusion of this analysis is that under Polish law there is a legal gap regarding the regulation of aesthetic interventions. Consequently, it is justified to apply *per analogiam* certain provisions of the Act on the Medical and Dentist Professions, and the Act on Patient Rights and the Patient Ombudsman in the context of aesthetic interventions. However, since such procedures are not urgent and lack a therapeutic purpose, regulations concerning treatment without the patient's consent or against their will shall not apply. Similarly, provisions imposing criminal or administrative sanctions are not applicable.

The conditions for the admissibility of aesthetic interventions are as follows: (1) the patient or their legal guardian must consent to the intervention, (2) the procedure must be performed by a formally authorized person, and (3) the procedure must be performed in accordance with current medical knowledge, which includes the prohibition of interventions carrying

a significant risk. Aesthetic interventions should also be allowed for persons who lack full legal capacity, provided that the intervention is consistent with their welfare.

Contracts on the performance of an aesthetic intervention are classified as consumer contracts. Therefore, restrictions on the freedom to arrange the content or purpose of the legal relationship stem not only from general provisions but also from the regulations ensuring consumer protection. Moreover, a contract on the performance of an aesthetic intervention should be classified as a contract on the performance of services, to which, pursuant to Art. 750 of the Polish Civil Code, the provisions of the mandate contract apply accordingly.

Due to the gravity of the rights that may be violated during the performance of the aesthetic interventions, it should be stressed that the current Polish regulations do not provide patients with sufficient protection. Consequently, it is proposed to introduce statutory changes by regulating the performance of aesthetic interventions in a separate legal act, which should cover in particular the legal definition of such interventions and the conditions for their admissibility.