

These notes relate to the Prohibition of Female Genital Mutilation (Scotland) Act 2005 (asp 8) which received Royal Assent on 1 July 2005

PROHIBITION OF FEMALE GENITAL MUTILATION (SCOTLAND) ACT 2005

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 2 – Modification of section 1

10. Subsection (1) provides an order making power for the Scottish Ministers to amend section 1 of the Act in the following ways:
- to add or remove an action to or from the list of actions of mutilation listed in section 1(2) which are offences in terms of the Act or to vary those actions;
 - to add to the circumstances in which an offence is not committed set out in section 1(4) and (5) and to remove or vary any circumstances added.

The order making power does not allow for modification of the circumstances in which no offence is committed currently set out in section 1(4) and (5) of the Act.

11. Subsections (2) and (3) provide that any order made under this section will be made by statutory instrument and subject to the affirmative resolution procedure.