



Victims and Witnesses (Scotland) Act 2014 2014 asp 1

Medical examinations

9 Certain medical examinations: gender of medical examiner

- [^{F1}(1) This section applies where a forensic medical examination is to be carried out by virtue of section 2 of the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021.]
- (2) Before a medical examination of the person ^{F2}... is carried out by a registered medical practitioner [^{F3}, the person must be given] an opportunity to request that any such medical examination be carried out by a registered medical practitioner of a [^{F4}sex] specified by the person.
- (3) If the person makes such a request, ^{F5}... the registered medical practitioner who is to (or, but for the request, would) carry out the examination is [^{F6}to be] informed of the nature of the request.
- (4) In this section, references to a registered medical practitioner include references to a person of such other description as the Scottish Ministers may by order prescribe.
- (5) An order under subsection (4) is subject to the negative procedure.

Textual Amendments

- F1** S. 9(1) substituted (1.4.2022) by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), s. 20(2), **sch. para. 5(3)(a)** (with s. 3); S.S.I. 2022/24, reg. 2
- F2** Words in s. 9(2) repealed (1.4.2022) by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), s. 20(2), **sch. para. 5(3)(b)(i)** (with s. 3); S.S.I. 2022/24, reg. 2
- F3** Words in s. 9(2) substituted (1.4.2022) by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), s. 20(2), **sch. para. 5(3)(b)(ii)** (with s. 3); S.S.I. 2022/24, reg. 2
- F4** Word in s. 9(2) substituted (1.4.2022) by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), s. 20(2), **sch. para. 5(3)(b)(iii)** (with s. 3); S.S.I. 2022/24, reg. 2
- F5** Words in s. 9(3) repealed (1.4.2022) by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), s. 20(2), **sch. para. 5(3)(c)(i)** (with s. 3); S.S.I. 2022/24, reg. 2

Changes to legislation: There are currently no known outstanding effects for the
Victims and Witnesses (Scotland) Act 2014, Section 9. (See end of Document for details)

F6 Words in s. 9(3) inserted (1.4.2022) by Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 (asp 3), s. 20(2), **sch. para. 5(3)(c)(ii)** (with s. 3); S.S.I. 2022/24, reg. 2

Commencement Information

I1 S. 9 in force at 1.4.2022 by S.S.I. 2022/22, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Victims and Witnesses (Scotland) Act 2014, Section 9.