

*These notes relate to the Female Genital Mutilation (Protection and Guidance) (Scotland) Act 2020 (asp 9) which received Royal Assent on 24th April 2020*

# **FEMALE GENITAL MUTILATION (PROTECTION AND GUIDANCE) (SCOTLAND) ACT 2020**

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## **EXPLANATORY NOTES**

### **FEMALE GENITAL MUTILATION PROTECTION ORDERS**

#### ***Section 1: Female genital mutilation protection orders***

##### **Inserted section 5R: Offences relating to UK orders**

88. Section 5R makes it a criminal offence to breach a relevant UK order in Scotland. A relevant UK order is a female genital mutilation protection order under schedule 2 of the Female Genital Mutilation Act 2003, and any other order under the law of England and Wales or Northern Ireland which appears to the Scottish Ministers to be equivalent or similar to a female genital mutilation protection order under this Act and is of a type specified in regulations made by the Scottish Ministers.
89. Subsection (5) sets out the penalties that may be imposed for such an offence, namely:
- on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both),
  - on conviction on indictment, to imprisonment for a term not exceeding 5 years or a fine (or both).