



# Female Genital Mutilation (Protection and Guidance) (Scotland) Act 2020

## 2020 asp 9

### *Guidance*

#### **2 Guidance relating to female genital mutilation**

In the 2005 Act, after section 5R (as inserted by section 1) insert—

##### **“5S Guidance relating to female genital mutilation**

- (1) The Scottish Ministers may give guidance to such persons, or such descriptions of persons, as they consider appropriate about—
  - (a) the effect of this Act or any provision of it, or
  - (b) any other matters relating to female genital mutilation.
- (2) A person exercising public functions to whom guidance is given under this section must have regard to it in the exercise of those functions.
- (3) The Scottish Ministers may not give guidance under this section to—
  - (a) any court or tribunal,
  - (b) the Lord Advocate,
  - (c) a procurator fiscal.
- (4) The Scottish Ministers may from time to time revise any guidance given under this section.
- (5) Subsections (2) and (3) have effect in relation to any revised guidance.
- (6) Guidance given under this section (including any revised guidance) must be published in such manner as the Scottish Ministers think fit.”