



Serious Crime Act 2015

2015 CHAPTER 9

PART 5

PROTECTION OF CHILDREN AND OTHERS

Female genital mutilation

75 Guidance about female genital mutilation

- (1) After section 5B of the Female Genital Mutilation Act 2003 (inserted by section 74 above) insert—

“5C Guidance

- (1) The Secretary of State may issue guidance to whatever persons in England and Wales the Secretary of State considers appropriate about—
 - (a) the effect of any provision of this Act, or
 - (b) 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) Nothing in this section permits the Secretary of State to give guidance to any court or tribunal.
- (4) Before issuing guidance under this section the Secretary of State must consult—
 - (a) the Welsh Ministers so far as the guidance is to a body exercising devolved Welsh functions;
 - (b) any person whom the Secretary of State considers appropriate.
- (5) A body is exercising “devolved Welsh functions” if its functions are exercisable only in or as regards Wales and are wholly or mainly functions relating to—

Status: This is the original version (as it was originally enacted).

- (a) a matter in respect of which functions are exercisable by the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Government, or
 - (b) a matter within the legislative competence of the National Assembly for Wales.
 - (6) The Secretary of State may from time to time revise any guidance issued under this section.
 - (7) Subsections (2) and (3) have effect in relation to any revised guidance.
 - (8) Subsection (4) has effect in relation to any revised guidance unless the Secretary of State considers the proposed revisions of the guidance are insubstantial.
 - (9) The Secretary of State must publish the current version of any guidance issued under this section.”
- (2) Consultation for the purposes of subsection (4) of section 5C of the Female Genital Mutilation Act 2003 (inserted by subsection (1) above) may be, or include, consultation before the coming into force of this section.