

ACTS OF GHANA

FOURTH REPUBLIC

Act 741

THE SEVEN HUNDRED AND FORTY-ONE

ACT OF THE PARLIAMENT OF THE REPUBLIC OF GHANA

ENTITLED

CRIMINAL CODE (AMENDMENT) ACT, 2007

AN ACT to amend the Criminal Code, 1960 (Act 29) to change the reference "female circumcision" to "female genital mutilation" to reflect the actual nature of the offence, widen the scope of responsibility in relation to the offence and to provide for related matters.

DATE OF ASSENT: 7th August, 2007.

ENACTED by the President and Parliament:

1. The Criminal Code, 1960 (Act 29) is further amended by the deletion of section 69A and the insertion after section 69 of the following:

"Female Genital Mutilation

69 A. (1) Whoever carries out female genital mutilation and excises, infibulates or otherwise mutilates the whole or any part of the labia minora, labia majora and the clitoris of another person commits an offence, and is liable on summary conviction to imprisonment for a term of not less than five years and not more than ten years.

(2) Whoever participates in or is concerned with a ritual or customary activity that subjects a person to female genital mutilation commits an offence and is liable on summary conviction to imprisonment for a term of not less than five years and not more than ten years.

(3) For the purposes of this section

"excise" means to remove the prepuce, the clitoris and all or part of the labia minora;

"infibulate" includes excision and the additional removal of external genitalia and stitching or narrowing of the vaginal opening; "mutilate" includes any other injury caused to the female genital organ for cultural or other non-therapeutic reasons;

"concerned with" means

(a) to send to, take to, consent to the taking to or receive at anyplace, any person for the performance of female genital mutilation; or

(b) to enter into an agreement whether written or oral to subject any of the parties to the agreement or any other person to the performance of female genital mutilation.

Date of Gazette notification: 10th August, 2007.

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