EXPLANATORY MEMORANDUM TO

The Period Products (Department of Health Specified Public Service Bodies) Regulations (Northern Ireland) 2024

S.R. 2024 No.

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Health to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under section 2(1) and (2)(a) of the Period Products (Free Provision) Act (Northern Ireland) 2022 and is subject to the draft affirmative resolution procedure.

2. Purpose

2.1. The Statutory Rule will specify the public service bodies within the functions of the Department to which the duty under section 2(3) of the Period Products (Free Provision) Act (Northern Ireland) 2022 will apply.

2.2. Section 2(3) of the Act provides that each public service body specified in the regulations must ensure that period products are obtainable free of charge (in accordance with arrangements established and maintained by the body) by persons in its premises who need to use them.

3. Background

3.1. The Period Products (Free Provision) Act (Northern Ireland) 2022 ("the Act") received Royal Assent on 12 May 2022. The Act was introduced as a Private Members' Bill by Pat Catney MLA.

3.2. Section 1 of the Act places a duty on the Executive Office (TEO) to progress the universal (free) provision of period products to those who need to use them.

3.3. Section 2 of the Act tasks Northern Ireland departments to make Regulations, within the period of one year beginning with the day on which the Act was passed, specifying the public services bodies within its functions who must ensure that period products are obtainable free of charge by persons, in its premises, who need to use them.

3.4. Section 2 also states that bodies that discharge functions in relation to persons in hospital premises must be specified. At this time the Department of Health (DoH) is specifying the five Health and Social Care (HSC) Trusts:

3.4.1. the Belfast Health and Social Care Trust;

3.4.2. the Northern Health and Social Care Trust;

3.4.3. the South Eastern Health and Social Care Trust;

3.4.4. the Southern Health and Social Care Trust; and

3.4.5. the Western Health and Social Care Trust.

4. Consultation

4.1. In accordance with section 1(4) of the Act, the Department has consulted with those bodies to be specified.

5. Equality Impact

5.1. An Equality Impact Screening was performed and found that these Regulations do not adversely affect any of the Section 75 groups.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment has been considered and screened out and there is no impact on business, charities, social enterprise or voluntary bodies.

7. Financial Implications

7.1. The five HSC trusts have provided indicative costings of approx. £200,000 - £300,000 per trust per annum equating to £1- 1.5 million per annum for all trusts. This will be further refined following HSC trust consultation with stakeholders. As this is a new scheme, the cost per annum for the delivery of it will depend on demand which is not yet know but will be better understood after the first year of its operation.

8. Section 24 of the Northern Ireland Act 1998

8.1. Consideration has been given to the human rights implications of these regulations. They are considered compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable

10. Parity or Replicatory Measure

10.1. This SR is not made to maintain parity. These regulations apply only in Northern Ireland.

11. Additional Information

11.1. Not applicable.