EXPLANATORY MEMORANDUM TO

The Period Products (Executive Office Specified Public Service Bodies) Regulations (Northern Ireland) 2024

S.R. 2024 No. 185

1. Introduction

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

1.2. The Statutory Rule is made under subsections 2(1), (2)(b), and (13) of the Period Products (Free Provision) Act (Northern Ireland) 2022 (The Act) and is subject to the draft affirmative resolution procedure.

2. Purpose

2.1. Regulation 1 provides the name of the Regulations, that is The Period Products (Executive Office Specified Public Service Bodies) Regulations (Northern Ireland) 2024. It also provides that the Regulations will come into force on 25 October 2024.

2.2. Regulation 2 specifies Public Service Bodies for the purposes of subsection 2(1) of the Act to which subsection 2(3) of the Act applies (Specified Public Service Bodies). Subsection 2(3) of the Act requires that each Specified Public Service Body must make and maintain arrangements for period products to be made available, free of charge on their premises, in line with the requirements set out in the Act.

3. Background

3.1. Section 2 of the Act provides that “each department must in respect of the public service bodies within its functions” specify by regulations those public service bodies to which the duty to make free period products available for users while on their premises applies.

3.2. Section 9 of the Act defines a 'public service body' as a body; (a) constituted by or under a statutory provision; and (b) having functions that consist of or include providing public services or otherwise serving the public interest.

3.3. Specified Public Service Bodies, having had regard to Departmental guidance, and having consulted with product users, must make and maintain arrangements to ensure free period products are available for use on their premises from 13 May 2024.

4. Consultation

4.1. An 8-week consultation with the Department's Arm’s Length Bodies (ALB) was undertaken on the proposals for these Regulations. This included ALBs that the Department did not propose to specify by Regulations given that the bodies had not been constituted by statute. All 13 Respondents provided responses.

5. Equality Impact

5.1. Consideration has been given to compliance with section 75 of the Northern Ireland Act 1998. The Department considers that while the matter will have a beneficial impact for women, it is not considered that there will be a detrimental impact on any other section 75 groups, on this basis the measure was screened out.

6. Regulatory Impact

6.1. A regulatory impact assessment was not considered necessary.

7. Financial Implications

7.1. There is no significant cost to making the Regulations and funding for the provision will be bid for in line with normal financial planning procedures.

8. Section 24 of the Northern Ireland Act 1998

8.1. The proposed legislation is 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 measure does not replicate, nor is there a requirement to maintain parity with, legislation in other administrations.

11. Additional Information

11.1. Not applicable.