



# Period Products (Free Provision) (Scotland) Act 2021

## 2021 asp 1

### *Guidance*

#### **5 Guidance**

- (1) The Scottish Ministers must issue guidance to—
  - (a) local authorities and education providers about the exercise of the functions conferred on them by—
    - (i) section 1 or, as the case may be, 2, and
    - (ii) section 8,
  - (b) any specified public service bodies about the exercise of the functions conferred on them by sections 3 and 8.
- (2) The first guidance issued—
  - (a) to local authorities and education providers under subsection (1)(a) is to be issued as soon as reasonably practicable after this section comes into force,
  - (b) to a particular specified public service body (or to a particular class of specified public service bodies) under subsection (1)(b) is to be issued as soon as reasonably practicable after the body (or class of bodies) is specified in regulations under section 3.
- (3) Guidance issued under subsection (1)—
  - (a) must in particular include guidance about the matters in relation to which section 4 imposes requirements,
  - (b) may also include guidance about the exercise of the functions conferred on responsible bodies by sections 6 and 7.
- (4) Each responsible body to which guidance is issued under this section must have regard to the guidance as it relates to that body.
- (5) Subsection (6) applies in relation to the first issue of guidance—
  - (a) to local authorities and education providers under subsection (1)(a),
  - (b) to a particular specified public service body (or a particular class of specified public service bodies) under subsection (1)(b).

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*Status: This is the original version (as it was originally enacted).*

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- (6) Before issuing the guidance mentioned in subsection (5), the Scottish Ministers—
  - (a) must consult such persons or bodies as appear to them to represent the interests of each type of responsible body to which the guidance relates, and
  - (b) may consult any other person or body they think appropriate.
- (7) The Scottish Ministers must, as soon as reasonably practicable after issuing guidance under subsection (1), publish the guidance in such ways as they think appropriate.
- (8) In this Act, “responsible body” means, in relation to the function conferred—
  - (a) by section 1, each local authority,
  - (b) by section 2, each education provider,
  - (c) by section 3, each specified public service body.