

# **PERIOD PRODUCTS (FREE PROVISION) (SCOTLAND) ACT 2021**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Guidance***

23. Section 5 requires Scottish Ministers to issue guidance to responsible bodies to support them in the exercise of their duties under sections 1, 2 or 3 and 8 as well as in relation to the particular requirements set out by section 4. The guidance can also cover the duties imposed by sections 6 and 7 which are detailed below. For example, in relation to section 4, guidance could provide more detail on what would constitute a reasonable choice of types of products and what constitutes a dignified approach.
24. Before any guidance is first issued, Scottish Ministers must consult persons or bodies that represent the interests of responsible bodies and may consult with others. The guidance might be one document or may be different documents targeted at different responsible bodies.
25. Scottish Ministers must issue the guidance as soon as reasonably practicable. They will be able to issue revised guidance from time to time, for example to share emerging good practice between responsible bodies and take account of new approaches. They are not required to consult in the production of revised guidance. The issuing of guidance to a responsible body for the first time triggers the requirements on that body to consult and then prepare a statement under sections 6 and 7; however, the issue of revised guidance does not.
26. When putting in place the arrangements by which they will exercise their functions, responsible bodies must have regard to the guidance as it is in force at the time and as it relates to them.