



2022 CHAPTER 25

Duties to ensure period products are obtainable free of charge

Provision of free period products: public service bodies

2.—(1) Each department must in respect of the public service bodies within its functions, within the period of one year beginning with the day on which this Act is passed, specify by regulations those public service bodies to which the duty in subsection (3) applies.

- (2) The public service bodies specified under subsection (1) must include—
- (a) bodies with functions that would enable them to discharge the duty in subsection (3) in relation to persons in hospital premises;
 - (b) bodies with functions that would enable them to discharge that duty in relation to persons in school premises;
 - (c) bodies with functions that would enable them to discharge that duty in relation to persons in further education premises; and
 - (d) bodies with functions that would enable them to discharge that duty in relation to persons in higher education premises.

(3) Each public service body specified in regulations made by a department (a “specified public service body”) under subsection (1) 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.

(4) A specified public service body is to do so by providing period products, or securing their provision, in such locations within those premises as are specified in arrangements established and maintained under subsection (3).

(5) Where a specified public service body operates over a number of sites in Northern Ireland, the locations specified in the arrangements established and maintained under subsection (3) must include locations in premises at each such site.

(6) The period products obtainable free of charge by a person under the arrangements established and maintained under subsection (3) are to be sufficient products to meet the person's needs while the person is in the premises.

(7) Where regulations under subsection (1) specify a public service body they may also—

- (a) provide for descriptions of premises to be treated as being (or as not being) premises of that body for the purposes of this Act;
- (b) provide for descriptions of persons to be treated as being (or as not being) persons “in” that body's premises for the purposes of this Act; and
- (c) make provision about when premises are to be treated as “in use” for the purposes of section 3(2);

and provision under paragraph (b) may include provision in respect of persons who are on premises without a legitimate reason for being there.

(8) Before specifying a public service body under this section, a department—

- (a) must consult the public service body; and
- (b) may consult any other body or person they think appropriate.

(9) Public service bodies may be specified for the purposes of this section by reference to a class that they are in.

(10) Where they are proposed to be so specified under subsection (9), subsection (8) applies in relation to each of those public service bodies.

(11) Regulations under subsection (1) may be made jointly by two or more departments, and where two or more departments jointly make such regulations—

- (a) each public service body specified by the regulations must be within the functions of one (or more) of those departments; and
- (b) the consultation required by subsection (8) in respect of that body may be conducted by the department within whose functions the body falls (or, if there is more than one such department, any of them).

(12) Regulations under this section may specify that different public service bodies specified in the regulations are to become subject to the duty in subsection (3) on different days.

(13) Regulations under this section may make incidental, supplementary, consequential, transitional, transitory or saving provision.

(14) Regulations under this section may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(15) Each department must review the regulations under subsection (1) that specify public service bodies within its functions at intervals of no more than three years, and if necessary take steps to ensure that the regulations are updated.

(16) For the purposes of this section a body is within the functions of a particular department if it is a body with functions in the subject area for which the department is responsible.