

# EXPLANATORY MEMORANDUM TO

## DRAFT

### **The Period Products (Department of Agriculture, Environment and Rural Affairs Specified Public Service Bodies) Regulations (Northern Ireland) 2024**

**S.R. 2024 No.0000**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs (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) 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. This Statutory Rule 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. Under section 2 of the Act all departments must specify, by Regulations, Public Service Bodies who will be subject to duties under the Act. The Act requires that the Regulations be enacted by 11 May 2023.
- 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.

#### **4. Consultation**

- 4.1. A three week consultation was undertaken by the Department on the proposals for these Regulations with the proposed specified bodies and others bodies the Department thought appropriate. One respondent provided a response; this was supportive.

#### **5. Equality Impact**

- 5.1. Consideration has been given to compliance with section 75 of the Northern Ireland Act 1998. The Department considers that this matter will

not have a differential impact on any of the section 75 categories and, 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.