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**An Bille um Tháirgí Míosta (Soláthar Saor in Aisce), 2021**  
**Period Products (Free Provision) Bill 2021**

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*Mar a tionscnaíodh*

*As initiated*

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**AN BILLE UM THÁIRGÍ MÍOSTA (SOLÁTHAR SAOR IN AISCE), 2021  
PERIOD PRODUCTS (FREE PROVISION) BILL 2021**

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**CONTENTS**

Section

1. Short title and commencement
2. Interpretation
3. Regulations
4. Duty to ensure period products obtainable free of charge
5. Schools and education institutions
6. Public service bodies
7. Arrangements under sections 5 and 6: particular requirements
8. Guidance
9. Additional duties on bodies
10. Information to be provided to public

ACTS REFERRED TO

Education Act 1998 (No. 51)

Public Service Pensions (Single Scheme and Other Provisions) Act 2012 (No. 37)

Qualifications and Quality Assurance (Education and Training) Act 2012 (No. 28)



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**AN BILLE UM THÁIRGÍ MÍOSTA (SOLÁTHAR SAOR IN AISCE), 2021  
PERIOD PRODUCTS (FREE PROVISION) BILL 2021**

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# Bill

*entitled*

An Act to secure the general availability, free of charge, of period products. 5

**Be it enacted by the Oireachtas as follows:**

## **Short title and commencement**

1. (1) This Act may be cited as the Period Products (Free Provision) Act 2021.
- (2) This Act comes into operation on such day or days as the Minister may be order or orders either generally or with reference to any particular purpose appoint, and different days may be so appointed for different purposes or different provisions of this Act. 10

## **Interpretation**

2. (1) In this Act—
  - “education institution” means a body that provides a programme of education and training leading to an award that is included within the National Framework of Qualifications kept and maintained under the Qualifications and Quality Assurance (Education and Training) Act 2012; 15
  - “Minister” means the Minister for Health;
  - “period products” means manufactured articles the purpose of which is to absorb or collect menstrual flow, including tampons, sanitary towels and articles which are reusable; 20
  - “public service body” has the meaning assigned to it by section 5 of the Public Service Pensions (Single Scheme and Other Provisions) Act 2012;
  - “school” means a recognised school within the meaning of the Education Act 1998; 25
  - “student” means a person for whom education is being provided by a school or an education institution.
- (2) References in this Act to a person’s needs (including to a pupil’s or a student’s needs) are references to the person’s needs for period products arising from menstruation.

## **Regulations**

3. (1) The Minister may make regulations—
- (a) for any purpose in relation to which regulations are provided for in this Act, and
  - (b) generally for the purpose of giving effect to this Act.
- (2) Regulations under this Act may contain such consequential, supplementary and ancillary provisions as the Minister considers necessary or expedient. 5
- (3) Regulations made under this Act shall be laid before each House of the Oireachtas as soon as may be after they are made and, if a resolution annulling the regulations is passed by either such House within the next 21 days on which that House sits after the regulations are laid before it, the regulations shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder. 10

## **Duty to ensure period products obtainable free of charge**

4. (1) It is a function of the Minister under this Act to secure the general availability of period products free of charge.
- (2) The Minister shall secure the general availability of period products free of charge through arrangements made under regulations with schools, education institutions and public service bodies. 15
- (3) In the performance of his or her function under this Act, the Minister shall, so far as is reasonably practicable—
- (a) afford priority to meeting the needs of persons who are least able to meet their needs unaided, and 20
  - (b) promote environmental sustainability in the use of period products.

## **Schools and education institutions**

5. The Minister may make arrangements with schools and education institutions to ensure that period products are obtainable free of charge, in accordance with those arrangements, by students enrolled at the school or institution who need to use such products, sufficient to meet the needs of students during term times at the school or institution concerned. 25

## **Public service bodies**

6. (1) The Minister may make arrangements with public service bodies to ensure that period products are obtainable free of charge, in accordance with those arrangements— 30
- (a) in the case of all public service bodies with which arrangements have been made, by persons in its premises who need to use them, and
  - (b) in the case of certain public service bodies specified by the regulations, by persons generally who are living in the area served by the body concerned. 35
- (2) Before specifying a body under *subsection (1)(b)*, the Minister—
- (a) shall consult the body, or a representative organisation to which the body belongs,

and

- (b) may consult any other person that he or she thinks appropriate.
- (3) Bodies may be specified for the purposes of *subsection (1)(b)* by reference to a class that they belong to.

**Arrangements under sections 5 and 6: particular requirements** 5

- 7. Arrangements made under *section 5* or *6* shall provide for—
  - (a) period products to be obtainable—
    - (i) reasonably easily, and
    - (ii) in a way that respects the dignity of persons obtaining them,
  - (b) a reasonable choice of different types of period products to be obtainable. 10

**Guidance**

- 8. (1) The Minister shall issue guidance to bodies with which he or she has made arrangements under this Act in relation to their duties under this Act.
  - (2) Each body to which guidance is issued under this section shall have regard to the guidance as it relates to that body. 15
  - (3) The Minister shall, as soon as reasonably practicable after issuing guidance under *subsection (1)*, publish the guidance on his or her website.

**Additional duties on bodies**

- 9. (1) A body with which the Minister has made arrangements under this Act—
  - (a) shall, as soon as reasonably practicable after guidance is first issued to the body under *section 8*, and 20
  - (b) may, at any other time,  
prepare a written statement describing the body's plans for the carrying out of its duties under this Act.
- (2) Before preparing a statement under *subsection (1)*, a body— 25
  - (a) shall consult with persons, or an organisation representative of persons, likely to be affected by the body's plans, and
  - (b) may consult such other persons as the body thinks appropriate,  
in relation to the body's plans for the carrying out of its duties under this Act.
- (3) Consultation under *subsection (2)* shall include consultation— 30
  - (a) about the ways in which period products ought to be made obtainable free of charge, and
  - (b) about the types of period products which ought to be made obtainable free of charge,

by the body concerned.

- (4) A statement prepared under *subsection (1)*—
- (a) shall explain how the body has had regard to guidance issued under *section 8* as the guidance relates to the body,
  - (b) shall explain how the body has had regard to consultations carried out under *subsection (2)*,
  - (c) may include such other information as the body thinks appropriate, and
  - (d) shall be published by the body on its website.

**Information to be provided to public**

- 10.** The Minister shall take such steps as he or she thinks appropriate to inform persons likely to be affected—
- (a) that period products are obtainable free of charge, and
  - (b) the arrangements for obtaining products free of charge, including in particular how, where and when products may be obtained.





An Bille um Tháirgí Míosta (Soláthar Saor in Aisce), 2021

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# BILLE

*(mar a tionscnaíodh)*

*dá ngairtear*

Acht chun infhaighteacht ghinearálta táirgí míosta, saor in aisce, a áirithiú.

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*Na Seanadóirí Rebecca Ní Mhuimhneacháin, Ivana Bacik, Annie Nic Eochaidh, Marie Ní Shearlóg agus Marcas de Bhál a thug isteach,*

*19 Eanáir, 2021*

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Period Products (Free Provision) Bill 2021

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# BILL

*(as initiated)*

*entitled*

An Act to secure the general availability, free of charge, of period products.

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*Introduced by Senators Rebecca Moynihan, Ivana Bacik, Annie Hoey, Marie Sherlock and Mark Wall,*

*19th January, 2021*

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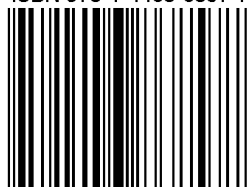
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