

2024 No. 94

PERIOD PRODUCTS (FREE PROVISION)

The Period Products (Department of Education Specified Public Service Bodies) Regulations (Northern Ireland) 2024

Laid before the Assembly in draft

Made - - - - 16 April 2024

Coming into operation 16 April 2024

The Department of Education(a) makes the following Regulations in exercise of the powers conferred by section 2(1), (2)(b), (7)(a) and (b) and (13) of the Period Products (Free Provision) Act (Northern Ireland) 2022(b) and after consultation in accordance with section 2(8)(a) of that Act.

Citation and commencement

1. These Regulations may be cited as the Period Products (Department of Education Specified Public Service Bodies) Regulations (Northern Ireland) 2024 and shall come into operation on the 16 April 2024.

Interpretation

2.—(1) In these Regulations—

“administrative accommodation” means accommodation leased or owned by a specified public service body for the purpose of effecting its statutory functions and is not—

- (a) school premises;
- (b) premises used as education other than at school settings; or
- (c) premises used as statutory youth settings;

“CCMS” means the Council for Catholic Maintained Schools established under Part IX of the Education Reform (Northern Ireland) Order 1989(c);

“education other than at school settings” shall be construed in accordance with Article 86(1) of the 1998 Order;

“GTCNI” means the General Teaching Council for Northern Ireland established under Part VI of the 1998 Order;

“NICCEA” means the Northern Ireland Council for Curriculum, Examinations and Assessment established under Part VII of the 1998 Order;

(a) See 2016 c.5 (N.I.) s.1 and Schedule 1
(b) 2022 c.25 (N.I.)
(c) S.I. 1989/2406 (N.I. 20)

“premises” is to be construed in accordance with regulation 4(a);

“pupil” means a person who—

- (a) has reached compulsory school age;
- (b) is not over the upper age limit of senior pupil;
- (c) is registered at a school or education other than at school setting; and
- (d) in respect of whom education is provided under the Education Orders;

“specified public service body” means the bodies listed at regulation 3(2);

“staff” means employees or agency workers in the premises of a specified public service body;

“statutory youth setting” means facilities for recreational, social, physical, cultural and youth service activities, provided by the Authority in accordance with Article 37 of the 1986 Order;

“the Act” means the Period Products (Free Provision) Act (Northern Ireland) 2022;

“the 1986 Order” means the Education and Libraries (Northern Ireland) Order 1986(a);

“the 1998 Order” means the Education (Northern Ireland) Order 1998(b);

“visitors” means a person with legitimate reason for being in the premises of a specified public service body, such as attending meetings or events or providing a function;

“young people” means people aged 9 to 25 years.

(2) The following words and expressions have the same meaning as in Article 2(2) of the 1986 Order:-

- (a) “compulsory school age”;
- (b) “controlled school”;
- (c) “grant-maintained integrated school”;
- (d) “independent school”;
- (e) “senior pupil”;
- (f) “the Authority”(c);
- (g) “the Education Orders”;
- (h) “the Department”;
- (i) “voluntary school”.

(3) For the purposes of these Regulations, “managers” means—

- (a) in relation to a controlled school, the Authority;
- (b) in relation to a voluntary or grant-maintained integrated school, the Board of Governors of the school; and
- (c) in relation to an independent school, the proprietor of the school.

Specified public service bodies

3.—(1) The Department specifies the bodies listed at paragraph (2) for the purposes of section 2(1) of the Act (specified public service bodies).

(2) The specified public service bodies mentioned at paragraph (1) are—

- (a) the Authority—
 - (i) as manager of controlled schools;
 - (ii) in respect of statutory youth settings;

(a) S.I. 1986/594 (N.I. 3)

(b) S.I. 1998/1759 (N.I. 13)

(c) The body established by s.1(1) of the Education Act (Northern Ireland) 2014

- (iii) in respect of education other than at school settings; and
- (iv) in respect of its administrative accommodation.
- (b) managers of voluntary schools;
- (c) managers of grant-maintained integrated schools;
- (d) managers of independent schools;
- (e) CCMS, in respect of its administrative accommodation;
- (f) GTCNI, in respect of its administrative accommodation; and
- (g) NICCEA, in respect of its administrative accommodation.

Descriptions of persons and premises

4. For the purposes of section 2(3) of the Act—

- (a) the descriptions of premises listed in column 2 of the Table below are to be treated as being premises of the specified public service body listed at column 1; and
- (b) the descriptions of persons listed at column 3 of the Table below are to be treated as being in the premises of the specified public service body listed at column 1.

Table

	Column 1 - Specified Public Service Body	Column 2 - Descriptions of Premises	Column 3- Descriptions of persons in premises
(a) (i)	The Authority, as manager of controlled schools	All buildings comprising school premises	(i) pupils (ii) staff (iii) visitors
(a) (ii)	The Authority, in respect of statutory youth settings	Authority owned or leased premises used as statutory youth settings	(i) young people (ii) staff (iii) visitors
(a) (iii)	The Authority, in respect of education other than at school settings	Authority owned or leased premises used as education other than at school settings	(i) pupils (ii) staff (iii) visitors
(a) (iv)	The Authority, in respect of its administrative accommodation	Authority administrative accommodation	(i) staff (ii) visitors
(b)	Managers of voluntary schools	All buildings comprising school premises	(i) pupils (ii) staff (iii) visitors
(c)	Managers of grant-maintained integrated schools	All buildings comprising school premises	(i) pupils (ii) staff (iii) visitors
(d)	Managers of independent schools	All buildings comprising school premises	(i) pupils (ii) staff (iii) visitors
(e)	CCMS	CCMS administrative accommodation	(i) staff (ii) visitors
(f)	GTCNI	GTCNI administrative accommodation	(i) staff (ii) visitors
(g)	NICCEA	NICCEA administrative accommodation	(i) staff (ii) visitors

Sealed with the Official Seal of the Department of Education on 16 April 2024

(L.S.)

Peter Hutchinson
A senior officer of the
Department

EXPLANATORY NOTE

(This note is not part of the Regulations)

This Statutory Rule is made under section 2(1) of the Period Products (Free Provision) Act (Northern Ireland) 2022^(a). It specifies the public service bodies who are subject to the duty at section 2(3) of the Act (specified public service bodies). It provides the descriptions of premises to be treated as premises of a specified public service body for the purposes of the Act and provides for descriptions of persons to be treated as in those specified public service bodies' premises for the purposes of the Act.

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