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**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**PERIOD PRODUCTS AND FACILITIES (ACCESS) BILL 2022**

**SUPPLEMENTARY EXPLANATORY STATEMENT**

**Presented by  
Yvette Berry MLA  
Minister for Women**

# PERIOD PRODUCTS AND FACILITIES (ACCESS) BILL 2022

## OVERVIEW OF THE BILL

Ms Suzanne Orr MLA presented a Private Members Bill (PMB) to the Legislative Assembly on 4 August 2022 titled the *Period Products and Facilities (Access) Bill 2022*.

The PMB proposes to establish requirements for the ACT Government to provide period products free of charge at designated accessible places across the ACT including government schools, other educational and training settings, and community facilities. It would also establish minimum hygiene facility requirements for ACT Government workplaces and require that information about menstrual health is made available publicly.

This Supplementary Explanatory Statement outlines the government amendments to be made to the PMB.

## OUTLINE OF GOVERNMENT AMENDMENTS

The government amendments to the PMB will remove Section 17 of the PMB (reporting lack of access by public employees), and subsequently Section 20 (2) that references Section 17.

Section 17 relates to the reporting of lack of access for public employees to toilets, handwashing facilities and sanitary waste facilities in a way mentioned in section 16 (2). Under existing requirements under the *Work Health and Safety Act 2011* (WHS Act), Work Health and Safety (Managing the Work Environment and Facilities Code of Practice Approval 2020, access to clean toilets must be provided for all workers while they are at work. This includes requirements for toilet fittings, hand washing facilities, and hygienic means to dispose of sanitary items. Non-provision of these items is considered a workplace hazard and therefore reportable through existing Work Health and Safety Incident Reporting structures that exist for public employees, and can be investigated by WorkSafe ACT. To avoid duplication, these amendments remove this clause, and subsequently clause 20 (2) as it relates to reporting against this clause.

## CLAUSE NOTES

### **Section 17 Reporting lack of access by public employees Page 9, line 18—**

This amendment omits this clause to remove duplication with existing incident reporting mechanisms as part of the *Work Health and Safety Act 2011* where workplace hazards, such as lack of access to toilets, handwashing facilities, or sanitary waste disposal, have been identified.

### **Clause 20 (2) Report on operation of Act Page 12, line 6—**

Consequential on omitting Section 17 of the PMB, this clause omits the requirement under subsection 20 (2) as it pertains to reporting under Section 17, as it is no longer required.