

# **WOMEN'S AFFAIRS COMMITTEE BILL**

**NSW YOUTH  
PARLIAMENT**





## **Menstruation Poverty and Education Equality Bill 2021 (NSW)**

The Hon. Ellen Dungavell (Maitland)  
The Hon. Guinevere Fisher (Reid)  
The Hon. Indigo Lee-Wilson (Kuringai)  
The Hon. Jade Poulton (Kiama)  
The Hon. Ariana Wang (Sydney)  
The Hon. Shaena Erika Yu (Prospect)



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# **Menstruation Poverty and Education Equality Bill 2021 (NSW)**

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A Bill

for

An Act to Mandate Accessible Sanitary Products Across the State  
and Provide Adequate Education Regarding Menstruation.

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## Explanatory Notes

The concept of menstruation is still considered a globally taboo topic. Consequently, people experiencing menstruation feel humiliated and isolated when facing the many secondary challenges associated with menstruation, such as the cost of sanitation materials and the inability to access quality and complete education. It is a fundamental human right for the need to have access to menstrual health care to stay healthy and maintain dignity.

Currently in Australia, over one million people are living in menstrual poverty each month (Yahoo Finance, 2019), therefore, lacking access to sanitary products due to financial constraints. The financial burden of menstruation, in combination with the stigma seen in educational institutions and workplaces, creates challenging circumstances for those experiencing menstruation. This includes, but isn't limited to, the inability to access education, embarrassment and physical affliction if attending education institutions and workplaces while having to choose between human necessities and menstrual products. In a recent Australian study, more than one-third of young women said they missed at least one class, either at school or university, in the past three months due to menstrual symptoms, including pain and fatigue (Duffy *et al*, 2021). As a result of this, their mental health and ability to fully participate in life activities has declined.

The charity 'Share the Dignity' has implemented a similar idea in Australia, with 100 vending machines that dispense free period products. These vending machines have helped end menstrual poverty for the homeless, domestic abuse survivors and people living below the poverty line who live in the vicinity of one of the machines. However, this should not be a privilege. All Australians should have access to these services. The Workplace Gender Equality Inquiry estimates it will take 130 years to close the Australian Gender pay gap, this total subsidisation of menstrual products would aid to close this gap by relieving the financial burden of buying menstrual products. By implementing free sanitary vending machines across all of NSW that supply menstruation products, we are reaching closer to menstrual equality and destigmatising the issue.

This Bill intends to mandate Sanitary Vending Machines, with free menstrual products distributed at all NSW Schools and NSW Transport Hubs, so that no person suffers in silence from the burden of menstrual poverty. This will aid people with the estimated \$10,000 cost of menstrual products over a lifetime (Women's Health, 2019) so that people are not forced to move below the poverty line to afford period products on top of the rising cost of living in Australia regarding fundamental human needs.



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This Bill will also foster a greater understanding of menstruation and its impacts by implementing and enforcing a greater educational awareness program into the Years 4-6 PDHPE syllabus and in Years 7-10 high school Mandatory Science and PDHPE courses. It will focus on the scientific reasons for menstruation, education on menstrual products (including their environmental impacts) and secondary challenges people face regarding menstrual poverty (such as cost and access to menstrual supplies, lack of resources for young people and the lack of productivity such as people missing school/work and the increased fatigue, headaches and cramps). This educational change will aim to destigmatise the topic of menstruation so it is regarded as a natural and unavoidable function of humans, rather than 'dirty' or 'shameful'.



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The Youth Parliament of New South Wales enacts –

## Part 1: Preliminary

### 1. Short Title

This Bill may be cited as *Menstruation Poverty and Education Equality Bill*.

### 2. Commencement

This Bill shall commence 90 days after Royal Assent from the NSW Youth Governor.

### 3. Objects

The objects of this Act are:

- a) To address period poverty by providing free menstrual products for people assigned female at birth through NSW Government-funded properties, NSW Transport Hubs and school bathrooms;
- b) To create a comprehensive menstrual education for all students in Years 4-10;
- c) To destigmatise menstruation across the NSW community;
- d) Provide continual menstrual products in school; and
- e) To increase accessibility to menstrual products.

### 4. Definitions

- 1) **Assigned Female at Birth (AFAB)** refers to people born biologically female.
- 2) **Communal bathroom areas** refers to areas in bathrooms where sinks and hand drying stations are located which all bathroom members can access.
- 3) **Menstruation** is the shedding of the lining of the uterus as discharge blood and mucus which occurs approximately every four (4) weeks for individuals who are AFAB.
- 4) **Menstruation poverty** is defined as the lack of access to sanitary products as a result of financial constraints, as well as the lack of menstrual hygiene education and available bathroom facilities.
- 5) **Menstruation products** are products used to absorb or catch the uterine discharge produced by the body during menstruation. Types of menstruation products include tampons, sanitary towels and articles which are reusable.
- 6) **NSW Government funded properties** are all properties that are funded by the NSW Government including, but not limited to: state schools; train stations; and public health centres.





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- 7) **NSW schools** are all NSW schools regardless of their status (i.e., state; religiously affiliated; or private etc.), inclusive of boarding and specialty schools (special education/needs schools).
- 8) **NSW transport hub** is a place where passengers can board, alight or exchange between modes of transportation such as train stations and bus terminals, limited to those under NSW Government ownership and those with restrooms.
- 9) **Sanitary vending machines** are machines that dispense menstrual products located in or outside of designated restrooms, functioning free of charge but dispense a limit of one product per minute.

## Part 2: Supply of Menstrual Products

### 5. Supply of Menstruation Products in Specified Locations

- (1) Menstruation products will be supplied in all:
  - (a) NSW schools.
    - (i) Primary, secondary, and tertiary institutions; and
    - (ii) Public, independent, and religious schools.
  - (b) NSW State transport hubs such as train stations, light rail stations, bus stops, and big rest stops with an available female, disabled or gender-neutral bathroom.
  - (c) NSW Government-funded properties such as libraries and courts with an available female, disabled or gender-neutral bathroom.
  - (d) Salvation Army (OASIS) and Wayside Chapel.
- (2) Menstruation products will be dispensed through sanitary vending machines. These will be provided in communal bathroom areas in female, disabled and gender-neutral bathrooms.
- (3) Sanitary vending machines should be located in every bathroom unless there is another bathroom of the same type (female, disabled or gender-neutral) within 200 metres that contains a menstrual dispenser and there are directions to that bathroom available in the bathroom.
- (4) The type of menstruation products that will be provided in these sanitary vending machines will be biodegradable pads and tampons.
- (5) The responsibility to refill the sanitary vending machines will fall to the bathroom cleaning staff.
  - (a) These staff will log the number of sanitary vending machines needed to be refilled and will apply for refill packs from the government as needed.

### 6. Period Packs for School Students

- (1) Period packs will be provided to people assigned female at birth who experience periods from Year 4 onwards.
- (2) This pack will contain:
  - (a) One (1) menstrual cup;
  - (b) Two (2) pairs of period underwear;
  - (c) Seven (7) biodegradable pads;
  - (d) Seven (7) tampons;
  - (e) An educational pamphlet with instructions and safety warnings; and
  - (f) Information on how to renew the program.
- (3) People AFAB will be able to apply for a renewed period pack monthly.
  - (a) Applications can be lodged through a post office or online.



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- (a) Applicants will be able to request to receive their preferred period products.
- (4) These packs will be mailed directly to a given address or can be picked up from a post office.

## **Part 3: Menstruation Education**

### **7. Education related to menstruation**

- (1) All students in NSW schools will undertake education in Years 4-10 regarding primary and secondary challenges on menstruation.
- (2) This education should be delivered thoroughly and equally to all students regardless of sex.
- (3) Education on menstruation will be spread across the Science and PDHPE syllabus and increase in complexity as students progress through school.
  - (a) Science syllabus:
    - (i) Scientific purpose of menstruation.
    - (ii) The menstrual cycle.
  - (b) PDHPE syllabus:
    - (i) Menstruation products:
      - 1) Types of menstruation products.
      - 2) Hormonal treatments.
      - 3) Sustainability of menstrual products.
      - 4) Access to menstrual products.
    - (ii) Menstruation Poverty:
      - 1) Lack of access to menstruation products.
      - 2) Cost of menstruation products.
      - 3) Personal impacts of menstruation.
    - (iii) Secondary Challenges facing Women:
      - 1) Pink Tax.
      - 2) Gender stereotypes, discrimination and being shamed due to menstruation.



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# Amendments

## Amendment One

Clause One

Amendment request

- **AMENDMENT**
- OMITTING
- NEW CLAUSE

Original clause:

- (3) People AFAB will be able to apply for a renewed period pack monthly.
- (a) Applications can be lodged through a post office or online.
  - (b) Applicants will be able to request to receive their preferred period products.

Amendment request:

Add an option to renew the program at school. The personnel in charge of renewal requests should be the school's choice as each school has different staff and facilities.

New clause should now read:

- (3) People assigned female at birth will be able to apply for a renewed period pack monthly.
- (a) Applications can be lodged through a post office, online, or through their school or education institution.
  - (b) Applicants will be able to request to receive their preferred period products.



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## Amendment Two

Clause Two

Amendment request

- **AMENDMENT**
- OMITTING
- NEW CLAUSE

Original clause:

(b) PDHPE syllabus:

- (i) Menstruation products:
  - 1) Types of menstruation products.
  - 2) Hormonal treatments.
  - 3) Sustainability of menstrual products.
  - 4) Access to menstrual products.
- (ii) Menstruation Poverty:
  - 1) Lack of access to menstruation products.
  - 2) Cost of menstruation products.
  - 3) Personal impacts of menstruation.
- (iii) Secondary Challenges facing Women:
  - 1) Pink Tax.
  - 2) Gender stereotypes, discrimination and being shamed due to menstruation.

Amendment request:

Add a new point under “(b) PDHPE syllabus” to the clause that includes the history of the development of menstrual products.

New clause should now read:

(b) PDHPE syllabus:

- (i) Menstruation products:
  - 1) Types of menstruation products.



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- 2) Hormonal treatments.
  - 3) Sustainability of menstrual products.
  - 4) Access to menstrual products.
- (ii) Menstruation Poverty:
- 1) Lack of access to menstruation products.
  - 2) Cost of menstruation products.
  - 3) Personal impacts of menstruation.
- (iii) Secondary Challenges facing Women:
- 1) Pink Tax.
  - 2) Gender stereotypes, discrimination and being shamed due to menstruation.
- (iv) History of the development of menstrual products:
- 1) Pre-20<sup>th</sup> Century menstrual health.
  - 2) Development of modern forms of menstrual care such as tampons, pads, etc.
  - 3) The development of 'The Pill' and its effects on the history of menstrual health.

## Amendment Three

### Clause One

#### Amendment request

- **AMENDMENT**
- OMITTING
- NEW CLAUSE

#### Original clause:

- (1) Menstruation products will be supplied in all:
  - (a) NSW schools.
    - (i) Primary, secondary, and tertiary institutions.
    - (ii) Public, independent, and religious schools.
  - (b) NSW State transport hubs such as train stations, light rail stations, bus stops, and big rest stops with an available female, disabled or gender-neutral bathroom.
  - (c) NSW Government-funded properties such as libraries and courts with an available female, disabled or gender-neutral bathroom.
  - (d) Salvation Army (OASIS) and Wayside Chapel.
- (2) Menstruation products will be dispensed through sanitary vending machines. These will be provided in the communal bathroom areas in female, disabled and gender-neutral bathrooms.
- (3) Sanitary vending machines should be located in every bathroom unless there is another bathroom of the same type (female, disabled or gender-neutral) within 200 metres that contains a menstrual dispenser and there are directions to that bathroom available in the bathroom.

#### Amendment request:

Add the subclause:

- (4) where a gender-neutral bathroom is not available, the vending machine should be placed such that it is accessible by anyone.

Edits to text for simplicity.



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New clause should now read:

- (1) Menstruation products will be supplied in all:
  - (a) NSW schools.
    - (i) Primary, secondary, and tertiary institutions.
    - (ii) Public, independent, and religious schools.
  - (b) NSW State transport hubs such as train stations, light rail stations, bus stops, and big rest stops with an appropriate bathroom.
  - (c) NSW Government funded properties such as libraries and courts with an appropriate bathroom.
  - (d) Salvation Army (OASIS) and Wayside Chapel.
- (2) Menstruation products will be dispensed through sanitary vending machines.
- (3) Sanitary vending machines will be placed in all female, disabled, and gender-neutral bathrooms within the above stated facilities.
- (4) Where a gender-neutral bathroom is not available, the vending machine should be placed such that it is accessible by anyone.
- (5) Sanitary vending machines should be located in every appropriate bathroom, unless there is another appropriate bathroom of the same type within 200 metres that contains a menstrual dispenser and there are directions to that bathroom available in the bathroom.





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## Results of the Vote

The results of the vote on the amendments were 43 Ayes, 5 Noes, and 1 Abstained. As such, the amendments were resolved in the affirmative.

The results of the vote on the Bill were 49 Ayes, and 0 Noes. As such, the Bill was passed **unanimously**.

The Menstruation Poverty and Education Equality Bill 2021 (NSW) was **passed in its amended form**.