

# **INTERNATIONAL DEVELOPMENT (GENDER EQUALITY) BILL**

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## **EXPLANATORY NOTES**

### **INTRODUCTION**

1. These explanatory notes relate to the International Development (Gender Equality) Bill as brought from the House of Commons on 20th January 2014. The notes have been prepared by the Department of International Development with the consent of Lord McColl of Dulwich the Peer in charge of the Bill in order to help the reader of the Bill and to inform debate. These explanatory notes do not form part of the Bill and have not been endorsed by Parliament.

2. The notes need to be read alongside the Bill. They are not, and are not meant to be, a comprehensive description of the Bill. So where a clause or part of a clause does not seem to require any explanation or comment, none is given.

### **SUMMARY AND BACKGROUND**

3. The Bill places duties, relating to gender, on the Secretary of State before she provides development assistance or humanitarian assistance under the International Development Act 2002 (“the 2002 Act”).

4. The effect of the amendments to the 2002 Act is to require the Secretary of State before providing development assistance to consider whether the proposed assistance will reduce poverty in a way which is also likely to contribute to reducing gender inequality, and similarly to take account of gender-related needs before she provides humanitarian assistance overseas. The Bill will also introduce an additional reporting duty in the International Development (Reporting and Transparency) Act 2006 (“the 2006 Act”).

5. International development is not a matter which has been devolved to the Scottish Parliament, the National Assembly for Wales or the Northern Ireland Assembly, although the devolved administrations have been consulted. There are no delegated powers proposed in the Bill and it does not affect any other delegated powers.

*These notes refer to the International Development (Gender Equality) Bill as brought from the House of Commons on 20th January 2014 [HL Bill 75]*

## **TERRITORIAL EXTENT AND APPLICATION**

6. The Bill is to extend to England and Wales, Scotland and Northern Ireland.

## **COMMENTARY ON BILL**

### **Clause 1: Duty to have regard to gender inequality**

7. Subsection (1) of section 1 of the 2002 Act allows the Secretary of State to provide development assistance to countries and territories outside the United Kingdom if she is satisfied that such assistance is likely to contribute to a reduction in poverty. Reduction in poverty must therefore be the aim of development assistance given under section 1.

8. *Subsection (2)* of the Bill provides that, before providing development assistance under section 1 of the 2002 Act, the Secretary of State shall have regard to the desirability of providing development assistance that is likely to contribute to reducing poverty in a way which is likely to contribute to reducing inequality between persons of different gender. Development assistance must still be likely to contribute to a reduction in poverty, and nothing in the Bill changes that.

9. Section 3 of the 2002 Act allows the Secretary of State to provide assistance for the purpose of alleviating the effects of a natural or man-made disaster or other emergency on the population of countries outside the United Kingdom. *Subsection (3)* of the Bill provides that, before providing assistance under section 3 of the 2002 Act, the Secretary of State shall have regard to the desirability of providing assistance in a way that takes account of any gender-related differences in the needs of the affected population. The assistance must still be for the purpose of alleviating the effects on the population of the disaster or emergency.

10. *Subsection (4)* provides that actions taken before the Bill is enacted may satisfy the two duties imposed in subsections (2) and (3). The effect is that if, in developing an assistance programme, the Secretary of State has in fact already taken account of the matter required by the duties imposed by those subsections, then the fact that that was done *before* the Bill comes into force does not matter.

### **Clause 2: Annual reporting**

11. *Clause 2* amends the 2006 Act by adding a duty to report on what steps have been taken as a result of the duties imposed by clause 1 in pursuing Millennium Development Goal 3, which is to “promote gender equality and empower women”.

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### **Clause 3: Short title, commencement and extent**

12. *Subsection (1)* sets out the short title for the Act. *Subsection (2)* makes provision for the commencement of the Act (for which, see paragraph 17 below). *Subsection (3)* sets out the extent of the Act (for which, see paragraph 6 above).

### **FINANCIAL EFFECTS**

13. Implementation of the provisions of the Bill will be met within existing Departmental budgets.

### **PUBLIC SECTOR STAFF RESOURCES**

14. The implementation of the measures in the Bill will not require additional public sector resources.

### **SUMMARY OF IMPACT ASSESSMENT**

15. The impact assessment concluded that the Bill will have no negative impact upon business or government. Any additional costs arising from implementation, such as training for officials where this is necessary, would be negligible. The Bill does not measure, regulate or deregulate business, or concern the regulation of business.

### **COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

16. It is the Government's view that the Bill is compatible with the European Convention on Human Rights.

### **COMMENCEMENT DATES**

17. The Bill provides for its provisions to come into force two months after Royal Assent.

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