

(OFFICE ONLY) DATE RECEIVED / /

This application is to be used by home-based early learning services holding a licence under the Education (Early Childhood Services) Regulations 2008.

This application must be completed by an applicant from the current service provider ie, someone who is involved in the management of the service provider if they wish to:

- a) make any alterations to the service that would affect the conditions of the licence; or
- b) make any changes to the operation of the service that would make any matter specified on the licence incorrect; or
- c) change the identity of the service provider operating the licensed service; or
- d) change service provider details; or
- e) change the service name or service details; or
- f) change the service provider contact person or their details; or
- g) change the funding contact person or their details; or
- h) change the emergency contact person or their details.

You do not have to resupply information that has not changed.

1. Current Contact Details

Contact Details

Provide details of the current service provider and home-based service name.

Current Service Provider Name

Current Service Name(s)

Service Number(s) (printed on current licence certificate)

Service Provider Number(s) (if known)

Applicant Contact Details

A person must be listed for the purposes of this application. This person must be from the service provider and is the person who must complete this application, including the Application Declaration in section 10 and the Statutory Declaration in section 11.

First Name

Middle Names

Family Name

Phone Number

Mobile Number

Email



Tick if this email **can** be made publicly available.

2. Reason for Application

This section relates to the reason for the change.

Tick the box(es) that indicate the nature of the amendment applied for.

If you require more than one change, tick and complete all relevant sections.

For example, if with the change of service provider the contact person has also changed complete both section 3 and section 5 as well as the Application Declaration in section 10 and the statutory declaration in section 11. Also review the documentation checklist in section 12 for the documents that are required to support the application.

- ☐ **Change of Service Provider/Service Provider Details**
Complete Sections 3, 7, 9 and the Application Declaration in section 10.
If there is a change in the identity of the service provider (eg, change of ownership) also complete the Statutory Declaration in section 11.
- ☐ **Change of Home-based Service Name/Address/Contact Details**
Complete sections 4, 7, 9 and the Application Declaration in section 10.
- ☐ **Change of Service Provider Contact Person**
Complete sections 5, 7, 9 and the Application Declaration in section 10.
- ☐ **Change of Funding Contact Person**
Complete sections 6, 7, 9 and the Application Declaration in section 10.
- ☐ **Change of Emergency Contact Person**
Complete sections 7, 9 and the Application Declaration in section 10.
- ☐ **Change of Operating Conditions**
Complete sections 8, 7, 9 and the Application Declaration in section 10.

Brief description of the events likely to affect the status of the licence.
Provide any additional information relevant to this application

Date for changes to be effective from.

(/ /)
(DAY/MONTH/YEAR)

3. Change of Service Provider/Service Provider Detail

Where there are changes to the details of the legal status, address and contact details for the owners of the home-based service this section must be completed. This section must also be completed if there is a change to the identity of the service provider. Leave this section blank if the service provider details have not changed.

Service Provider Name

This is the name of the body, agency or person who or that arranges, or offers to arrange, that education and care.

New Zealand Business Number (NZBN)

The Companies Office administers the NZBN register which is responsible for the allocation of the NZBN for New Zealand businesses.

9	4											
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*If you do not have a NZBN enter **N/A**, or
If you are not sure if you have a NZBN look it up using your organisation's name at www.nzbn.govt.nz or
If you do not know your NZBN enter **'?**'*
Note that if your organisation is an incorporated society, a trust board or a company then you will likely have a NZBN.

Ownership Type

Tick one only

Owned Privately		
<input type="radio"/> Sole Trader	<input type="radio"/> Company	<input type="radio"/> Partnership
Owned by an Incorporated Society		
<input type="radio"/> An Incorporated Society (under the Incorporated Societies Act)		
Owned by a Trust		
<input type="radio"/> Charitable Trust (under the Charitable Trusts Act)	<input type="radio"/> Statutory Trust (e.g. a trust under the Anglican Church Trusts Act 1981)	<input type="radio"/> Private Trust (includes trusts declared to be charitable for tax purposes)
Owned by a Community Organisation		
<input type="radio"/> Government Department	<input type="radio"/> State Owned Enterprise	<input type="radio"/> City Council
<input type="radio"/> Health Board	<input type="radio"/> Public Education Institution (e.g. polytechnic, college of education, university, wananga)	<input type="radio"/> Community Trust

Service Provider Address

These addresses relate to the service provider's place of business.

Street Address	
<input type="text"/>	
Suburb / District	
Town / City	Postcode
Phone Number	Mobile Number
Email	<input type="radio"/> Tick if this email can be made publicly available
Website http://	

If different from Street Address

Postal Address	
<input type="text"/>	
Suburb / District	
Town / City	Postcode

4. Change in Service Name/Address/Contact Details

Where there are changes to the details of the service this section must be completed. Leave this section blank if the service details have not changed.

Service Name

Service Address

Street Address

Suburb / District

Note: Amendments to the address include when a service changes location. It does not include homes within a service.

Town / City

Postcode

Phone Number

Email

☐

Tick if this email **can** be made publicly available

ELI Email

Website
http://

If different from Street Address

Postal Address

Suburb / District

Town / City

Postcode

Special Delivery Instructions

5. Change of Service Provider Contact Person

Where the service provider wishes to change the person nominated as the contact person, this section must be completed. Leave this section blank if the service provider contact person details have not changed.

Name of Service Provider
Contact Person

This is the person nominated by the service provider to represent its management and whose name will appear on the amended certificate of licence.

This person must reside locally. See section 13, note 1, for more information about the service provider contact person requirements, including what is meant by reside locally.

First Name

Middle Names

Family Name

Address

Suburb / District

Town / City

Postcode

Special Delivery Instructions

Phone Number

Mobile Number

Email

☐

Tick if this email **can** be made publicly available

6. Change of Funding Contact Person

Where the service provider wishes to change the person nominated as the funding contact person, this section must be completed. Leave this section blank if the funding contact person details have not changed.

Name of Funding Contact Person

This person will receive financial forms (eg RS7) from the Ministry of Education and be the contact for funding matters.

First Name	Middle Names
Family Name	
Address	
Suburb / District	
Town / City	Postcode
Special Delivery Instructions	
Phone Number	Mobile Number
Email	<input type="radio"/> Tick if this email can be made publicly available

7. Confirmation of or change to the Emergency Contact Person

Provide details of the emergency contact person for the service. This is to ensure we hold the most up-to-date details.

Emergency Contact Person

This is the person who the Ministry will contact in an emergency.

First Name	
Family Name	
Phone number	Mobile number
Email	<input type="radio"/> Tick if this email can be made publicly available

8. Change of Operating Details

The operating details provided below will inform the conditions under which the service will be authorised to operate, and which will be listed on the amended certificate of licence. Where the management wishes to change any of the service operating details this section must be completed. Detail all sessions below if any amendments are being made. Leave this section blank if the operating details have not changed.

	Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Sunday	
	Start	End	Start	End	Start	End	Start	End	Start	End	Start	End	Start	End
Times														
Max # child places														
Max # child places aged under two years														

Note: The person responsible requirements must be met over the hours of operation whenever children are in attendance.

This form is not used to change your funding rate. You will need to complete an EC11HB to change the funding rate, however, please indicate if this licence is a standard or a quality funded licence.

<input type="radio"/>	Standard funding rate
<input type="radio"/>	Quality funding rate

9. He Pānui Kōhungahunga – the Early Learning Bulletin

The Ministry publishes a bulletin which is emailed to all service providers. The bulletin is the Ministry's way of communicating important information, changes and events happening in the early learning community.

Ensure that you read and engage with information in the bulletin to stay up to date and remain compliant.

If you would like the bulletin emailed to others within the service, please add their information through the bulletin sign up page:

<https://govt.us10.list-manage.com/subscribe?u=373954a1e5499801180060837&id=93430945e7>

10. Application Declaration

The applicant must complete the applicant declaration below. If there is an amendment to the service provider also complete the Statutory Declaration in section 11.

If there is a change to the service provider contact person, both the current and proposed service provider contact person must complete the service provider contact person declarations below. *If the current service provider contact person is unable to sign, a representative from the service provider (state full name and role) must provide a reason for this and a statement confirming the change.*

Applicant declaration

I am applying under the Education (Early Childhood Services) Regulations 2008 to change the details as identified in this application.

I confirm that to the best of my knowledge the information contained in this application is correct and accurate.

Full name of Applicant

First Name

Family Name

Signature

X

Date

(/ /)
(DAY/MONTH/YEAR)

Service Provider Contact Person Declaration

As the current Service Provider Contact Person, I confirm that I will no longer be the Service Provider Contact Person for this service.

Full name of current
Service Provider Contact
Person

First Name

Family Name

Signature

X

Date

(/ /)
(DAY/MONTH/YEAR)

As the proposed service provider contact person, I confirm that I meet and will continue to meet the requirements of a service provider contact person as detailed in section 13, note 1.

Full name of proposed
Service Provider Contact
Person

First Name

Family Name

Signature

X

Date

(/ /)
(DAY/MONTH/YEAR)

11. Statutory Declaration by Service Provider

- This statutory declaration must be completed and signed by the applicant identified in section 1 in front of the authorised person under section 9 of the *Oaths and Declarations Act 1957*
- Service providers that own or operate more than one service may wish to photocopy this part of the form once completed. Please note that the statutory declaration should be no older than 3 months if you intend to use it for subsequent licence applications.
- **For more information about the statutory declaration, see section 13, note 2.** This also tells you what you must do if any circumstance arises which might make this statutory declaration incorrect.

STATUTORY DECLARATION

TO ACCOMPANY APPLICATIONS TO AMEND LICENCES TO OPERATE HOME-BASED SERVICES

(First Schedule, Oaths and Declarations Act 1957)

I _____ of _____
(insert name of applicant) (insert address)

acting on behalf of _____
(insert name of service provider)

("the service provider") understand that:

1. The following information is required for the purpose of enabling the Ministry of Education to determine whether members of the service provider, including the applicant, are suitable to be involved in the management of the service provider.
2. This information is required pursuant to regulations 6(3)(b) of the *Education (Early Childhood Services) Regulations 2008*.
3. I must complete this application **on behalf of myself and each member of the service provider that is involved in the management of the service provider**. See Note 2 for clarification.
4. It is an offence under Section 111 of the Crimes Act 1961 to make a false declaration where that declaration would amount to perjury if made on oath in a judicial proceeding.
5. Where I have answered in the affirmative to any statement below, I have attached all the relevant details in relation to the matter.

To complete this declaration – you must tick one of the options at the beginning of EACH of the following statements.

I SOLEMNLY DECLARE THAT TO THE BEST OF MY KNOWLEDGE:

I and each person who is a member of the service provider, and who is involved in the management of the service provider

a	<input type="radio"/> have <input type="radio"/> do not have	any previous convictions for any offence involving harm to children, violence, or fraud.
b	<input type="radio"/> have <input type="radio"/> do not have	any history of health problems that may affect the service provider's ability to comply with— (i) any conditions of a licence that is issued; or (ii) any obligations under the regulations

c	<input type="radio"/> know of <input type="radio"/> do not know of	any sum of money (other than a student loan within the meaning of section 2(1) of the <i>Student Loan Scheme Act 1992</i>) owed, or previously owed, to the Crown by— (i) each of those persons, in connection with the provision or receipt of educational services; or (ii) any body corporate in which any of those persons were involved in the management, in connection with the provision or receipt of educational services.
d	<input type="radio"/> have <input type="radio"/> have not had	any adjudication of bankruptcy under the <i>Insolvency Act 2006</i>
e	<input type="radio"/> have had <input type="radio"/> have not had	any prohibition issued under any enactment on acting as a company director:
f	<input type="radio"/> have had <input type="radio"/> have not had	any previous involvement in the provision of education or care services in respect of which— (i) an application for a licence under either the <i>Education (Early Childhood Services) Regulations 2008</i> , <i>Education (Early Childhood Centres) Regulations 1998</i> , or the <i>Education (Home-Based Care) Order 1992</i> has been refused; or (ii) a licence issued under any of those regulations has been suspended or cancelled.
g	<input type="radio"/> am aware of <input type="radio"/> am not aware of	any other matter the Secretary considers relevant and in respect of which the Secretary requires a declaration
h	<input type="radio"/> can confirm <input type="radio"/> cannot confirm	that all of the educators in the service receive gain or reward for their work as an educator.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the *Oaths and Declarations Act 1957*.

Do not complete the following section until you are in front of the authorised person witnessing your declaration. After the declaration is made and signed, there must not be any alterations. (Refer to note 2, section 13)

Signature of Applicant _____

Declared at _____ this _____ day of _____.
(insert town or city) (insert day, e.g. 21st) (insert month and year)

Before _____ **(Signature of person taking declaration)**
(Justice of the Peace or other person authorised to take a Statutory Declaration)

_____ **(Full name of person taking declaration)**

_____ **(Capacity, eg Barrister, Justice of the Peace)**

***Service Provider** means each of the following: the body, agency, or person who or that arranges, or offers to arrange, that education or care.

PRIVACY STATEMENT

The personal information collected from you in relation to this statutory declaration is required by the Ministry of Education for the purpose of assessing your licence application in accordance with the requirements set out under regulations 6 and 7 of the *Education (Early Childhood Services) Regulations 2008*. This information will not be disclosed to any other person or agency unless it is authorised or required by law.

If there is information requested on this form that you do not want to provide, discuss your concerns with an appropriate Ministry of Education officer who can explain the consequences of not providing it.

The information provided will be held by the Ministry of Education office that manages your application and you have the right under the *Privacy Act 2020* to request access to and correction of this information.

12. Documentation Checklist

To assist you in preparing your application, the checklist below shows the documentation that may need to be forwarded to your local office of the Ministry of Education to support your application for a licence amendment. The documentation required will depend on what aspects of your licence you are applying to amend. Regulation numbers refer to the *Education (Early Childhood Services) Regulations 2008* unless otherwise noted. If you have any questions, contact your local Ministry of Education office for assistance.

Change of Service Provider

- 1) ☐ Certificate of incorporation as a company, charitable trust or incorporated society if applicable.
- 2) ☐ IRD notification of charitable tax status if applicable.
- 3) ☐ Evidence of sufficient person/s responsible at the 1:50 ratio (i.e. one person responsible for every 50 children) to cover all proposed hours of operation and maximum child places. (Additional person/s responsible may be needed depending on the hours of operation to cover breaks, shifts etc). Reg. 44(1)
- 4) ☐ Provide copies of completed safety checking records and results for all children's workers. Criterion GMA6A
- 5) ☐ Evidence that the person/s responsible will be immediately available by phone and able to attend a home in person as soon as practical based on a risk assessment of the situation (no longer than 24 hours). Reg. 44(1)
- 6) ☐ Evidence of how educators will be proactively informed of who their person responsible is and how to contact them, in advance of children attending, including how educators will be proactively informed if their person responsible is unavailable e.g. sick or on leave. Reg. 44(1)

Change of Service Provider Contact Person

- 7) ☐ Evidence that the service provider contact person resides locally e.g. copy of a utility bill, tenancy agreement (See Section 12, Note 1) Reg. 3

Change of Operating Conditions

- 8) ☐ Provide copies of completed safety checking records and results for all newly appointed children's workers (within the last 12 months). Criterion GMA6A
- 9) ☐ Evidence of sufficient person/s responsible at the 1:50 ratio (i.e. one person responsible for every 50 children) to cover all proposed hours of operation and maximum child places. (Additional person/s responsible may be needed depending on the hours of operation to cover breaks, shifts etc.) Reg. 44(1)
- 10) ☐ Evidence that the person/s responsible will be immediately available by phone and able to attend a home in person as soon as practical based on a risk assessment of the situation (no longer than 24 hours) Reg. 44(1)
- 11) ☐ Evidence of how educators will be proactively informed of who their person responsible is and how to contact them, in advance of children attending, including how educators will be proactively informed if their person responsible is unavailable e.g. sick or on leave. Reg. 44(1)

To be completed by Ministry of Education officers *only*

Date	<input type="radio"/> Complete	<input type="radio"/> Incomplete
Service Provider Details		
Service Provider Number (ECA number)	Licence number	
Effective Date (<i>This is the day service will open</i>)	<input type="radio"/> Granted	<input type="radio"/> Declined

13. Information to Assist Applicants

Note 1: Nominating a Service Provider Contact Person

The Education (Early Childhood Services) Regulations 2008 require a contact person to be nominated for each service for which a licence is sought, and this person's name is displayed on the Certificate of Licence. The service provider is legally responsible for meeting regulatory requirements, not the contact person. However, the contact person must:

- represent the service provider;
- be able to respond to the Ministry of Education as soon as practicable on any issue relating to licensing;
- have the authority to act on behalf of the service provider; and
- reside locally.

In relation to the last bullet point, a person will generally be considered to 'reside locally' if they live within the geographical boundaries serviced by the local Ministry of Education office. Contact your local Ministry of Education office to discuss further if you are unsure whether the contact person would meet this requirement.

Note 2: Completing the Statutory Declaration

Who can I get to sign my statutory declaration?

- Section 9 of the Oaths and Declarations Act 1957 lists those who are authorised to take a statutory declaration.
- You will need to sign the statutory declaration in front of the authorised person you have chosen. Please be aware that after the declaration is made and signed, there must not be any alterations.
- It is your responsibility to ensure that the person you select is authorised to witness your declaration.
- You should check that the person notes on the form, with their signature, their full name and the capacity under which they are signing the declaration, eg Justice of the Peace, barrister of the High Court.

Who does the statutory declaration have to cover?

When the **service provider is made up of a group of people**, the statutory declaration needs to cover the officers of the organisation that has identified itself as the service provider. In most cases, the deed of incorporation for the legal entity will determine this. The following table outlines the most common scenarios for service providers.

If the service provider is...	Then the statutory declaration should cover ...
An incorporated society	the office holders (such as Secretary, Treasurer and President)
A trust board	the board members
A company	the company director(s)
An individual person (whether registered as a legal entity or not)	only that person
An unincorporated body	the people that identify themselves as being part of the management body

How do I get the information I need from the people covered by the statutory declaration?

As the person signing the statutory declaration, you must satisfy yourself that the information supplied is correct. How you collect this information from the other people covered by the statutory declaration is up to you and your organisation. There is a range of ways that this might be done, including:

Information gathered through your recruitment or election processes	Personal knowledge of the person
Verbal assurances	Written attestation
Seeking police vets in relation to past convictions	Individual statutory declarations from each person covered (so that the statutory declaration to the Ministry of Education becomes a composite of individual declarations to the applicant)

How do I decide how to respond to the statements on the statutory declaration?

- You must circle one of the options at the beginning of each statement.
- If the service provider is a group of people and an affirmative answer applies to one or more people you must answer in the affirmative on the statutory declaration.
- Most of the statements are relatively straightforward – people will know whether or not they have any convictions, adjudications of bankruptcy etc.
- The main exception will be statement (b) regarding health conditions. It is important to be clear about the difference between (1) a mental/physical condition that might prevent people from managing their role in complying with the conditions of a licence or obligations under the regulations and (2) any other condition that would not have this kind of impact. Relevant factors to consider might include, for example, health problems that require frequent hospitalisation or sick leave, or that might render a person unconscious or quickly incapacitated. Frequency and severity of those conditions might also be relevant.

What will the Ministry of Education do if I answer in the affirmative (i.e. 'have', 'know of', 'have had' or 'am aware of') to any of the statements on the statutory declaration?

If you answer in the affirmative you must attach all relevant information in relation to the matter. Answering in the affirmative to any statement does not automatically exclude the service provider from being deemed fit and proper to hold a licence. Given the range of unique circumstances that may be identified, all decisions about whether or not to grant a licence are made on a case-by-case basis at the Secretary's discretion.

What will the Ministry of Education do if I answer in the negative (i.e. 'cannot confirm') in statement g on the statutory declaration?

If you answer in the negative in statement g, this excludes the service provider from holding a licence as the service provider does not meet the definition of a home-based service under the Education and Training Act 2020.

What do I need to do if something changes – new people become part of the service provider, or people's circumstances change that make the statutory declaration incorrect?

Regulation 35 of the Education (Early Childhood Services) Regulations 2008 requires that a service provider must notify the Ministry of Education as soon as practicable if any of the circumstances under (a) to (g) on the statutory declaration form have changed for any person who is covered by the statutory declaration. You do not need to notify the Ministry of Education every time someone new becomes part of the service provider UNLESS that person's circumstances make the information you have provided on the statutory declaration incorrect. Verbal or written advice of a change of circumstances will be accepted and a new statutory declaration will not be required.

The Ministry of Education will then review the new information and decide whether the service provider continues to be fit and proper to hold a licence. Given the range of unique circumstances that may be identified, all decisions are made on a case-by-case basis at the Secretary's discretion.