**Education Report:** Update on the new regulations to come into effect on the commencement of the Education and Training Bill

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<th>To:</th>
<th>Hon Chris Hipkins, Minister of Education</th>
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<td>Date:</td>
<td>10 December 2019</td>
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<td>Security Level:</td>
<td>In Confidence</td>
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<td>Drafter:</td>
<td>Jo Jansen-Thomson</td>
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<td>Key Contact:</td>
<td>Ben O'Meara</td>
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<td>Messaging seen by Communications team:</td>
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**Purpose of Report**

The purpose of this paper is to:

- **update** you on the proposed process for completing the new regulations to come into effect on the commencement of the Education and Training Bill;

- **seek** your agreement to issue drafting instructions for the new regulations prior to Christmas.

**Summary**

1. Provisions relating to the operation of school boards, international education, and the Codes of Pastoral Care are to be converted into regulations (with minimal changes) on the commencement of the Education and Training Bill.

2. To reassure the Education and Workforce Committee and the sector that no substantive changes are being made to the provisions, we are proposing to provide the Select Committee with exposure drafts of the new regulations and to publicly release these in February next year.

3. We are also proposing to issue drafting instructions for the new regulations prior to Christmas.
Recommended Actions

The Ministry of Education recommends you:

a. agree to the release of exposure drafts of new regulations relating to the operation of school boards, international education, and the Codes of Pastoral Care, to the Education and Workforce Committee and the public in February 2020

b. note that as the exposure drafts are being released to reassure the Education and Workforce Committee and the public that no substantive policy changes have been made, submissions will not be sought

Noted

c. note that the release of the exposure drafts is subject to the Ministry’s Chief Legal Adviser agreeing to waive legal professional privilege

Noted

d. agree to the issuing of drafting instructions for the new regulations prior to Christmas

Agree / Disagree

e. note the proposed timeline for ensuring that the new regulations come into effect on the enactment of the Education and Training Bill

Noted

Proactive Release Recommendation

f. agree that this Education Report will be proactively released once the regulations relating to the operation of school boards of trustees, international education, and the Codes of Pastoral Care, are promulgated.

Agree / Disagree

Dr Andrea Schöllmann
Deputy Secretary
Education System Policy

10/12/2019

Hon Chris Hipkins
Minister of Education

17/12/19
Exposure drafts

1. The introduction version of the Education and Training Bill (the Bill) does not contain a number of provisions relating to the operation of school boards and international education. These provisions will be converted into regulations on the commencement of the Bill, along with provisions from the new Education (Pastoral Care) Amendment Bill [METIS 1212860 refers].

2. No substantive changes will be made to the provisions on conversion into regulations. Minor technical changes, such as updated language and the splitting of lengthy provisions, will be made.

3. In order to reassure the Education and Workforce Committee and the sector that no substantive changes are being made to the provisions, we are proposing to provide the Select Committee with exposure drafts of the new regulations and to publicly release these in February next year. We will not be inviting submissions on the exposure drafts.

4. The release of the exposure drafts will be subject to the agreement of the Ministry’s Chief Legal Adviser to waive legal professional privilege.

5. To achieve a February release date, we are also proposing to issue drafting instructions for the new regulations prior to Christmas.

Promulgation of the new regulations upon commencement of the Education and Training Bill

6. s 9(2)(f)(iv)

7. s 9(2)(f)(iv)