

Education and Training (Early Childhood Education Reform) Amendment Bill

Government Bill

As reported from the Education and Workforce Committee

Commentary

Recommendation

The Education and Workforce Committee has examined the Education and Training (Early Childhood Education Reform) Amendment Bill, and recommends by majority that it be passed. We recommend all amendments by majority.

Introduction

The Education and Training (Early Childhood Education Reform) Amendment Bill would amend the Education and Training Act 2020. The bill also makes related amendments to regulations made under the Act. The bill responds to recommendations made by the Ministry for Regulation after a review of the sector. The ministry recommended that the early childhood education (ECE) sector should clarify, modernise, and simplify its regulatory approach.

The bill would provide a new purpose statement and objectives for the Act in regulating the ECE system. Changes would specifically reference setting minimum standards for ECE quality, and supporting parents and caregivers to participate in the labour market.

The bill would also establish a Director of Regulation. The Director would be responsible for regulatory functions, including issuing licences for early childhood services and certifying playgroups, enforcing compliance, and providing guidance to service providers.

Legislative scrutiny

As part of our consideration of the bill, we have examined its consistency with principles of legislative quality. We have no issues regarding the legislation's design to bring to the attention of the House.

Proposed amendments

This commentary covers the main amendments we recommend to the bill as introduced. We do not discuss minor or technical amendments.

Purpose and objectives of regulating ECE services

Clause 5 would provide a new purpose statement for Part 2 of the Act, which relates to early childhood education. Proposed new section 14 states:

The purpose of this Part is to regulate an early childhood education system to—

- (a) set and implement minimum standards to provide for quality early childhood education that allows children to establish strong foundations for learning, well-being, and life outcomes; and
- (b) support the choice of parents and caregivers to participate in the labour market.

We recommend amending the wording of subsection (a) to refer to “all children”, not just “children”, to clarify the intention that new section 14(a) would apply equally to all children. The omission of “all” was inadvertent.

Clause 5 would also insert new section 14A, setting out new objectives for early childhood education. We consider that the relationship between the purpose in new section 14 and the objectives in new section 14A could be illustrated more clearly. We recommend amending new section 14A to specify that the objectives “are to support the purpose in section 14”.

New role of Director of Regulation

Clause 7 would insert new sections 27A to 27E. These would establish the role of Director of Regulation (the Director) and set out the functions, duties, and powers they would have.

Who may be appointed to the Director role

New section 27A provides for the appointment of the Director. The bill sets out that the person appointed to that role must be employed by the Ministry but need not be a current employee of the Ministry. We consider that this wording would be improved by clarifying that the person need not be a current employee of the Ministry “at the time of appointment”.

The Director's function to assess and respond to complaints relates to certified playgroups

New section 27B details the proposed statutory functions of the Director. New section 27B(a) would give the Director the function to “issue licences to early childhood services and certify playgroups”.

In new section 27B(g)(i) the Director would have the function of assessing and responding to complaints about “licensed early childhood services and playgroups”. We want to make it clear that this function relates to certified playgroups, just as it relates only to licensed early childhood services. We recommend amending the reference to playgroups in new section 27B(g)(i) to “certified playgroups”.

Delegation powers of the Director of Regulation

New section 27E provides for the Director to delegate certain functions, duties, and powers. The Director's delegation powers in the bill as introduced would be broader than those of the Secretary for Education. As for all public service chief executives, the delegation of the Secretary's functions or powers is limited by Schedule 6, clause 2 of the Public Service Act 2020.

We recommend that the Director's ability to delegate be amended to reflect equivalent provisions in the Public Service Act, and therefore align with the Secretary's delegation powers. This includes specifying that the Director will be able to delegate to a person outside the public service only if the functions are clearly identified and the Director is satisfied that any potential conflicts of interests will be avoided or managed.

Ability for regulations to enable enforcement tools

Clause 11 would amend the regulation-making powers in the Act to reflect the new Director's functions, powers, and duties under clause 5. We recommend amending clause 11 to enable regulations to be made that would allow the Director to use a graduated set of enforcement tools in relation to their functions. This would include issuing formal warnings and making certain public notifications regarding investigations in relation to a service provider. We also recommend amending clause 11 to enable regulations to be made requiring a service provider to inform parents or caregivers that an investigation into a complaint or incident is under way. We consider that these tools enable a more proportionate approach to enforcing compliance.

New Zealand Labour Party differing view

The New Zealand Labour Party opposes the Education and Training (Early Childhood Education Reform) Amendment Bill as we share concerns with many submitters and many other submitters about the speed of change for the early childhood sector enacted by the coalition government and the risks associated with these changes. This bill exacerbates those concerns.

The bill is designed to reduce regulatory burdens for service providers, which has the real potential to lower quality across the sector due to the highly competitive nature

that currently exists within the sector. There is a high possibility that current high-quality providers could be competing with new services who enter the sector focused on market gains over quality provisions. With the potential for quality to reduce, there is the real prospect of parents withdrawing their children from the sector.

Shifting the purpose statement from the right of family to choose the type of early childhood education to the choice to participate in the labour market is significant and worrying. This disregards children's rights, misrepresents ECE as a substitute for family care, and appears to be drafted without the insight of independent experts. Framing ECE as a tool to support the labour market is worrying and misrepresents the true nature of early childhood education—as a vital developmental support for children and families.

The principles outlined in the bill offer little real assurance that children's health, safety, and wellbeing will be protected; that even a basic level of education will be provided; or that parents will be actively involved in their child's learning, supported to raise concerns, and confident those concerns will be properly addressed.

The establishment, through this bill, of a new Director of Regulation would see that role being responsible for assessing the regulatory framework and criteria that service providers must comply with to maintain their license and their eligibility for public funding. However, the wording of new section 27E could allow the Director of Regulation to delegate responsibilities to individuals who are not employed by the ministry or any government agency. These individuals may have financial interests in ECE and could include entities or lobbyists representing specific group interests. Some submitters expressed concerns about the decoupling of early childhood education from the Ministry of Education and Labour shares those concerns. The strength of high-quality delivery of educational provision and the health and safety of the child and their whānau must remain paramount, and this should be under the purview of the Ministry of Education. This also adds a layer of bureaucracy and has the real potential to weaken already limited consequences to providers who do not comply.

There is an assertion from this bill that less regulation improves flexibility and innovation. However, it fails to mention the impact of deregulation on standards, working conditions, and incentives. The ECE sector is a public good—strong regulation ensures it stays that way. The purpose of the ECE sector, ultimately, is to set up our children to thrive in education, and throughout their lives. It is to give them the best possible start. This is not achievable without an ECE sector that is child-centric, community driven, and culturally responsive. The Labour Party believes that this bill will erode this purpose.

Green Party of Aotearoa New Zealand differing view

The Green Party opposes this bill. We are concerned by the speed and nature of the proposed changes, the opaque consultation process, the risks to child safety, and the bill's failure to uphold Te Tiriti o Waitangi.

The select committee has not upheld the view of the submitters. Out of the 93 submissions that are in scope, 78 (or 83.9 percent) of the submitters opposed this bill. The

committee should have considered the recommendation to pass the bill more carefully as a result.

Speed of change

Submitters have raised concerns over the speed of change in the early learning sector. It has been highlighted that this bill could risk reducing the quality of teaching and learning across the early learning sector. The speed of change meant that there is a lack of clarity and confidence that the proposed changes in the bill will work in practice, such as the introduction of a Director of Regulations, and shifting from the Ministry of Education to the Education Review Office. It also does not address the key concerns of teachers working on the front line, such as student-teacher ratios, teacher workload, and adequate resourcing. These are fundamental to delivering quality education and care for tamariki.

Opaque consultation

The Green Party, parents, and teachers alike have raised concerns over the lack of transparency and rushed consultation process. While the Ministry of Regulations produced a report that informed the bill's development, submitters have raised concerns about the selective use of evidence and provided no transparency around data collection and analysis. The report also ignores research evidence related to teaching and learning. The ministry also did not proactively release the data collected from the consultation, as we have seen in some of the other bills, most recently the Education and Training Amendment Bill (No 2). This process undermines public confidence in the integrity of education policymaking.

Risk to children

There were serious concerns raised that the bill would make ECE less safe for our tamariki. The shift to "risk-based monitoring," is poorly defined, with no clear thresholds or criteria provided. Without consistent and comprehensive checks, parents and whānau cannot be assured that every service meets the same standard of safety and quality standards. Furthermore, a child impact statement was not produced, and Mana Mokopuna was not genuinely engaged in the development of the bill. Such uneven scrutiny invites breaches of trust, placing children and families at risk, and risks jeopardising our obligations under the United Nations Convention on the Rights of the Child. This will, in turn, undermine the confidence of parents, whānau, and the community in our ECE provision.

Te Tiriti o Waitangi

Despite the Director of Regulation having oversight of Puna Reo and Kohanga Reo, this bill contains no mention to Te Tiriti o Waitangi or the requirement for the role to hold specific Tiriti or cultural capability expertise.

The Department Disclosure Statement also notes:

There were several limitations and constraints on the regulatory impact analysis, including limited time to both undertake detailed analysis of the impacts

of the proposals and undertake consultation with key stakeholders, such as service providers, parents and Māori on the proposals. The Ministry of Education advised Ministers that these limitations on the regulatory impact analysis creates risk of policy failure and litigation.

Conclusion

The Green Party wants to see a public, inclusive, and universal education system in Aotearoa, New Zealand that is grounded and guided by Te Tiriti o Waitangi. Our vision is for an early learning sector that supports and uplifts whānau, values the expertise and contribution of kaiako, and fosters strong community connections. This requires genuine collaboration with a range of stakeholders such as kindergarten associations, iwi, hapū, and other community organisations to co-design and deliver services that places the wellbeing of tamariki at the centre of all policies and practices.

Appendix

Committee process

The Education and Training (Early Childhood Education Reform) Amendment Bill was referred to this committee on 31 July 2025. The House instructed us to report the bill back no later than 1 December 2025. We invited the Associate Minister of Education (Partnership Schools) to provide an oral submission on the bill. He did so on 17 September 2025.

We called for submissions on the bill with a closing date of 1 September 2025. We received and considered submissions from 104 interested groups and individuals. We heard oral evidence from 12 submitters. We wish to acknowledge the efforts of all submitters and thank them for their engagement.

Advice on the bill was provided by the Ministry of Education. The Office of the Clerk provided advice on the bill's legislative quality. The Parliamentary Counsel Office assisted with legal drafting.

Committee membership

Katie Nimon (Chairperson)

Carl Bates (Deputy Chairperson)

Shanan Halbert

Francisco Hernandez

Grant McCallum

Dr Parmjeet Parmar

Hon Willow-Jean Prime

Hon Phil Twyford

Dr Vanessa Weenink (Acting Chairperson from 16 July to 8 August 2025)

Mike Butterick participated in our consideration of this bill.

Related resources

The documents we received as advice and evidence are available on the Parliament website.

**Education and Training (Early Childhood Education
Reform) Amendment Bill**

Key to symbols used in reprinted bill

As reported from a select committee

text inserted by a majority

~~text deleted by a majority~~

Hon David Seymour

Education and Training (Early Childhood Education Reform) Amendment Bill

Government Bill

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The Parliament of New Zealand enacts as follows:

1	Title	
	This Act is the Education and Training (Early Childhood Education Reform) Amendment Act 2025 .	
2	Commencement	5
	This Act comes into force 2 months after Royal Assent <u>assent</u> .	
3	Principal Act	
	This Act amends the Education and Training Act 2020.	
	Part 1	
	Amendments to principal Act	10
4	Section 10 amended (Interpretation)	
	In section 10(1), insert in their appropriate alphabetical order:	
	Director of Regulation or Director means the person appointed under section 27A	
	early childhood education , in relation to Part 2, means education and care services provided by—	15
	(a) an early childhood service; and	
	(b) a playgroup that opts to be certified under this Act	
5	Section 14 replaced (Purpose of Part 2)	
	Replace section 14 with:	20

14 Purpose of Part 2

The purpose of this Part is to regulate an early childhood education system to—

- (a) set and implement minimum standards to provide for quality early childhood education that allows all children to establish strong foundations for learning, well-being, and life outcomes; and
- (b) support the choice of parents and caregivers to participate in the labour market.

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14A Objectives of Part 2

The objectives of this Part are to support the purpose in section 14 by—

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- (a) ~~protect~~ protecting the health, safety, and well-being of children receiving early childhood education; and
- (b) ~~improve~~ improving educational and developmental outcomes for those children; and
- (c) ~~support~~ supporting accessibility and choice for parents and caregivers, including by providing for licensing and certification of different types of services and enabling their funding; and
- (d) ~~provide~~ providing information to parents, caregivers, and others to improve knowledge about the quality of early childhood education, including to inform parental choice; and
- (e) ~~implement~~ implementing a licensing and certification system that provides service providers, parents, and caregivers with certainty and clarity, as far as is reasonably practicable, regarding minimum standards for quality services.

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6 Section 22 amended (Records)

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In section 22, after “the Secretary”, insert “or the Director of Regulation”.

7 New sections 27A to 27E and cross-heading inserted

After section 27, insert:

Director of Regulation

27A Director of Regulation

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- (1) The Secretary must appoint a person to be the Director of Regulation.
- (2) The Secretary must be satisfied that the person has the appropriate experience and expertise to perform and exercise the functions, duties, and powers of the Director of Regulation.
- (3) The person must be employed by the Ministry but need not be a current employee of the Ministry at the time of appointment.

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- (4) When performing or exercising a function, duty, or power under this Act, the Director—
- (a) does so as an employee of the Ministry; but
 - (b) must exercise independent judgement if this Act requires the Director to do so (for example, if there is a requirement to act independently of the Ministry or any other person). 5

27B Functions of Director of Regulation

The functions of the Director of Regulation are to—

Statutorily independent functions

- (a) issue licences to early childhood services and certify playgroups: 10
- (b) enforce compliance by service providers with applicable requirements under this Act, including by undertaking investigations and prosecutions, as appropriate:

Other functions

- (c) provide support, information, and guidance to service providers about applicable requirements under this Act: 15
- (d) provide information to parents, caregivers, and other interested parties on the compliance by service providers with applicable requirements under this Act:
- (e) carry out proactive, regular, risk-based monitoring of compliance by service providers with applicable requirements under this Act: 20
- (f) help improve the knowledge of parents, caregivers, and other interested parties about the quality of early childhood education:
- (g) assess and respond to—
 - (i) complaints about licensed early childhood services and certified playgroups: 25
 - (ii) complaints and appeals from service providers regarding decisions under this Act:
 - (iii) incidents at licensed early childhood services and certified playgroups: 30
- (h) collect and provide information to the Secretary that is necessary for the Secretary to perform and exercise their functions, duties, and powers under this Act and other legislation, including in relation to system stewardship, monitoring, funding, and child protection:
- (i) publish and regularly update information about the Director's general regulatory approach, including a regulatory strategy: 35
- (j) collaborate with other agencies involved in regulating early childhood services and playgroups, including by sharing information with those agencies if permitted or authorised by or under law:

- (k) carry out any other functions conferred or imposed on the Director under this Act or any other legislation.

27C Performance and exercise of Director’s functions, duties, and powers

- (1) In performing and exercising their functions, duties, and powers, the Director of Regulation must give effect to— 5
 - (a) the purpose set out in **section 14**; and
 - (b) the objectives set out in **section 14A**.
- (2) In performing ~~their statutorily independent functions~~ the functions set out in **section 27B(a) and (b)**, the Director of Regulation must act independently of the Minister and the Minister must not give directions to the Director in relation to performing those functions. 10
- (3) The Director of Regulation is accountable to the Secretary for the performance of their functions and duties, and for the exercise of their powers.
- (4) The Director of Regulation must have arrangements in place to avoid or manage conflicts of interest relating to the performance of their functions and duties, and the exercise of their powers. 15

27D Principles guiding performance and exercise of Director’s functions, duties, and powers

The Director of Regulation must have regard to the following principles when performing or exercising a function, duty, or power under this Act: 20

- (a) the health, safety, and well-being of children receiving early childhood education is paramount:
- (b) the learning and development of those children is essential and supports their readiness to transition to school:
- (c) the role of parents and caregivers in the early childhood education of their children is recognised and supported: 25
- (d) principles relating to good regulatory practice, including (without limitation) decision-making that—
 - (i) is risk-based, proportionate, fair, and transparent; and
 - (ii) avoids imposing unnecessary costs on parents, caregivers, and service providers. 30

27E Delegation of Director’s functions, duties, and powers

- (1) The Director of Regulation may, either generally or specifically, delegate to a person any of their functions, duties, or powers.
- (2) A delegation— 35
 - (a) must be in writing; and
 - (b) may be revoked at will in writing; and

- (c) may be subject to instructions or conditions.
- (3) Despite **subsection (1)**, the Director of Regulation—
- Delegation to person within public service who is not Ministry employee*
- (a) may delegate their functions, duties, or powers to ~~a person who is not an employee of the Ministry~~ a person described in **subsection (3A)** only if—
- (i) the Secretary consents in writing to that delegation; and
- (ii) the delegation is for a specified period; and
- Delegation to person outside public service*
- (aa) may delegate a clearly identified function, duty, or power to a person outside the public service only if—
- (i) the Secretary consents in writing to that delegation; and
- (ii) the delegation is for a specified period; and
- (iii) the Director is satisfied that any conflicts of interest will be avoided or managed; but
- (b) must not delegate the general power of delegation.
- (3A) For the purposes of **subsection (3)(a)**, the person is a person who—
- (a) is not an employee of the Ministry; but
- (b) is a public service employee, or an individual working in the public service as a contractor or as a secondee from elsewhere in the State services in relation to a function of the public service.
- (4) The person to whom any functions, duties, or powers are delegated may perform or exercise those functions, duties, or powers in the same manner, subject to the same restrictions, and with the same effect as if they had been conferred on that person directly by this Act (subject to any instructions given or conditions imposed by the Director of Regulation).
- (5) A person purporting to act under a delegation is, in the absence of proof to the contrary, presumed to be acting in accordance with the terms of the delegation.
- (6) In this section,—
- public service** has the meaning given in section 10 of the Public Service Act 2020
- public service employee** has the meaning given in section 65 of the Public Service Act 2020
- State services** has the meaning given in section 5 of the Public Service Act 2020.

8 Section 28 amended (Service providers must be licensed)

In section 28(1)(b) and (c), after “the Secretary”, insert “and the Director of Regulation”.

9 New section 619A inserted (Director of Regulation may require information for administration of Part 2)

After section 619, insert:

- 619A Director of Regulation may require information for administration of Part 2** 5
- (1) The Director of Regulation may, by written notice, require information from a service provider who operates—
- (a) a licensed early childhood service; or
 - (b) a certified playgroup.
- (2) The notice must specify the information required and the date by which it must be provided. 10
- (3) The service provider must provide the information in writing by the date specified in the notice.
- (4) Information that identifies individuals may only be used for statistical purposes. 15

10 Section 626 amended (Powers of entry and inspection without warrant)

In section 626(3),—

- (a) after “Secretary”, insert “or the Director of Regulation”; and
- (b) after “Secretary’s opinion”, insert “or the Director of Regulation’s opinion”. 20

11 Section 636 amended (Regulations relating to early childhood services)

- (1) In section 636(2)(b),—
- (a) after “consultation with”, insert “the Director of Regulation and”; and
 - (b) replace “Secretary” with “Director of Regulation”.

(1A) After section 636(2)(e), insert: 25

(ea) provide for the Director of Regulation to take 1 or more actions in relation to a licence held by a service provider of a licensed early childhood service, including—

- (i) making a record of non-compliance; and
- (ii) issuing a formal warning or a written direction; and 30
- (iii) requiring the provider to employ or engage specialist help or prepare, implement, and complete an improvement plan:

(eb) enable or require the Director of Regulation to publicly notify action taken by the Director in relation to a non-compliance by a service provider of a licensed early childhood service with— 35

- (i) a condition of their licence; or

- (ii) a requirement of regulations:
- (ec) enable the Director of Regulation to give public notice of an investigation into a complaint against a service provider of a licensed early childhood service or an incident involving the service provider:
- (ed) enable the Director of Regulation to require a service provider of a licensed early childhood service to inform parents or caregivers of children attending the service that an investigation into a complaint or incident is being carried out by the Director or licensed service provider, or both: 5
- (2) After section 636(4), insert: 10
- (4A) Regulations made under subsection (2)(b) must contain a statement that the Secretary is the Minister’s principal policy adviser in relation to any criteria that are prescribed.
- 12 Section 637 amended (Regulations related to certifying playgroups)**
- (1) In section 637(2)(b),— 15
- (a) after “consultation with”, insert “the Director of Regulation and”; and
- (b) replace “Secretary” with “Director of Regulation”.
- (2) After section 637(3), insert:
- (3A) Regulations made under subsection (2)(b) must contain a statement that the Secretary is the Minister’s principal policy adviser in relation to any criteria that are prescribed. 20
- 13 Schedule 1 amended**
- In Schedule 1,—
- (a) insert the Part set out in **Schedule 1** of this Act as the last Part; and
- (b) make all necessary consequential amendments. 25

Part 2

Consequential amendments to other legislation

14 Consequential amendments

Amend the legislation specified in **Schedule 2** as set out in that schedule.

Schedule 1
New Part 7 inserted into Schedule 1

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Part 7	
Provisions relating to Education and Training (Early Childhood Education Reform) Amendment Act 2025	5
126 Interpretation	
In this Part,—	
amendment Act means the Education and Training (Early Childhood Education Reform) Amendment Act 2025	10
commencement date means the date on which the amendment Act comes into force	
Director of Regulation function means a function, duty, or power of the Secretary under this Act that becomes a function, duty, or power of the Director of Regulation on and after the commencement date.	15
127 Effect of transfer of functions to Director of Regulation on matters, documents, and decisions	
(1) This clause applies if, before the commencement date,—	
(a) a person has applied to the Secretary and the application relates to a Director of Regulation function, for example, a licence to operate an early childhood service, but the application has not been considered; or	20
(b) the Secretary has commenced a matter or process in relation to a Director of Regulation function, for example, an investigation into a service provider’s non-compliance with their licence, but the investigation has not been completed; or	25
(c) a person has appealed to the District Court against, or applied for judicial review of, a decision or direction of the Secretary in relation to early childhood education.	
(2) The Director of Regulation, in place of the Secretary, must consider the application or complete the matter or process on or after the commencement date.	30
(3) If subclause (1)(c) applies, the Director, in place of the Secretary, is treated as a respondent to the appeal or application for judicial review on and after the commencement date.	
(4) A document or notice given by the Secretary under this Act is treated as a document or notice given by the Director of Regulation if—	35
(a) it relates to a Director of Regulation function; and	
(b) was given immediately before the commencement date.	

- (5) The transfer of a Director of Regulation function to the Director of Regulation does not, of itself, affect—
- (a) a decision made, or anything done or omitted to be done, by the Secretary in relation to the Director of Regulation function before the commencement date; or 5
 - (b) any other matter or thing arising out of the Secretary performing the Director of Regulation function before the commencement date.
- (6) In this section, **applied for judicial review** means—
- (a) to have applied for review of the decision or direction under the Judicial Review Procedure Act 2016; or 10
 - (b) to have instituted proceedings seeking any writ or order of, or in the nature of, mandamus, prohibition, or certiorari, or a declaration or injunction, in respect of that decision or direction.
- 128 Personal information**
- Personal information that was held by the Secretary before the commencement date when performing a Director of Regulation function is to be treated on and after the commencement date as having been held by the Director of Regulation. 15
- 129 References to Secretary**
- (1) On and after the commencement date, a reference to the Secretary in any legislation (other than this Act), notice, instrument, contract, or other document must, in relation to a Director of Regulation function, be read as a reference to the Director of Regulation. 20
 - (2) This clause applies unless the context otherwise requires.

Schedule 2
Consequential amendments to secondary legislation

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Education (Early Childhood Services) Regulations 2008 (SR 2008/204)

In regulation 3, definition of **contact person**, replace “Secretary” with “Director of Regulation” in each place. 5

In the following provisions, replace “Secretary” with “Director of Regulation” in each place:

- (a) regulations 5 to 9A:
- (b) regulations 11 to 13: 10
- (c) regulations 15 to 20A:
- (d) regulations 22 to 24:
- (e) regulations 26 to 28:
- (f) regulations 30 to 33:
- (g) regulations 35 and 36: 15
- (h) regulations 39 and 39A:
- (i) regulations 54 to 55:
- (j) Schedules 2 and 3.

In the heading to regulation 15, replace “Secretary” with “Director of Regulation”.

In regulations 22A(2) and 23(2), replace “Secretary’s approval” with “approval of the Director of Regulation”. 20

In regulation 32(2)(a), replace “Secretary’s intention” with “the Director of Regulation’s intention”.

In the heading to regulation 39A, replace “Secretary” with “Director of Regulation”. 25

In regulation 41(1),—

- (a) after “consultation with”, insert “the Director of Regulation and”; and
- (b) replace “Secretary” with “Director of Regulation”.

After regulation 41(1), insert:

- (1A) For the purposes of this regulation, the Secretary is the Minister’s principal policy adviser. 30
- (1B) The Secretary’s advice to the Minister—
 - (a) must set out the effects of the proposed criteria, including who will be affected by the criteria; and
 - (b) may include any other information that the Secretary thinks fit. 35

Education (Early Childhood Services) Regulations 2008 (SR 2008/204)—*continued*

In the headings to regulations 54A and 55, replace “Secretary” with “Director of Regulation”.

Education (Playgroups) Regulations 2008 (SR 2008/205)

In the following provisions, replace “Secretary” with “Director of Regulation” in each place:

- (a) regulations 4 and 5:
- (b) regulations 7 and 8:
- (c) regulations 10 to 14.

In regulation 12(3)(a), replace “Secretary’s intention” with “Director of Regulation’s intention”.

In regulation 17(1),—

- (a) after “consultation with”, insert “the Director of Regulation and”; and
- (b) replace “Secretary” with “Director of Regulation”.

After regulation 17(1), insert:

- (1A) For the purposes of this regulation, the Secretary is the Minister’s principal policy adviser.
- (1B) The Secretary’s advice to the Minister—
 - (a) must set out the effects of the proposed criteria, including who will be affected by the criteria; and
 - (b) may include any other information that the Secretary thinks fit.

Legislative history

28 July 2025
31 July 2025

Introduction (Bill 191–1)
First reading and referral to Education and Workforce Committee