

Education Amendment Bill

Government Bill

Explanatory note

General policy statement

The Education Amendment Bill (the **Bill**) amends the Education Act 1989 and the related Education (Update) Amendment Act 2017. The public policy objectives of the Bill are to—

- strengthen the quality of school education by removing the provisions relating to national standards and the partnership school model from legislation;
- improve the governance of tertiary education institutions by restoring places for staff and students on their councils;
- support the introduction of free tertiary education by creating a new offence of making a false representation in relation to an application for free tertiary education;
- improve the new strategic planning and reporting framework for State and State integrated schools and enable a smooth transition to the new regime;
- resolve errors and omissions in the Education Act 1989 and the Education (Update) Amendment Act 2017, and to address minor and technical issues in the Education Act 1989.

The Education Act 1989 allows the Minister to set national standards for student achievement through a *Gazette* notice. Schools have been required to report against these to parents and the Secretary for Education. Reporting beyond a focus on literacy and numeracy would include student progress and development of competencies and provide a richer and more accurate picture of a student's education. Although the relevant *Gazette* notices have been revoked, the Bill amends the Education Act 1989 so that national standards cannot be reinstated in future. This amendment paves the way for work with experts and stakeholders to develop a new system.

The Bill removes the ability for the Minister and sponsors to contract to establish partnership schools kura hourua (also known as charter schools). This is in line with

the Government's pre-election commitments. The New Zealand State school system, especially the curriculum, already has the flexibility to allow the creativity and innovation that were part of the rationale for allowing the establishment of partnership schools kura hourua.

The Bill provides transitional arrangements to allow time for negotiations about the future of those schools that are already operating.

There is no requirement under the Education Act 1989 for staff and students to be represented on the councils of universities, institutes of technology and polytechnics (ITPs), and wānanga. To reinstate the important role of staff and students in institutional decision making, the Bill provides guaranteed staff and student representation on the councils of all tertiary education institutions. Because ITPs have a smaller total council size, the Bill increases the maximum number of their council members from 8 to 10.

There are transitional arrangements to allow for the amendment of the constitutions of tertiary education institutions and the development of appointment and election processes.

Under current settings, the Tertiary Education Commission requires some students to make statutory declarations that they have not previously accessed tertiary education above a certain level, in New Zealand or overseas. A statutory declaration can be a high compliance burden for students. In future, these students will be able to make an ordinary declaration. The Bill introduces a new offence provision for making a false representation, without reasonable excuse, in relation to an application to be considered eligible for free tertiary education. The penalty is a fine of up to \$5,000.

The Education (Update) Amendment Act 2017 introduced a new strategic planning and reporting framework for State and State integrated schools. The Bill makes improvements to that framework, including—

- requiring school boards of trustees to develop a strategic plan at least once every 3 years, or, if the Secretary for Education determines, at more frequent intervals, rather than the current 4-year cycle. This amendment will ensure that the time frames are more aligned with board electoral and accountability cycles:
- enabling school boards of trustees to ask the Secretary for Education to approve significant amendments at any time:
- addressing minor technical issues, including reinstating reporting requirements that were inadvertently removed through the Education (Update) Amendment Act 2017.

Under the Education (Update) Amendment Act 2017, the provisions establishing the new strategic planning and reporting framework are to come into force no later than 1 January 2019. To enable a smooth transition to the new framework, including the development of associated regulations, the Bill postpones the commencement date to no later than 1 January 2020.

The Bill also makes miscellaneous minor and technical amendments to the Education Act 1989, including the correction of cross-references.

Departmental disclosure statement

The Ministry of Education is required to prepare a disclosure statement to assist with the scrutiny of this Bill. The disclosure statement provides access to information about the policy development of the Bill and identifies any significant or unusual legislative features of the Bill.

A copy of the statement can be found at <http://legislation.govt.nz/disclosure.aspx?type=bill&subtype=government&year=2018&no=15>

Regulatory impact assessments

The Ministry of Education produced regulatory impact assessments on 16 January 2018 to help inform the main policy decisions taken by the Government relating to the contents of this Bill.

A copy of the regulatory impact assessments can be found at—

- <http://www.education.govt.nz/ministry-of-education/regulatory-impact-statements/education-amendment-bill-2018>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. It provides that the Bill comes into force on 1 August 2018.

Clause 3 identifies the Education Act 1989 as the principal Act being amended.

Part 1

Amendments to principal Act

Clause 4 amends section 60A(1)(ba) to remove the requirement that the Minister publish national standards.

Clause 5 amends section 61A(4)(a) so that a school charter is no longer required to include the board's approach to assessing students against national standards.

Clause 6 amends section 71A(4), which relates to the use of off-site locations by schools. The change provides that a board may use an off-site location or host an off-site location for another school not only where the use is approved under that section but also where it is provided for under another provision of the Act.

Clause 7 corrects a cross-reference in section 75A(1).

Clause 8 changes the definition of special institution in section 92 to remove a reference to health camp institutions.

Clause 9 inserts *new section 146(5)* so that the Minister may approve an alternative constitution when establishing a school without having to follow the procedures set out in section 98 or 98A.

Clause 10 repeals Part 12A, which provides for the approval and operation of partnership schools kura hourua (commonly called charter schools). These schools may no longer be established, but there are transitional arrangements for existing schools (*see clause 18, new Part 6 of Schedule 1*).

Clause 11 amends section 159(1) to add, in relation to the teaching or general staff of an institution, a definition of permanent member.

Clause 12 inserts *new section 171B(2A)*. In summary, the new subsection—

- requires a tertiary education council to appoint at least 1 member of the teaching or general staff and 1 student to the council; and
- provides that staff and student members must be elected by staff and students respectively.

Clause 13 amends *section 222AA(1)(b)* to increase the size of a polytechnic council from 4 members appointed by the Minister and 4 members appointed by the council (8 members in total) to 4 members appointed by the Minister and 6 members appointed by the council (10 members in total).

Clause 14 inserts *new section 222AD(4)*. In summary, the new subsection—

- requires a polytechnic council to appoint at least 1 member of the teaching or general staff and 1 student to the council; and
- provides that staff and student members must be elected by staff and students respectively.

Clause 15 inserts *new section 292A(1A)*. The new subsection makes it an offence for a person to make, without reasonable excuse, a false representation in relation to an application to receive free tertiary education. A person who is convicted of the offence is liable to a fine not exceeding \$5,000.

Clause 16 replaces section 310(2)(f), which excludes children's health camps from being early childhood and education and care centres. The new paragraph replaces an outdated reference to a named organisation with a general reference to an organisation funded by a state service that provides educational services to health camps.

Clause 17 replaces *section 319B(1)(a)*, which provides that authorised persons may, without a warrant, enter and inspect the premises of early childhood and education and care centres. The new paragraph gives authorised persons the same powers of entry and inspection in respect of offices of a service provider associated with those premises.

Clause 18 covers transitional arrangements. It inserts *new Parts 6 and 7* into Schedule 1.

New Part 6 of Schedule 1 provides that partnership schools kura hourua that are already in existence may continue as if the provisions in the principal Act and other en-

actments relating to them were not amended by this Bill. This transition period ends for a particular school when its partnership contract expires or is terminated.

New Part 7 of Schedule 1 provides that—

- councils of tertiary education institutions must update their constitutions to reflect changes made by the Bill to their required membership; and
- they have a 6-month period from commencement to do this; and
- if they do not draft a new constitution and have it approved by the Minister in this time, the Minister may establish a new constitution anyway; and
- councils must then appoint new members if necessary to give effect to their new constitution; and
- councils must make the appointments as soon as practicable after their new constitution comes into effect and no later than 6 months after the end of the transition period; and
- a council continues as the same body after the changes come into effect; and
- there is no compensation for loss of office as a result of a new constitution taking effect; and
- the Minister may give directions during the transition period that the Minister thinks are reasonably necessary for a council to deal effectively with its business after the end of the transition period.

Clause 19 updates a cross-reference in Schedule 5A to reflect changes made to *new section 87* relating to the Crown Entities Act 2004.

Clause 20 and Schedule 1 consequentially amend the principal Act as a result of the repeal of Part 12A, which relates to partnership schools kura hourua.

Part 2

Amendments to other enactments

Clause 21 amends the Education (Update) Amendment Act 2017 (the **Update Act**), which itself amends the principal Act. Some of the amendments in the Update Act are not yet in force. In summary, the amendments to the Update Act—

- move the commencement date for changes to planning and reporting requirements from 1 January 2019 to 1 January 2020; and
- change the duration of strategic plans from 4 years to 3 years and allow the Secretary to require new plans at more frequent intervals; and
- provide that a strategic plan expires at the end of 3 years but, if there is no replacement plan, the plan continues to have effect for a period of time determined by the Secretary; and
- enable a board to amend a strategic plan or an annual implementation plan; and
- require a board to get approval from the Secretary for any significant amendments to a strategic plan; and

- allow the Secretary to require a board to consult before the Secretary approves a significant amendment; and
- insert a number of subsections from section 87 relating to the Crown Entities Act 2004. These subsections were inadvertently omitted in *new section 87*; and
- provide that if a board has a charter approved for the 2019 year at the time of commencement, the charter is treated as the board's first strategic plan; and
- make minor and technical corrections.

Clause 22 and Schedule 2 amend other enactments as a result of the repeal of Part 12A, which relates to partnership schools kura hourua.

Hon Chris Hipkins

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Contents

	Page
1 Title	2
2 Commencement	2
3 Principal Act	2
Part 1	
Amendments to principal Act	
4 Section 60A amended (Curriculum statements and national performance measures)	2
5 Section 61 amended (School charter)	2
6 Section 71A amended (Off-site locations for schools)	2
7 Section 75A amended (Appointment of principals)	2
8 Section 92 amended (Interpretation)	2
9 Section 146 amended (Minister may establish schools)	3
10 Part 12A repealed	3
11 Section 159 amended (Interpretation)	3
12 Section 171B amended (Matters to be considered when appointing members)	3
13 Section 222AA amended (Constitution of polytechnic councils)	4
14 Section 222AD amended (Matters to be considered when appointments made)	4
15 Section 292A amended (Offences relating to false representations)	4
16 Section 310 amended (Meaning of early childhood education and care centre)	5
17 Section 319B amended (Powers of entry and inspection without warrant)	5
18 Schedule 1 amended	5
19 Schedule 5A amended	7

20	Consequential amendments to principal Act	8
	Part 2	
	Amendments to other enactments	
21	Amendments to Education (Update) Amendment Act 2017	8
22	Amendments to other enactments	10
	Schedule 1	11
	Consequential amendments to principal Act	
	Schedule 2	14
	Amendments to other enactments	

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Education Amendment Act **2018**.

2 Commencement

This Act comes into force on **1 August 2018**.

3 Principal Act

This Act amends the Education Act 1989 (the **principal Act**).

Part 1

Amendments to principal Act

4 Section 60A amended (Curriculum statements and national performance measures)

Repeal section 60A(1)(ba).

5 Section 61 amended (School charter)

In section 61(4)(a), delete “, including the assessment of students against any national standard published under section 60A(1)(ba)”.

6 Section 71A amended (Off-site locations for schools)

In section 71A(4), replace “in subsection (2), a school” with “under this Act, a board”.

7 Section 75A amended (Appointment of principals)

In section 75A(1), replace “section 65” with “clause 6 of Schedule 6”.

8 Section 92 amended (Interpretation)

In section 92(1), definition of **special institution**, replace paragraph (c) with:

- (c) an institution (other than an institution that is part of a school) situated within—
 - (i) an institution under the control of the chief executive of the department for the time being responsible for the administration of the Oranga Tamariki Act 1989; or
 - (ii) a hospital care institution (within the meaning of section 58(4) of the Health and Disability Services (Safety) Act 2001)

9 Section 146 amended (Minister may establish schools)

After section 146(4), insert:

- (5) Despite section 98 or 98A, the Minister may approve an alternative constitution when establishing a school.

10 Part 12A repealed

Repeal Part 12A.

11 Section 159 amended (Interpretation)

In section 159(1) insert, in its appropriate alphabetical order:

permanent member, in relation to the teaching or general staff of an institution, means a member of the staff who—

- (a) is employed, on either a full-time or part-time basis, for a period ending, unless sooner terminated, on his or her resignation or retirement; or
- (b) has been employed, on either a full-time or part-time basis, whether under an employment agreement for a fixed term or otherwise, for at least 3 months; or
- (c) has been employed, on either a full-time or part-time basis, whether under an employment agreement for a fixed term or otherwise, for less than 3 months and whose employment is, in the opinion of the chief executive of the institution, likely to continue for at least 3 months from the date of commencement of that employment

12 Section 171B amended (Matters to be considered when appointing members)

- (1) After section 171B(2), insert:

- (2A) When appointing members of a council, the council must ensure that—

- (a) at least 1 member is—
 - (i) a permanent member of the teaching or general staff of the institution; and
 - (ii) a person that the permanent members of the teaching and general staff of the institution have elected to represent them; and
- (b) at least 1 member is—

- (i) a student enrolled in the institution; and
- (ii) a person that the students of the institution have elected to represent them.

(2) In section 171B(3), replace “Subsections (1) and (2) do” with “This section does”.

13 Section 222AA amended (Constitution of polytechnic councils)

In section 222AA(1)(b), replace “4 members” with “6 members”.

14 Section 222AD amended (Matters to be considered when appointments made)

After section 222AD(3), insert:

- (4) When appointing members of a council, the council must ensure that—
- (a) at least 1 member is—
 - (i) a permanent member of the teaching or general staff of the designated polytechnic; and
 - (ii) a person that the permanent members of the teaching and general staff of the designated polytechnic have elected to represent them; and
 - (b) at least 1 member is—
 - (i) a student enrolled in the designated polytechnic; and
 - (ii) a person that the students of the designated polytechnic have elected to represent them.

15 Section 292A amended (Offences relating to false representations)

(1) In section 292A(2), replace “this section” with “subsection (1)”.

(2) After section 292A(2), insert:

(3) A person commits an offence who, without reasonable excuse, makes a false representation for the purpose of receiving, or continuing to receive, free tertiary education from a tertiary education organisation.

(4) A person who commits an offence against **subsection (3)** is liable on conviction to a fine not exceeding \$5,000.

(5) For the purposes of **subsection (3)**,—

free tertiary education means any tuition or training—

- (a) that a tertiary education organisation provides to, or arranges for, eligible students; and
- (b) that has costs (which would otherwise be payable by those students) that are (in whole or in part) met by funds appropriated by Parliament

tertiary education organisation has the same meaning as organisation in section 159B.

16 Section 310 amended (Meaning of early childhood education and care centre)

Replace section 310(2)(f) with:

- (f) children’s health camps operated by an organisation funded by a state service to provide an education service to children attending health camps:

17 Section 319B amended (Powers of entry and inspection without warrant)

Replace section 319B(1)(a) with:

- (a) enter and inspect—
 - (i) any premises that are or contain a licensed early childhood education and care centre or that are used to provide a licensed home-based education and care service or a licensed hospital-based education and care service, or that are used by a certificated play-group:
 - (ii) any offices of a service provider that are related to those premises:

18 Schedule 1 amended

In Schedule 1, after Part 5, insert:

Part 6

Provision relating to partnership schools kura hourua

12 Transitional provision for existing partnership schools kura hourua

- (1) In respect of any partnership school kura hourua in existence immediately before the commencement of this clause, this Act applies as if **sections 10, 18, and 20 of the Education Amendment Act 2018** had not come into force.
- (2) Despite **subclause (1)**, section 158C does not apply.
- (3) This clause ceases to apply in respect of a partnership school kura hourua on the earlier of—
 - (a) the expiry of the partnership school contract for the school; and
 - (b) the termination of the partnership school contract for the school.

Part 7

Provisions relating to tertiary education institutions

13 Interpretation

For the purposes of this schedule, unless the context otherwise requires,—

- (a) **council** means the council of an institution:
- (b) **transition period**, in relation to a council, means the period—

- (i) commencing on the commencement of this schedule; and
 - (ii) ending on the close of the date that is 6 months after the commencement of this schedule:
- (c) terms defined in section 159(1) have the meanings given by that section.

14 Appointing members to existing councils

Despite the **Education Amendment Act 2018**, a council in existence immediately before the commencement of this clause is not required to comply with section **171B(2A)**, 222AA(1)(b) (as amended), and **222AD(4)** (as applicable), until —

- (a) the date that new members must be appointed in accordance with a new constitution (*see* **clause 19(2)**); or
- (b) the date that new members must be appointed in accordance with a constitution amended under **clause 15(3)**, if earlier.

15 Existing councils to update constitutions

- (1) Every council must, if necessary to comply with **section 171B(2A)**, 222AA(1)(b), or **222AD(4)**,—
- (a) prepare a new draft constitution for the council for its institution; and
 - (b) give a copy to the Minister.
- (2) The copy must be given to the Minister at least 2 months before the close of the transition period.
- (3) Alternatively, in the case of an institution that is not a designated polytechnic, the institution may have its constitution amended in accordance with section 170 so that it complies with **section 171B(2A)** and, in that case, **clauses 16 to 22** do not apply.
- (4) The recommendation required by section 170(1) must be given to the Minister at least 2 months before the end of the transition period.

16 Draft constitutions to be approved by Minister

The Minister must, by notice in the *Gazette* setting out the draft constitution, establish it as a new constitution if—

- (a) the council has given a copy to the Minister at least 2 months before the close of the transition period; and
- (b) the Minister is satisfied that it complies with the requirements of this Act.

17 Minister may establish new constitution if council does not act in time

The Minister may, by notice in the *Gazette* setting out the constitution, establish a new constitution if the council has not given a copy of a new draft constitution to the Minister at least 2 months before the close of the transition period.

18 When new constitution established and comes into effect

The new constitution—

- (a) is established when a notice under **clause 16 or 17** is published in the *Gazette*; and
- (b) comes into effect at the close of the transition period.

19 New members to be appointed

- (1) A council must appoint new members if necessary to give effect to the new constitution.
- (2) The council must appoint the new members in accordance with the Act—
 - (a) as soon as practicable after the new constitution comes into effect; and
 - (b) no later than 6 months after the close of the transition period.

20 Council continues to be same body and membership of council continues

- (1) A council constituted under a new constitution—
 - (a) is the same body as it was immediately before the close of the transition period; and
 - (b) continues to have the rights and obligations it had before the close of the transition period.
- (2) Members of the council appointed before the close of the transition period continue as members of the council after the close of the transition period, unless otherwise required by the new constitution.

21 No compensation for loss of office

Neither the Crown nor a council is liable to compensate a member of the council who ceases to hold office after the close of the transition period as a consequence of a new constitution taking effect.

22 Temporary power of direction

- (1) During the transition period, the Minister may, by written notice to the chief executive of the institution concerned, give any directions the Minister thinks reasonably necessary to ensure that the council can deal effectively with business before it after the close of the transition period.
- (2) The council must comply with the directions.
- (3) The Minister must consult the council before giving the directions.

19 Schedule 5A amended

In Schedule 5A, item relating to section 168(1) and (2), replace “section 87(3)” with “regulations made under section 118A”.

20 Consequential amendments to principal Act

Amend the principal Act as set out in **Schedule 1**.

Part 2**Amendments to other enactments****21 Amendments to Education (Update) Amendment Act 2017**

- (1) This section amends the Education (Update) Amendment Act 2017.
- (2) In section 2(5)(b), replace “1 January 2019” with “**1 January 2020**”.
- (3) In section 43, repeal new section 61(b) of the principal Act.
- (4) In section 43, replace new section 62(2) of the principal Act with:
 - (2) Monitoring and evaluating must include, but is not limited to, monitoring and evaluating the performance of the students in relation to—
 - (a) any foundation curriculum policy statements and national curriculum statements in force under section 60A; and
 - (b) any qualification systems referred to in section 61(c) that are offered at the school.
- (5) In section 68, replace new section 87(3) of the principal Act with:
 - (3) In addition, a board that is a parent in a Crown entity group must, to the extent required to do so by generally accepted accounting practice, prepare consolidated financial statements in relation to the group for that financial year.
 - (4) The annual financial statements must be accompanied by a statement of responsibility that complies with section 155 of the Crown Entities Act 2004 but that is signed by the chair of the board and principal instead of 2 members.
 - (5) The requirements of this section and section 87A as to annual financial statements also apply to a Crown entity subsidiary of a board as if the subsidiary were a board and with all necessary modifications.
 - (6) The rest of the amendments made to this section by Schedule 6 of the Crown Entities Act 2004 apply as provided in section 198 of that Act.
 - (7) In this section,—

statement of variance means a statement that details—

 - (a) any variance between the school’s performance and the achievement of the school’s objectives set out in its strategic plan and annual implementation plan (but if the board’s strategic plan is the 2019 school charter, the statement of variance is not required to include a comparison with an annual implementation plan); and
 - (b) any matters required by regulations made under section 118A

trustee and **employee** include a person who was a trustee or an employee at any time during the applicable financial year but who is no longer a trustee or an employee.

- (6) In section 95, after new section 118A(2)(d) of the principal Act, insert:
 (da) requirements for how and when plans are amended or expire:
- (7) In section 95, replace new section 118A(2)(h) of the principal Act with:
 (h) the form and contents of annual reports, including financial statements:
- (8) In section 158(2), new clause 7(1)(a) of Schedule 6 of the principal Act, replace “for each 4-year period” with “, for each 3-year period or for a shorter period determined by the Secretary,”.
- (9) In section 158(2), after new clause 7(2) of Schedule 6 of the principal Act, insert:
- (2A) If, at the commencement of this section, a board has a charter approved under Part 7 for the 2019 year, the charter will be treated as the board’s first strategic plan.
- (10) In section 158(2), new clause 8(1) of Schedule 6 of the principal Act, replace “4-year period” with “3-year period, or for a shorter period determined by the Secretary,”.
- (11) In section 158(2), after new clause 8(4) of Schedule 6 of the principal Act, insert:
- (5) This clause is subject to **clause 7(2A)**.
- (12) In section 158(2), new clause 9(4) of Schedule 6 of the principal Act, replace “must” with “must, by giving written notice to the board,”.
- (13) In section 158(2), after new clause 9 of Schedule 6 of the principal Act, insert:

9A Amending strategic plan

- (1) A board may amend its strategic plan, but if a proposed amendment is significant the board must obtain the Secretary’s approval of the amendment before amending the plan.
- (2) Before approving an amendment, the Secretary may require the board to consult the school community, staff, students, or any other person or body the Secretary considers should be consulted.
- (3) The Secretary may require a board to amend its strategic plan.

9B Expiry of strategic plan

- (1) A strategic plan expires 3 years after the plan takes effect.
- (2) If there is no new plan to replace the expired plan, the expired plan will continue to apply for a period approved by the Secretary.
- (14) In section 158(2), after new clause 10 of Schedule 6 of the principal Act, insert:

10A Amending annual implementation plan

A board may amend its annual implementation plan.

22 Amendments to other enactments

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

Schedule 1

Consequential amendments to principal Act

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Section 2

In section 2(1), repeal:

- (a) definition of **partnership school contract**;
- (b) definition of **partnership school kura hourua**;
- (c) definition of **primary partnership school kura hourua**;
- (d) definition of **sponsor**.

In section 2(1), definition of **registered school**, delete “a partnership school kura hourua,”.

Section 3

In section 3, delete “or partnership school kura hourua”.

Section 5A

In section 5A(1), replace “State school, State integrated school, or partnership school kura hourua” with “State school or State integrated school”.

Section 16

Repeal section 16(1)(ba), (2A), and (5).

Section 17D

In section 17D(2), delete “or a partnership school kura hourua”.

Repeal section 17D(3A) and (5).

Section 25

In section 25(2), delete “and every sponsor of a partnership school kura hourua”.

In section 25(7), delete “or a sponsor”.

Section 31

Repeal section 31(1A), (3A), and (8A).

In section 31(2), delete “or sponsors, or a board and a sponsor jointly”.

In section 31(7),—

- (a) replace “officer, a sponsor,” with “officer,”;
- (b) replace “a board, a sponsor, or the Secretary” with “a board or the Secretary”.

Section 31B

Repeal section 31B(1)(a)(ia).

Section 31F

Repeal section 31F(ab).

Section 31G

Repeal section 31G(2)(ab).

Section 31I

Repeal section 31I(1)(ba).

Section 35

In the heading to section 35, delete “**or sponsor (as applicable)**”.

In section 35, delete “or sponsor (as applicable)”.

Section 77A

Repeal section 77A(5) and (6).

Section 78A

In section 78A(1)(b), replace “manager, or sponsor” with “or manager”.

Section 79

In the heading to section 79, delete “**or sponsors**”.

In section 79(1), delete “and sponsors”.

In section 79(2), delete “, or operated by the sponsor,”.

In section 79(3), delete “or sponsor”.

Section 139A

Repeal section 139A(1)(ba) and (2)(ba).

Section 139AB

Repeal section 139AB(2)(c) and (f)(iii).

Section 139AC

In section 139AC(2), definition of **employer**, repeal paragraph (c).

Section 144A

Repeal section 144A(1)(ab).

In section 144A(1), delete “sponsor,” in each place.

Section 144C

In section 144C(1)(f), replace “boards, or sponsors” with “or boards”.

Section 158

In section 158(1), delete “or sponsors”.

Section 158—*continued*

In section 158(1), replace “specified school” with “State school”.

In section 158(1A), replace “or sponsor of the specified school” with “of the State school” in each place.

Repeal section 158(3A).

Section 192

Repeal section 192(2)(ab).

Section 246

In section 246, definition of **relevant school**, repeal paragraph (ba).

Section 348

In section 348, definition of **employer**, repeal paragraph (b).

In section 348, repeal the definition of **partnership school kura hourua**.

In section 348, definition of **professional leader**, replace paragraphs (a) and (b) with:

(a) the principal:

Section 349

In section 349(2), delete “, other than a sponsor,”.

Section 350

In section 350(2) and (3), delete “, other than a sponsor,”.

Section 374

In section 374(1)(j), delete “(other than a sponsor)”.

Section 383

In section 383(8), delete “or the sponsor of any partnership school kura hourua”.

Schedule 2

Amendments to other enactments

s 22

Part 1

Amendments to other Acts

Accident Compensation Act 2001 (2011 No 49)

In section 6(1), definition of **place of education**, replace paragraph (a)(i) with:

- (i) a composite school or a secondary school as defined by section 2(1) of the Education Act 1989 or a secondary school registered under section 35A of that Act; and

Health Act 1956 (1956 No 65)

In section 125(1), repeal the definition of **partnership school kura hourua**.

In section 125(2), replace “public school, partnership school kura hourua, or early childhood education and care centre” with “public school or early childhood education and care centre”.

Immigration Act 2009 (2009 No 51)

In section 4, definition of **compulsory education**, paragraph (a), delete “, or at a partnership school kura hourua”.

In section 4, definition of **course of study**, paragraph (a)(i), delete “, or by a partnership school kura hourua”.

Income Tax Act 2007 (2007 No 97)

Repeal section CW 55BB(1)(b)(ia).

Local Government (Rating) Act 2002 (2002 No 6)

In Schedule 1, repeal clause 6(b)(vi).

Official Information Act 1982 (1982 No 156)

In section 2(1), definition of **organisation**, replace paragraph (a) with:

- (a) an organisation named in Part 2 of Schedule 1 of the Ombudsmen Act 1975 (other than the Parliamentary Service or mortality review committees):

Ombudsmen Act 1975 (1975 No 9)

Repeal section 2(5).

In Schedule 1, Part 2, delete “Sponsors (within the meaning of section 2(1) of the Education Act 1989) when performing a standing-down, suspension, exclusion, or expulsion function”.

State Sector Act 1988 (1988 No 20)

In section 2, definition of **education service**, paragraph (a)(iii), delete “(unless the institution is a sponsor within the meaning of section 2(1) of the Education Act 1989 and the employment relates to its functions as a sponsor under that Act or to a partnership school contract (as defined in Part 12A of that Act)).”

Vulnerable Children Act 2014 (2014 No 40)

In section 15(1), definition of **school board**, repeal paragraph (b).

Part 2**Amendments to legislative instruments****Education (Surrender, Retention, and Search) Rules 2013 (SR 2013/469)**

In rule 3, definition of **board**, paragraph (a), delete “; or”.

In rule 3, definition of **board**, revoke paragraph (b).