

Presented to the House of Representatives in accordance with Standing Order 272 J.17

Legislative Statement – the Regulatory Systems (Education) Amendment Bill: Second Reading

This legislative statement supports the second reading of the Regulatory Systems (Education) Amendment Bill (the Bill).

The Bill contains minor and technical changes aimed at modernising and updating legislation and regulations. These are:

- amendments to the Ngarimu VC and 28th (Māori) Battalion Memorial Scholarship Fund Act 1945 (the Ngarimu Act) to:
 - confirm the Ngarimu VC and 28th (Māori) Battalion Memorial Scholarship Fund Board (the Ngarimu Board) as the successor of the 28th Māori Battalion (NZ) Association, for the purposes of authorising the use of words and emblems relating to the 28th Māori Battalion and the 28th Māori Battalion (NZ) Association under the Flags, Emblems, and Names Protection Act 1981;
 - create a new national Māori representative position on the Ngarimu Board. This position would be held by a person of Māori descent who has served or is currently serving in the New Zealand Defence Force.
- amendments to the Pacific Education Foundation Act 1972 that will enable the Pacific Education Foundation to better support Pacific learners and their families. These amendments will:
 - update the definition of a Pacific person who can benefit from the Foundation, so it continues to be representative of Pacific people in New Zealand;
 - update the purpose and make-up of the Pacific Education Foundation Board to enable it to function more effectively and to provide advice to the Minister, the Ministry of Education and other education agencies;
 - recognise the unique relationship the Crown has with New Zealand Realm countries and, through the Treaty of Friendship, with Samoa;
 - update the authorised expenditure of the Pacific Education Foundation.
- amendments to the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016 to ensure that Police vets for non-teaching and unregistered workers at limited-attendance childcare centres such as mall and gym creches are obtained before the worker begins work. The Bill will also require that employers consider the Police vet once it is received to assess any risks to the safety of children. This will create consistency with the Police vetting provisions in the Education and Training Act 2020 and the safety checking requirements in the Children's Act 2014; and
- amendment to the Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015 to include an additional reference to the Kiwi Access card, as an acceptable form of identity, to reflect the name change of the 18+ card.

The Education and Workforce Committee made several recommendations for change to the Bill (yet to be adopted by the House).

The Committee recommended that the Bill is amended to:

- Ngārimu Act:
 - clarify that the new national Māori representative position on the Ngarimu VC and 28th (Māori) Battalion Memorial Scholarship Fund Board should be appointed by the Governor-General, in line with other individual appointments made to the Board
 - clarify that the new national Māori representative position on the Ngarimu Board is to be held by a person of Māori descent who has served or is serving in the Armed Forces (which constitutes the Army, the Air Force and the Navy collectively), rather than the New Zealand Defence Force (which includes civilian staff).
- Pacific Education Foundation Act:
 - specifying certain matters, the Minister of Education must take into account when making a recommendation to the Governor-General to add, delete, update or correct the name of a Pacific place in new Schedule 2 of the Act. These matters include the location of the Pacific place, the population of those with indigenous cultural heritage from the place living in New Zealand and any consultation with that Pacific community.
 - modernising and clarifying the language of a provision relating to how the Pacific Education Foundation may apply its income to support Pacific learners and families.