



Education Standards Act Commencement Order 2004

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 9th day of August 2004

Present:

Her Excellency the Governor-General in Council

Pursuant to section 76(5) of the Education Standards Act 2001, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

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Order

- Title**
This order is the Education Standards Act Commencement Order 2004.
- Commencement of provisions of Education Standards Act 2001**
The following provisions of the Education Standards Act 2001 come into force on 1 September 2004:

- (a) section 29:
- (b) section 32:
- (c) section 35:
- (d) section 36.

3 Commencement of provisions of Education Act 1989

Sections 139AK to 139AZC of the Education Act 1989 come into force on 1 September 2004.

Diane Morcom,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order brings into force, on 1 September 2004, sections 29, 32, 35, and 36 of the Education Standards Act 2001, and sections 139AK to 139AZC of the Education Act 1989 (the principal Act).

Sections 29, 32, 35, and 36 of the Education Standards Act 2001 are the last provisions of that Act to be brought into force. Section 29 repeals section 129 of the principal Act and substitutes a new section 129 relating to deregistration of teachers. Section 32 repeals section 130G of the principal Act relating to cancellations of authorisations. Sections 35 and 36 repeal sections 138, 138A, and 138B of the principal Act relating to deregistration and mandatory reporting.

Sections 139AK to 139AZC of the principal Act were inserted by section 37 of the Education Standards Act 2001. Sections 139AK to 139AP set out the functions and powers of the New Zealand Teachers Council in relation to mandatory reporting. Sections 139AQ to 139AZB relate to teacher discipline. Section 139AZC relates to complaints about teacher competence.

The commencement date of 1 September 2004 is the same date as the date the rules made by the New Zealand Teachers Council under section 139AJ(1)(b) to (e) of the principal Act come into force. These rules set out the criteria and requirements for making reports and complaints about teacher competence and conduct, and the

procedures to be followed by the New Zealand Teachers Council in dealing with those reports and complaints.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 12 August 2004.
This order is administered in the Ministry of Education.
