

11 March 2019

(19-1462)

Page: 1/2

Council for Trade in Services

Original: English

**NOTIFICATION PURSUANT TO ARTICLE III:3 OF THE GENERAL
AGREEMENT ON TRADE IN SERVICES**

The following notification from the delegation of New Zealand, dated 8 March 2019, is being circulated to the members of the Council for Trade in Services.

1 MEMBER NOTIFYING:

New Zealand

2 NOTIFICATION PURSUANT TO:

Article III:3 of the General Agreement on Trade in Services

3 DATE OF ENTRY INTO FORCE:

29 August 2011

3.1 Duration:

Indefinite

4 AGENCY RESPONSIBLE FOR ENFORCEMENT OF THE MEASURE:

New Zealand Qualifications Authority

5 DESCRIPTION OF THE MEASURE:Education Amendment Act 2011

The Education Amendment Act 2011 amended the Education Act 1989

The Amendment Act established the New Zealand Qualifications Framework (NZQF) under section 248 of the Education Act 1989. The NZQF was first established by NZQA as a single unified framework on 1 July 2010 under the former section 253 (1)(c) of the Act and received full statutory recognition in the Amendment Act 2011.

The NZQF is a framework based on outcomes, described in terms of knowledge, skills and attributes, and their application. The New Zealand Qualifications Authority administers the NZQF, which is the definitive source for accurate information about all quality assured qualifications.

The Amendment Act 2011 also gave full statutory recognition to the Directory of Assessment Standards (DAS) and introduced into legislation the concepts of training schemes, programmes and consents to assess against standards.

Prior to the 2011 Amendments a "course" encompassed two elements – a qualification and a programme of study training. The Amendment Act 2011 recognised the qualification as separate and distinct from the programme of study or training.

The Amendment Act 2011 created a stronger regulatory and enforcement framework, in particular, in relation to managing PTEs (Private Training Establishment), which have some new obligations. This includes raising the threshold for PTE registration (i.e. a PTE can only be registered if NZQA is satisfied that each governing member is a fit and proper person), giving NZQA powers of entry to premises in cases of non-compliance and introducing new targeted offences.

The Amendment Act 2011 also established NZQA's authority to set the overarching statutory rules for quality assurance of qualifications and the tertiary education organisations that provide them (section 253 of the Education Act 1989). The Rules include:

Assessment and examination rules

- Assessment (including Examination) Rules for Schools with Consent to Assess 2018
- Assessment (including Examination) Rules for Tertiary Education Organisations with Consent to Assess Entering Candidates for Achievement Standards 2018
- Assessment (including Examination) Rules for Home-Schooled students 2018

Private Training Establishment and Industry Training Organisation rules

- Private Training Establishment Registration Rules 2018
- Annual Fee Rules 2015
- PTE Enrolment and Academic Records Rules 2012
- Student Fee Protection Rules 2013
- Industry Training Organisation Prescribed Quality Assurance Requirements 2015

External Evaluation and Review rules

- Quality Assurance (including External Evaluation and Review) Rules 2016

New Zealand Qualification Framework rules

- NZQF Qualification Listing and Operational Rules 2016
- NZQF Programme Approval and Accreditation Rules 2018
- NZQF Offshore Programme Delivery Rules 2012
- NZQF Industry Training Programme Approval Rules 2012

Standards and Assessment rules

- Directory of Assessment Standards Listing and Operational Rules 2011
- Consent to Assess Against Standards on the Directory of Assessment Standards Rules 2011

Training Scheme Rules

- Training Scheme Rules 2012

6 MEMBERS SPECIFICALLY AFFECTED, IF ANY:

None

7 TEXT AVAILABLE FROM:

www.legislation.govt.nz

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