



MINISTRY OF EDUCATION
Te Tāhuhu o te Mātauranga

MI Note 20230712: the corresponding (24 Feb 2020) to this reference used Le as the other sources for this entry. (See Education (Vocational Education and Training Reform) Amendment Act 2020; Education Act 1989; and Education and Training Act

(MoE, n.d.[b])

Education (Vocational Education and Training Reform) Amendment Act 2020

The Education (Vocational Education and Training Reform) Amendment Act came into effect on 1 April 2020. It amends the Education Act 1989 and repeals the Industry Training and Apprenticeships Act 1992 to create a unified and cohesive vocational education and training system.

The Amendment Act is part of the reform of vocational education announced on 1 August 2019.

This Act:

- establishes a new regulatory framework for vocational education and training
- enables workforce development councils to be established
- establishes the New Zealand Institute of Skills & Technology
- provides transitional arrangements to enable a smooth transfer of functions and responsibilities from the current to the new system.

A new regulatory framework for vocational education and training

- P. The Act integrates vocational education and work-based training into one statute. It does this by amending the Education Act 1989, including integrating the provisions of the Industry Training and Apprenticeships Act 1992 then repealing it.

The Act creates a unified and cohesive system of vocational education, by establishing new organisations. The roles of these bodies are set out below. The Act amends functions and powers of existing bodies to reflect the new arrangements.

Workforce development councils

The Act enables workforce development councils to be established by Order in Council for one or more industries. Workforce development councils will have functions of providing skills leadership, setting standards and developing qualifications, endorsing programmes and moderating assessments, and providing an advisory and representative role. This includes advising the Tertiary Education Commission about the mix of vocational education and training needed for their respective industries.

Industry training organisations (ITOs) are currently recognised by the Minister to develop and maintain skill standards for industry. The Act provides that, after a period of transition, ITOs will no longer be recognised for this role.

The New Zealand Institute of Skills & Technology

P. The Act establishes the New Zealand Institute of Skills & Technology (NZIST) to provide, arrange, and support a range of education and training, including in the workplace. All 16 polytechnics (15 institutes of technology and polytechnics) become part of NZIST, as subsidiary initially.

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The Act includes a charter that NZIST must give effect to. The charter sets out how NZIST will be responsive to the needs of all regions of New Zealand, their learners, industries, employers and communities.

The role of supporting workplace learning will shift from ITOs to NZIST and other providers. ITOs currently arrange or support training in the workplace, through a recognition process. The Act provides that, after a period of transition, during which they will be called transitional ITOs, they will no longer be recognised for that role.

Transitional arrangements

The Act commenced on April 2020, and specifies a transition period until 31 December 2022.

The Act provides for:

- students and staff of polytechnics to transfer to the subsidiaries of NZIST. Rights, assets and liabilities of polytechnics became those of the corresponding subsidiaries of NZIST
- when those subsidiaries are dissolved in due course, the undertaking of the subsidiary will transfer to NZIST, as will students, staff, rights, assets and liabilities
- existing ITOs to be recognised by the Minister as transitional ITOs so that their activities can continue during transition
- transitional ITOs to develop transition plans detailing how their activities will transfer to workforce development councils and providers. Transitional ITOs must support providers in the transfer of responsibility
- by the end of the transition period, recognition of all transitional ITOs will lapse, if it has not been cancelled prior to that.

Legislative Instruments

Some sections of the Act provide for the use of legislative instruments to give effect to transitional arrangements or to determine operational settings for organisations.

The following legislative instruments are in use:

- **Capital project thresholds for NZIST and NZIST subsidiaries**

After consulting with the NZIST Council, the Secretary for Education has set thresholds below which NZIST or an NZIST subsidiary can undertake capital projects without seeking consent under section 222N (1) of the Act. The thresholds are published on the [Tertiary Education Commission website\(external link\)](https://www.tec.govt.nz/teo/working-with-teos/tei/asset-management-teis/) [https://www.tec.govt.nz/teo/working-with-teos/tei/asset-management-teis/] on behalf of the Ministry of Education.

Further Information

[Education \(Vocational Education and Training Reform\) Amendment Act 2020 \[our-work/legislation/education-vocational-education-and-training-reform-amendment-act-2020/\]](#)

[Read more about the Reform of Vocational Education - Education Conversation | Kōrero Mātauranga website\(external link\)](#) [https://conversation.education.govt.nz/conversations/reform-of-vocational-education]

Last reviewed: 21 May 2020