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**THE EDUCATION (ASSESSMENT, CLASSIFICATION, AND  
APPOINTMENT) REGULATIONS 1976, AMENDMENT NO. 18**

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PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 28th day of September 1987

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Education Act 1964, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Education (Assessment, Classification, and Appointment) Regulations 1976, Amendment No. 18, and shall be read together with and deemed

part of the Education (Assessment, Classification, and Appointment) Regulations 1976\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

**2. Deemed service in respect of periods of parental leave and child care**—(1) The principal regulations are hereby amended by revoking regulation 78A (as inserted by regulation 14 of the Education (Assessment, Classification, and Appointment) Regulations 1976, Amendment No. 16), and substituting the following regulation:

“78A. (1) Where a teacher classified in List B has been granted parental leave, maternity leave, or paternity leave, or—

“(a) Such a teacher has resigned from a full-time or permanent part-time teaching position at a secondary school, or a position that is, in the opinion of the Director-General, equivalent to such a position; and

“(b) The Director-General is satisfied that the resignation was to enable the teacher concerned to undertake, or prepare for and undertake the care of a child whose guardian the teacher was or would be,—

the teacher shall be credited, for the purposes of regulations 73, 74, and 77 of these regulations, with a period of service calculated in accordance with subclause (2) of this regulation.

“(2) Credited service shall—

“(a) Commence—

“(i) Where the teacher concerned resigns, and the child concerned has been or is to be born to some other person but is not a child proposed to be adopted by the teacher, on the birth of the child; and

“(ii) Where the teacher concerned resigns to care for a child proposed to be adopted by the teacher, on the teacher’s obtaining lawful custody of the child; and

“(iii) In every other case, upon the resignation, or the commencement of the leave, concerned; and

“(b) End when the teacher concerned is appointed to a full-time or permanent part-time position in the Education Service; and

“(c) Be reduced by the aggregate of all periods between its commencement and end during which the teacher concerned was in full-time paid employment, or was doing none of the following:

\*S.R. 1976/287

- Amendment No. 1: S.R. 1977/275
- Amendment No. 2: S.R. 1978/334
- Amendment No. 3: S.R. 1979/220
- Amendment No. 4: S.R. 1980/186
- Amendment No. 5: S.R. 1980/233
- Amendment No. 6: S.R. 1981/179
- Amendment No. 7: S.R. 1981/330
- Amendment No. 8: S.R. 1982/12
- Amendment No. 9: S.R. 1982/80
- Amendment No. 10: S.R. 1982/275
- Amendment No. 11: S.R. 1983/213
- Amendment No. 12: S.R. 1984/28
- Amendment No. 13: S.R. 1984/284
- Amendment No. 14: S.R. 1985/131
- Amendment No. 15: S.R. 1986/158
- Amendment No. 16: S.R. 1986/270
- Amendment No. 17: S.R. 1987/173

“(i) Awaiting the birth of a child to the teacher:

“(ii) Preparing to undertake the care of a child whose guardian the teacher would be:

“(iii) Undertaking the care of a child whose guardian the teacher was.”

(2) Regulation 14 of the Education (Assessment, Classification, and Appointment) Regulations 1976, Amendment No. 16 is hereby consequentially revoked.

C. J. HILL,  
Acting for Clerk of the Executive Council.

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#### EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations amend the Education (Assessment, Classification, and Appointment) Regulations 1976 so as to allow secondary teachers to treat all periods of maternity leave, or absence for child care purposes, as equivalent to list B service for promotion purposes. At present teachers receive only a one-third credit for such periods.

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Issued under the authority of the Regulations Act 1936.  
Date of notification in *Gazette*: 1 October 1987.

These regulations are administered in the Department of Education.