

**Reprint  
as at 1 August 2020**

## **Education Standards Act Commencement Order 2004**

(SR 2004/235)

Education Standards Act Commencement Order 2004: revoked, on 1 August 2020, pursuant to section 669(3) of the Education and Training Act 2020 (2020 No 38).

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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#### **1 Title**

This order is the Education Standards Act Commencement Order 2004.

#### **2 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.

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#### **Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this reprint. See the notes at the end of this reprint for further details.

**This order is administered by the Ministry of Education.**

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 Legislation Act 2012.  
Date of notification in *Gazette*: 12 August 2004.

## **Reprint notes**

### **1    *General***

This is a reprint of the Education Standards Act Commencement Order 2004 that incorporates all the amendments to that order as at the date of the last amendment to it.

### **2    *About this reprint***

This reprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

### **3    *Amendments incorporated in this reprint***

Education and Training Act 2020 (2020 No 38): section 669(3)