

House of Representatives

Supplementary Order Paper

Thursday, 9 December 2010

State Sector Management Bill

Proposed amendment

Hon Trevor Mallard, in Committee, to move the following amendment:
To add the following new Part after Part 3 (after line 14 on page 23):

Part 4 **Amendments to Education Act 1989**

61 Principal Act amended

This Part amends the Education Act 1989.

62 Roles within tertiary education sector

Section 159AD is amended by inserting the following subsection before subsection (2):

“(1A) The Ministry is the Minister’s principal policy adviser on tertiary education matters.”

63 Functions of Commission

(1) Section 159F(1) is amended by repealing paragraph (b) and substituting the following paragraph:

“(b) to provide advice to the Minister on the activities and performance of tertiary education organisations and the tertiary education sector generally; and”.

(2) Section 159F(1) is amended by repealing paragraph (c) and substituting the following paragraph:

“(c) to provide advice to the Minister on the implementation of policy and on the operational implications of new policy initiatives; and”.

Explanatory note

This Supplementary Order Paper amends the State Sector Management Bill . The Government has signalled its intention to make amendments to the Education Act 1989 to transfer the tertiary education policy leadership role from the Tertiary Education Commission to the Ministry of Education. It has proposed to do this through SOP 176 to the Education Amendment Bill (No 2). Such a proposal is foreign to the objects of that bill. There are no other provisions in the bill currently before the House that relate to the policy roles of the Ministry or the Commission. If the Government wishes to pursue the changes set out in SOP 176, it needs to find an appropriate legislative vehicle. The State Sector Management Bill is the appropriate legislative vehicle for this change.
