



Legislative Assembly of the Northern Territory

Legislative Scrutiny Committee

Inquiry into the Teacher Registration (Northern Territory) Legislation Amendment Bill 2025

November 2025



Inquiry into the Teacher Registration (Northern Territory) Legislation Amendment Bill 2025



Legislative Assembly of the Northern Territory

Parliament House

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Chair's Preface

This report details the Committee's findings regarding its consideration of the Teacher Registration (Northern Territory) Legislation Amendment Bill 2025. Amending the *Teacher Registration (Northern Territory) Act 2004* and the Teacher Registration (Northern Territory) Regulations 2004, the Bill seeks to strengthen child safety, address governance issues, and align with national standards.

The Committee received five written submissions to its Inquiry. The Committee also held a public hearing in relation to the Bill, attended by 12 witnesses from six organisations. All stakeholders supported the Bill, emphasising the importance of ensuring child safety via mandatory registration of early childhood teachers and cross-jurisdictional information sharing. Stakeholders also largely supported changes to English proficiency requirements to align with other jurisdictions, and the increased opportunity for Aboriginal language teachers to teach specialist language and culture programs in schools. Accordingly, the Committee is of the view that the Assembly should pass the Bill without amendment.

While all stakeholders supported the Bill, the Committee received evidence about the lack of clarity around how the legislation will be implemented in practice and how it may impact the independence of the Teacher Registration Board. In light of these issues, the Committee has recommended some clarifying amendments be made to the explanatory statement and that policy guidelines developed by the Department to support the implementation of the Bill address equivalency between early childhood, primary, and secondary qualifications, the exercise of information-sharing powers, and acceptable forms of evidence of English language proficiency.

On behalf of the Committee, I would like to thank all those that made submissions to the Inquiry. The Committee also thanks the witnesses who attended the public hearing. I also thank my fellow Committee members for their bipartisan commitment to legislative scrutiny.



Mrs Oly Carlson MLA

Chair

Committee Members

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Acknowledgments

The Committee acknowledges all those who provided written submissions to its Inquiry and the witnesses who appeared before the Committee at its public hearing on the Bill.

Acronyms and Abbreviations

2024 Discussion Paper	<i>Discussion Paper - Early Childhood Teacher Registration in the NT</i>
ACECQA	Australian Children's Education and Care Quality Authority
AITSL	Australian Institute for Teaching and School Leadership
Board	Teacher Registration Board of the Northern Territory
Bill	Teacher Registration (Northern Territory) Legislation Amendment Bill 2025
Department	Department of Education and Training
EC	Early Childhood
ECEC	Early Childhood Education and Care
IEUA-QNT	Independent Education Union – Queensland and Northern Territory Branch
National Law	Education and Care Services National Law
NT	Northern Territory
Principal Act	Teacher Registration (Northern Territory) Act 2004
Regulations	Teacher Registration (Northern Territory) Regulations 2004
TRA	Teacher Registration Authority
PSEMA	Public Sector Employment and Management Act

Terms of Reference

Sessional Order 14

Establishment of Legislative Scrutiny Committee

- (1) The Assembly appoints a Legislative Scrutiny Committee
- (2) The membership of the scrutiny committee will comprise three Government Members, one Opposition Member and one crossbench Member.
- (3) The functions of the scrutiny committee shall be to inquire into and report on:
 - (a) any bill referred to it by the Assembly;
 - (b) in relation to any bill referred by the Assembly:
 - (i) whether the Assembly should pass the bill;
 - (ii) whether the Assembly should amend the bill;
 - (iii) whether the bill has sufficient regard to the rights and liberties of individuals, including whether the bill:
 - (A) makes rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review; and
 - (B) is consistent with principles of natural justice; and
 - (C) allows the delegation of administrative power only in appropriate cases and to appropriate persons; and
 - (D) does not reverse the onus of proof in criminal proceedings without adequate justification; and
 - (E) confers power to enter premises, and search for or seize documents or other property, only with a warrant issued by a judge or other judicial officer; and
 - (F) provides appropriate protection against self-incrimination; and
 - (G) does not adversely affect rights and liberties, or impose obligations, retrospectively; and
 - (H) does not confer immunity from proceeding or prosecution without adequate justification; and
 - (I) provides for the compulsory acquisition of property only with fair compensation; and
 - (J) has sufficient regard to Aboriginal and Torres Strait Islander tradition; and
 - (K) is unambiguous and drafted in a sufficiently clear and precise way.

- (iv) whether the bill has sufficient regard to the institution of Parliament, including whether a bill:
 - (A) allows the delegation of legislative power only in appropriate cases and to appropriate persons; and
 - (B) sufficiently subjects the exercise of a delegated legislative power to the scrutiny of the Legislative Assembly; and
 - (C) authorises the amendment of an Act only by another Act.
- (4) The committee will provide an annual report of its activities to the Assembly.

Adopted 15 October 2024

Recommendations

Recommendation 1

The Committee recommends that the Legislative Assembly pass the Teacher Registration (Northern Territory) Legislation Amendment Bill 2025 without amendment.

Recommendation 2

The Committee recommends that the departmental guidelines include equivalency criteria for assessing which qualifications are comparable between early childhood, primary, and secondary qualifications.

Recommendation 3

The Committee recommends that the departmental guidelines include guidance on the application of the information sharing powers provided for in Clause 17.

Recommendation 4

The Committee recommends that the Explanatory Statement be amended to note that the insertion of section 25B is a substantive amendment that aligns the Northern Territory with practice in other jurisdictions.

Recommendation 5

The Committee recommends that the departmental guidelines include criteria for assessing English language proficiency.

Recommendation 6

The Committee recommends that the explanation of Clause 9 in the Explanatory Statement is amended to correct a drafting error by replacing 'qualification 4' with 'regulation 4'.

Recommendation 7

The Committee recommends that the Explanatory Statement is amended to explain the effect of Clause 25.

1 Introduction

Introduction of the Bill

1.1 The Teacher Registration (Northern Territory) Legislation Amendment Bill 2025 (the Bill) was introduced into the Legislative Assembly by the Minister for Education and Training, the Hon Jo Hersey MLA, on 16 October 2025. The Assembly subsequently referred the Bill to the Legislative Scrutiny Committee (the Committee) for inquiry and report by 20 November 2025.¹

Conduct of the Inquiry

1.2 On 16 October 2025, the Committee called for submissions by 24 October 2025. The call for submissions was advertised via the Legislative Assembly website, Facebook and email subscription service. In addition, the Committee directly contacted a number of individuals and organisations. The Committee received five submissions.

1.3 On 10 November 2025, the Committee held a public hearing. The Committee heard from representatives from the following organisations:

- Association of Independent Schools NT
- Independent Education Union Queensland and Northern Territory Branch
- NT Christian Schools
- Northern Territory Principals' Association
- Teacher Registration Board of the Northern Territory
- Department of Education and Training.

Outcome of Committee's Consideration

1.4 Sessional Order 14 requires that the Committee after examining the Bill determine:

- (i) whether the Assembly should pass the Bill;
- (ii) whether the Assembly should amend the Bill;
- (iii) whether the Bill has sufficient regard to the rights and liberties of individuals; and
- (iv) whether the Bill has sufficient regard to the institution of Parliament.

1.5 Following examination of the Bill, and consideration of the evidence received, the Committee is of the view that the Legislative Assembly should pass the Bill without amendment.

¹ Hon Jo Hersey, Minister of Education and Training, Draft Daily Hansard – Day 2 – 16 October 2025, <https://territorystories.nt.gov.au/10070/1015229>.

Recommendation 1

The Committee recommends that the Legislative Assembly pass the Teacher Registration (Northern Territory) Legislation Amendment Bill 2025 without amendment.

Report Structure

- 1.6 Chapter 2 outlines the background to the Bill, and provides an overview of the policy objectives of the Bill and the purpose of the Bill as contained in the Explanatory Statement.
- 1.7 Chapter 3 considers the main issues raised in evidence received.

2 Overview of the Bill

Background to the Bill

Teacher Registration in Australia

- 2.1 The Education and Care Services National Law (the National Law) sets out the national standard for child education and care across Australia.² School teacher registration is compulsory in all Australian jurisdictions, administered by teacher regulatory authorities (TRAs).
- 2.2 TRAs are required to comply with the *Framework for Teacher Registration in Australia*, published by the Australian Institute for Teaching and School Leadership (AITSL). Agreed by Education Ministers Meeting in August 2024, the *Framework* sets out eight key principles for teacher registration.³
- 2.3 Some jurisdictions, such as Victoria and Western Australia, require compulsory registration for early childhood (EC) teachers in school and non-school early childhood education and care (ECEC) settings.⁴
- 2.4 All territories and states are participants in a teacher registration Mutual Recognition scheme. With registration in their home jurisdiction, a registered teacher may be granted an equivalent registration in a second jurisdiction.⁵ A national Automatic Mutual Recognition Scheme has been established but all states and territories currently have an exemption from its operation.

Current requirements in the Northern Territory

- 2.5 The *Teacher Registration (Northern Territory) Act 2004* (the Principal Act) and the *Teacher Registration (Northern Territory) Regulations 2004* (the Regulations) provide for teacher registration in the Northern Territory (NT). The Principal Act establishes the Teacher Registration Board (the Board) as the TRA responsible for teacher registration in the Territory.⁶
- 2.6 There are two categories of registration in the Territory: provisional registration and full registration.⁷ If a person is not eligible for registration, an employer may apply to the Board for an alternative authority to employ. This grants an unregistered person an authority to teach for the employer for a specified period,

² The National Law is set out in the Schedule to the *Education and Care Services National Law Act 2010* (Vic) and adopted as in force from time to time in the Northern Territory under s 4 of the *Education and Care Services (National Uniform Legislation) Act 2011* (NT).

³ These include: qualifications, English language proficiency, suitability, mutual recognition, alternative authorisation to teach, initial and full registration, renewal of registration, and sanctions or withdrawal of teacher registration. See: Australian Institute for Teaching and School Leadership, *Framework for Teacher Registration in Australia*, 2024, pp. 2-7, <https://www.aitsl.edu.au/docs/default-source/national-policy-framework/framework-for-teacher-registration-in-australia.pdf>.

⁴ Registration of EC teachers working in non-school ECEC settings is not currently mandatory in the NT, Queensland and Tasmania.

⁵ Teacher Registration Board of the Northern Territory, *Mutual Recognition*, accessed 11 November 2025, <https://www.trb.nt.gov.au/registration/mutual-recognition>.

⁶ *Teacher Registration (Northern Territory) Act 2004* (NT), s 6.

⁷ Teacher Registration Board of the Northern Territory, *Registration Categories*, accessed 11 November 2025, <https://www.trb.nt.gov.au/registration/registration-categories>.

which may not exceed a calendar year.⁸ Safeguards surrounding this authority include ineligibility of those who have been suspended or disqualified from teaching, criminal history checks, as well as professional development and mentoring for authorised persons.⁹

- 2.7 In the NT, EC teacher registration is not mandatory in non-school EC education settings. EC teachers in schools – such as preschools – must hold a teacher registration.¹⁰
- 2.8 The NT has an exemption from the Automatic Mutual Recognition Scheme, which would allow a person with a registration in another state or territory to teach in the NT without applying for an NT registration. This exemption is set to expire on 30 June 2027.¹¹

The pathway to reform

- 2.9 The *Royal Commission into Institutional Responses to Child Sexual Abuse* presented its final report on 15 December 2017.¹² In this report, the Royal Commission highlighted inconsistencies between TRAs of different jurisdictions regarding their ability to share teacher registration information between one another, and the harm this risks to children. The Royal Commission noted that:

Evidence and information before the Royal Commission illustrates the mobility of the teaching profession and the risks to children that arise when teachers' employers do not share, or do not have access to, information about child sexual abuse by teachers...

There are two components to our recommendations concerning information sharing about teachers. The first concerns the need for improved and nationally consistent capture of information on teacher registers to provide a stronger platform for information sharing about teachers. The second component concerns legislative provisions about registration authorities sharing information with employers of teachers and with their inter-jurisdictional counterparts.¹³

- 2.10 In 2018, AITSL published *One Teaching Profession: Teacher Registration in Australia*, a report written by an independent Expert Panel with 'national and international expertise and perspectives.'¹⁴ This report recommended the introduction of mandatory registration of all EC teachers in school and non-school settings and the enabling of information-sharing between TRAs.

⁸ Teacher Registration Board of the Northern Territory, *Authority to Employ*, accessed 11 November 2025, <https://www.trb.nt.gov.au/registration/authority-employ>.

⁹ Teacher Registration Board of the Northern Territory, *Authority to Employ*, accessed 11 November 2025, <https://www.trb.nt.gov.au/registration/authority-employ>.

¹⁰ <https://haveyoursay.nt.gov.au/91189/widgets/427044/documents/278958>, p. 4.

¹¹ Teacher Registration Board of the Northern Territory, *Mutual Recognition*, accessed 11 November 2025, <https://www.trb.nt.gov.au/registration/mutual-recognition>.

¹² Royal Commission into Institutional Responses to Child Sexual Abuse, Final Report, Commonwealth of Australia, accessed 14 November 2025, <https://www.childabuseroyalcommission.gov.au/final-report>.

¹³ Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Volume 13, Schools*, 15 December 2017, pp. 248-249, https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_13_schools.pdf.

¹⁴ Australian Institute for Teaching and School Leadership, *One Teaching Profession: Teacher Registration in Australia*, 2018, <https://www.aitsl.edu.au/docs/default-source/national-review-of-teacher-registration/report/one-teaching-profession-teacher-registration-in-australia.pdf>.

- 2.11 In 2021, the Australian Children’s Education and Care Quality Authority (ACECQA) published *Shaping Our Future: A ten-year strategy to ensure a sustainable, high-quality children’s education and care workforce 2022-2031*. This set out short-, medium-, and long-term actions to address ‘longstanding and increasingly pressing workforce challenges’ in the education sector.¹⁵ One of these actions was to implement EC teacher registration in every state and territory within the next three years.¹⁶
- 2.12 As noted by the Minister in the First Reading Speech, in December 2023 the ACECQA published its *Review of Child Safety Arrangements under the National Quality Framework*.¹⁷ This report identified several systemic safeguards needed to improve the protections of children.¹⁸ These included information sharing between TRAs of different jurisdictions and mandatory registration of EC teachers.
- 2.13 In February 2024, the NT Department of Education released *Discussion Paper – Early Childhood Teacher Registration in the Northern Territory* (the 2024 Discussion Paper), and a survey on the ‘Have Your Say’ website.¹⁹ It proposed three potential models for EC teacher registration, including:
- Option 1 – Single category model with conditions: the current model for teacher registration is expanded to EC teachers in non-school ECEC settings. Conditions are placed on the registration of EC teachers with Birth–5 qualifications to limit them to working Birth to Transition in both school and non-school ECEC settings. This is aligned with the approaches taken in New South Wales and Western Australia.
 - Option 2 – Single category model with no conditions: the current model for teacher registration is expanded to EC teachers in non-school ECEC settings. No conditions are placed on the registration of EC teachers related to their qualifications. No other jurisdictions have adopted this approach.
 - Option 3 – Two category model: the current model for teacher registration remains unchanged. An additional teacher registration category would be created that specifically recognises Birth–5 qualifications. EC teachers registered in this new category would be limited to working Birth to

¹⁵ Australian Children’s Education and Care Quality Authority, *Shaping Our Future: A ten-year strategy to ensure a sustainable, high-quality children’s education and care workforce 2022-2031*, September 2021, p. 5, <https://www.acecqa.gov.au/sites/default/files/2021-10/ShapingOurFutureChildrensEducationandCareNationalWorkforceStrategy-September2021.pdf>.

¹⁶ Australian Children’s Education and Care Quality Authority, *Shaping Our Future: A ten-year strategy to ensure a sustainable, high-quality children’s education and care workforce 2022-2031*, September 2021, pp. 41-42, <https://www.acecqa.gov.au/sites/default/files/2021-10/ShapingOurFutureChildrensEducationandCareNationalWorkforceStrategy-September2021.pdf>.

¹⁷ Hon Jo Hereseay, Minister of Education and Training, Draft Daily Hansard – Day 2 – 16 October 2025, p. 3, <https://territorystories.nt.gov.au/10070/1015229>.

¹⁸ Australian Children’s Education and Care Quality Authority, *Review of Child Safety Arrangements under the National Quality Framework*, 2023, pp. 9-12, https://www.acecqa.gov.au/sites/default/files/2023-12/Review%20of%20Child%20Safety%20Arrangements%20under%20the%20National%20Quality%20Framework-full_report.pdf

¹⁹ Department of Education, *Discussion Paper: Early Childhood Teacher Registration in the Northern Territory*, 2024, <https://haveyoursay.nt.gov.au/91189/widgets/427044/documents/278958>.

Transition in both school and non-school ECEC settings. This is aligned with the approaches taken in Victoria and the ACT.

- 2.14 The Department of Education received eight written submissions, with relatively even support for Options 1 and 3.²⁰ The Department of Education received 35 individual responses to the survey, with individual responses most supportive of Option 2.²¹

Purpose of the Bill

- 2.15 Amending the Principal Act and the Regulations, the Bill seeks to strengthen child safety, 'address longstanding governance issues', and attract and retain teaching workforce in the NT.²² It implements Option 2 outlined in the 2024 Discussion Paper. As noted in the Explanatory Statement, the Bill seeks to:

- Strengthen child safety in early childhood services and provide greater flexibility for the teacher workforce by mandating the registration of all early childhood teachers teaching in early childhood service settings
- Strengthen child safety in schools and early childhood services by improving information sharing arrangements
- Strengthen the regulatory integrity of the Teacher Registration Board (the Board) and the Office of the Board
- Improve the national consistency for the registration of all teachers
- Ensure Aboriginal languages are captured as a specialist subject
- Address inefficiency and reduce unnecessary administrative burden.²³

²⁰ Northern Territory Government, NT Early Childhood Teacher Registration Stakeholder consultation submissions, accessed 12 November 2025, <https://haveyoursay.nt.gov.au/early-childhood-teacher-registration-in-the-nt/widgets/433445/documents>.

²¹ Department of Education and Training, Committee Transcript, 10 November 2025, p. 23.

²² Hon Jo Heresey, Minister of Education and Training, Draft Daily Hansard – Day 2 – 16 October 2025, pp. 2-4, <https://territorystories.nt.gov.au/10070/1015229>.

²³ Explanatory Statement, *Teacher Registration (Northern Territory) Legislation Amendment Bill 2025 (Serial 41)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/41-2025>, p.1.

3 Examination of the Bill

Introduction

- 3.1 The Committee received five submissions to its Inquiry. All submissions broadly supported the intent of the Bill, although as discussed below several submitters raised specific concerns, including regarding:
- the way mandatory registration of early childhood teachers is implemented in the Bill
 - the timeframe for registration of EC teachers
 - the relationship between the Director of the Board and the Department of Education and Training
 - the English language proficiency criteria
 - pathways for Aboriginal language and culture specialists to gain registration.

Expansion of mandatory registration requirements to all EC teachers

- 3.2 The Bill seeks to expand compulsory registration requirements to all qualified teachers teaching in EC services. As described by the Explanatory Statement, the Bill will:

Strengthen child safety in early childhood services and provide greater flexibility for the teacher workforce by mandating the registration of all early childhood teachers teaching in early childhood service settings. This reform is required to support the implementation of mandatory early childhood teacher registration in the NT by the end of 2026.²⁴

- 3.3 The Department elaborated on this in the Public Hearing, explaining that the intent of this section of the Bill was to:

require that all qualified teachers teaching in early childhood education and care settings are registered. That is, a qualified teacher with a minimum bachelor degree qualification or equivalent as approved by ACECQA who occupy teaching positions in early childhood education and care settings.²⁵

- 3.4 This is implemented through several amendments to the Principal Act and Regulations:

- Clause 29 seeks to amend section 4 of the Principal Act to insert definitions of 'early childhood service' and 'teach', and amend the definition of 'teacher'. These amendments have the effect of extending the definition of 'teacher' to include early childhood teachers and specifying that the activity of teaching includes duties at an early childhood service. Clause 30 further seeks to support this amendment by inserting new section 4A, which

²⁴ Explanatory Statement, *Teacher Registration (Northern Territory) Legislation Amendment Bill 2025 (Serial 41)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/41-2025>, p.1.

²⁵ Department of Education and Training, Committee Transcript, 10 November 2025, p. 21.

defines the meaning of ‘teach’ as including the programming and delivering a course of instruction at an EC service and assessing learning and development of children at an EC service. This definition also allows for some duties to be excluded from the definition of ‘teach’ by the Regulations.

- Clauses 31 and 32 seek to amend sections 72(1) and 73(1) of the Principal Act to extend the offences for employing an unregistered teacher or unauthorised person to EC services as well as schools, and teaching as an unregistered teacher or unauthorised person to an EC service as well as a school.
- Clause 33 seeks to insert Part 11 into the Principal Act to provide transitional arrangements for existing EC teachers and employers. Part 11 exempts current unregistered EC teachers who teach in EC services and EC services that employ current unregistered teachers from the offence provisions in the Act for a period of 12 months.
- Clause 36 seeks to amend the Regulations to insert new regulation 2B which specifies that the duties of an EC educator are not captured by the definition of ‘teach’ in new section 4A.²⁶ This has the effect of excluding EC educators from mandatory registration requirements.
- Clause 37 seeks to amend regulation 3 to extend the requirement of the Board to reimburse a school if that school incurs an expense by a teacher attending a Board meeting as a Board member to also apply to an EC service.
- Clause 38 seeks to amend regulations 6(1)(a) and 6(1)(b) to extend professional experience and currency of practice requirements to teachers in EC services.

Mandatory registration model

- 3.5 Submitters were in support of the introduction of mandatory registration of EC teachers.²⁷ However, there was a difference in perspective regarding the way that EC teachers should be registered.
- 3.6 NT Christian Schools supported the ‘single category no conditions’ model (Option 2) proposed in the Bill.²⁸ NT Christian Schools noted that this was the model recommended by AITSL.²⁹
- 3.7 In contrast, neither the NT Principals’ Association nor the Independent Education Union – Queensland and Northern Territory Branch (IEUA-QNT) supported the

²⁶ Clause 36 defines an ‘early childhood educator’ as a person defined as educator in section 5 of the National Law, excluding early childhood teachers as defined in regulation 4(1) of the national regulations.

²⁷ Director of the Teacher Registration Board of the Northern Territory, Submission No. 1, p. 1; Independent Education Union – Queensland and Northern Territory Branch (IEUA-QNT), Submission No. 2, p. 1; NT Christian Schools, Submission No. 3, p. 1.

²⁸ NT Christian Schools, Submission No. 3, p. 1.

²⁹ NT Christian Schools, Submission No. 3, p. 1; Australian Institute for Teaching and School Leadership, *One Teaching Profession: Teacher Registration in Australia*, 2018, p. 28, <https://www.aitsl.edu.au/docs/default-source/national-review-of-teacher-registration/report/one-teaching-profession—teacher-registration-in-australia.pdf>.

Bill's implementation of Option 2.³⁰ The NT Principals' Association preferred a 'two category' model (Option 3).³¹ Under this model EC teachers would be required to register, but would not be registered in the same category as primary and secondary teachers. The NT Principals' Association advised the Committee that their support for Option 3 was predicated on the fact that the qualifications of EC teachers do not require knowledge of the Australian curriculum. This means that any 'single category' model would grant EC teachers registration equivalent to primary and secondary teachers without requiring that they hold equivalent qualifications. Leah Crockford, representative of the NT Principals' Association, told the Committee that:

I acknowledge that all early childhood educators, with the qualifications that they have, are very important and contribute to the care and education of young children. However, when you look at the training of particularly zero to five and when they move from Certificate III to maybe a diploma, in that qualification, there is no training in the Australian curriculum. It is all focused on the early years learning framework. Therefore, there would be some concern around people who would be registered in the Northern Territory as a teacher and not have equivalent qualifications.³²

- 3.8 The NT Principals' Association also told the Committee that a 'two category' model could bring benefits to ECEC settings. A 'two category' model could recognise a wider range of relevant qualifications for EC education, including 'play based, therapeutic and early intervention postgraduate credentials.'³³ Leah Crockford noted that there were currently issues in appropriately recognising EC-related qualifications:

I can provide a specific example where you have a fully trained primary teacher, and they are not in early childhood or an early childhood-trained teacher; however, they have gone and done a Master of Child Play Therapy through Deakin University, which is all about child development. They are not able then to be registered or qualified to teach in a preschool setting. There are some questions there.³⁴

- 3.9 In contrast, the IEUA-QNT told the Committee that their preference was for a modified version of Option 1:

a single category model of ECT registration... on the grounds that model recognises the legitimacy of Birth–5 as a specialist teaching context but preserves the integrity of accreditation processes for initial teacher education programs that prepare teachers to work with school-age cohorts.

...we suggested a modification be made to the model to allow only provisional registration in the first instance with a requirement for further qualifications in order to progress to full registration.³⁵

- 3.10 The Department advised the Committee that Option 2 was selected over the other options for several reasons. Firstly, this model was the preferred model of

³⁰ NT Principals' Association, Submission No. 4, p. 1; Independent Education Union – Queensland and Northern Territory Branch, Committee Transcript, 10 November 2025, pp. 5-6.

³¹ NT Principals' Association, Submission No. 4, p. 1.

³² NT Principals' Association, Committee Transcript, 10 November 2025, p. 14.

³³ NT Principals' Association, Submission No. 4, p. 1.

³⁴ NT Principals' Association, Committee Transcript, 10 November 2025, p. 15.

³⁵ Independent Education Union – Queensland and Northern Territory Branch, Committee Transcript, 10 November 2025, pp. 5-6.

the EC sector.³⁶ Secondly, this model was the preferred model of national reports into sector reform, including AITSL's 2018 report, *One Teaching Profession: Teacher Registration in Australia*.³⁷ Thirdly, the Department's survey feedback on the 2024 Discussion Paper did not provide any clear direction: survey respondents were generally in favour of Option 2, and the eight full submissions were split across models.³⁸ Finally, the Department was of the perspective that a 'single category' model would provide benefits to EC teachers:

Registering early childhood teachers as teachers alongside their primary and secondary peers and colleagues will elevate the profession, open access to existing professional development and career progression pathways, and attract more early childhood and education and care teachers in the Northern Territory.³⁹

- 3.11 The adoption of this model means that individual schools and principals must ensure that the allocation of classes to their teachers appropriately considers the qualifications they hold:

Under this particular model, it means that with the implementation of the 'one teacher, one profession' model, it is up to the principal to make sure that they are allocating classes or allocating what teachers are teaching in schools is based on merit as well as their qualification.⁴⁰

- 3.12 Regardless of the model implemented, the NT Principals' Association recommended that the Board publish 'equivalency assessment criteria', develop 'an expedited process for applicants with substantial NT experience or recognised comparable qualifications', and provide guidance to employers for 'recruit[ing] and retain[ing] registered teachers'.⁴¹

- 3.13 Mandatory registration of EC educators who are not teachers is a medium-term action under the *Shaping Our Futures* report, to be completed within six years of the report. The Committee notes the ongoing engagement of the Department in national conversations regarding the implementation of this action:

Those who do not meet the requirements for teacher registration still need to have a certificate level or diploma to work in the early childhood education and care sector. All of those individuals are required to have a working with children clearance as part of that—the police check and mechanism to ensure that is in train.

There are quite significant conversations happening nationally in the early childhood safety area, in particular looking at what could be done better nationally in terms of a register of individuals and national registration of early childhood education and care people in the sector. That is still part of the process, so it is very much a national conversation, given there have been

³⁶ Department of Education and Training, Committee Transcript, 10 November 2025, p. 23.

³⁷ Department of Education and Training, Committee Transcript, 10 November 2025, p. 21; Australian Institute for Teaching and School Leadership, *One Teaching Profession: Teacher Registration in Australia*, 2018, <https://www.aitsl.edu.au/docs/default-source/national-review-of-teacher-registration/report/one-teaching-profession—teacher-registration-in-australia.pdf>.

³⁸ Department of Education and Training, Committee Transcript, 10 November 2025, p. 23.

³⁹ Department of Education and Training, Committee Transcript, 10 November 2025, p. 22.

⁴⁰ Department of Education and Training, Committee Transcript, 10 November 2025, p. 23.

⁴¹ NT Principals' Association, Submission No. 4, p. 2.

some really quite tragic circumstances that have occurred nationally in this space.⁴²

- 3.14 The Department advised the Committee that they plan on providing guidelines to support the implementation of the Bill. This will be done 'in time for the September 2026 implementation'.⁴³

Transitional period for registration

- 3.15 The NT Principals' Association told the Committee that the 12-month transition period in which schools, EC services, and unregistered teachers would be exempt from the offences for employing an unregistered teacher or teaching without registration was too short. They said it risked being:

insufficient for many educators and employers in the NT, particularly in remote and Aboriginal community contexts.⁴⁴

- 3.16 Accordingly, they recommended introducing flexibility into the transition period and for there to be requirements for the Board and NT Government to publish an implementation plan for the introduction of mandatory EC teacher registration.⁴⁵

- 3.17 In contrast, the Association of Independent Schools NT noted that they believed the 12-month transition period would be sufficient for EC teachers to register.⁴⁶ NT Christian Schools similarly advised that this timeline would not be an issue for their EC teachers as they are all registered already.⁴⁷

- 3.18 The Department told the Committee that most EC teachers mandated to register under this Bill are based in urban areas of the Territory and that there was sufficient time in place for EC teachers to register:

In terms of our remote schools, our preschool teachers are already required to be registered so it is really the early childhood education and care sector. Predominantly those services are located in our larger urban and towns so we would be working quite closely with the sector around the timeframes.

We feel as though there is sufficient time for this reform to occur, but it will involve working closely with the sector.⁴⁸

- 3.19 The Department advised the Committee that the NT had made a commitment under the National Workforce Strategy to have implemented the mandatory registration of all EC teachers by the end of 2026.⁴⁹ The Department advised the Committee that mandatory registration requirements will commence on 1 September 2026:

Amendments associated with the mandatory registration of early childhood teachers teaching in early childhood education and care settings will be delayed—commencement upon 1 September 2026. This delay has been based on feedback to provide the time to enable the sector to prepare for the

⁴² Department of Education and Training, Committee Transcript, 10 November 2025, p. 24.

⁴³ Department of Education and Training, Committee Transcript, 10 November 2025, p. 27.

⁴⁴ NT Principals' Association, Submission No. 4, p. 1.

⁴⁵ NT Principals' Association, Submission No. 4, p. 1.

⁴⁶ Association of Independent Schools NT, Committee Transcript, 10 November 2025, p. 5.

⁴⁷ NT Christian Schools, Committee Transcript, 10 November 2025, p. 13.

⁴⁸ Department of Education and Training, Committee Transcript, 10 November 2025, p. 26.

⁴⁹ Department of Education and Training, Committee Transcript, 10 November 2025, p. 21.

changes and for the Teacher Registration Board to ensure that it has the required policies in place to support early childhood teachers with professional development and career progression.⁵⁰

- 3.20 The Committee notes that Victoria introduced mandatory registration of EC teachers with a six-month transition period and Western Australia with an 18-month transition period.⁵¹ Under this Bill, the 12-month transitional exemption period for offences will begin upon commencement of Part 3 of the Bill, on 1 September 2026.

Workload for the Board

- 3.21 The NT Principals' Association cautioned that the introduction of mandatory registration would increase the administrative workload of the Board.⁵² When asked about this, the Board advised the Committee that they have the capacity to absorb the extra work and are already developing the operational procedures for registration:

We have done some numbers about how many that will actually be. At this stage it is not a huge amount that we will be able to absolutely support operationally, and the office has already started work on putting together a plan to ensure we can meet the deadline. A lot of those things are things like application forms and putting those sorts of things together. We do not see any reason that we should not be able to reach those timeframes.⁵³

Committee's Comments

- 3.22 With the implementation of Option 2, each individual school will be responsible for ensuring that their allocation of classes to teachers appropriately considers the qualifications they hold. Noting that there are ongoing plans to develop guidance regarding the implementation of the Bill, the Committee considers that it would be appropriate for guidance to include equivalency criteria for assessing which qualifications are comparable across EC, primary, and secondary qualifications.
- 3.23 With limited stakeholder concerns and alignment with other jurisdictions' transition periods, the Committee is satisfied with the Bill's 12-month transition period.

Recommendation 2

The Committee recommends that the departmental guidelines include equivalency criteria for assessing which qualifications are comparable between early childhood, primary, and secondary qualifications.

⁵⁰ Department of Education and Training, Committee Transcript, 10 November 2025, p. 22.

⁵¹ Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Act 2014 (VIC), s88; Teacher Registration Act 2012 (WA), s137.

⁵² NT Principals' Association, Submission No. 4, p. 2.

⁵³ Teacher Registration Board of the Northern Territory, Committee Transcript, 10 November 2025, p. 20.

Information Sharing

3.24 The Bill seeks to expand the information sharing powers of the Board. As described by the Explanatory Statement, the Bill will:

Strengthen child safety in schools and early childhood services by improving information sharing arrangements. A provision is included that enables the Teacher Registration Board (the Board) to share information kept on the register of teachers with teacher registration authorities in other jurisdictions. An amendment is also included that will enable the Board to proactively share relevant information with teacher registration and teacher regulatory authorities if the Board reasonably believes the sharing of the information will prevent harm to a child.⁵⁴

3.25 The Explanatory Statement further notes that these provisions will:

address information-sharing gaps identified in the Child Safety Review which were also identified in recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. The provisions also support mutual recognition requirements when a teacher from the NT is seeking recognition of their NT registration for purposes of registering in another jurisdiction.⁵⁵

3.26 This is implemented through several amendments to the Principal Act:

- Clause 5 seeks to amend section 12(2)(c) of the Principal Act to add 'regulatory authorities' to the list of entities with which the Board may share information. Clause 4 further seeks to amend section 4 of the Principal Act to insert a definition of 'regulatory authority', which is the person defined in a jurisdiction as the Regulatory Authority for the National Law. In the Territory, this is the CE of the Department.⁵⁶
- Clause 17 inserts new sections 66F and 66G into the Principal Act. New section 66F permits the Board to share information in the Register of Teachers with TRAs in another jurisdiction for the purpose of regulating teachers in that other jurisdiction. New section 66G permits the Board to proactively share information with registration and regulatory authorities where the Board reasonably believes this will prevent child harm or mitigate risks of child harm.⁵⁷

3.27 All submitters who commented on this section of the Bill were supportive of the proposed changes.⁵⁸ For example, NT Christian Schools commented that:

NT Christian Schools supports amendments enabling the proactive sharing of information between jurisdictions and regulatory authorities where it may prevent harm to a child. This measure is vital for the protection of children,

⁵⁴ Explanatory Statement, *Teacher Registration (Northern Territory) Legislation Amendment Bill 2025 (Serial 41)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/41-2025>, p.1.

⁵⁵ Explanatory Statement, *Teacher Registration (Northern Territory) Legislation Amendment Bill 2025 (Serial 41)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/41-2025>, p.4.

⁵⁶ *Education and Care Services (National Uniform Legislation) Act 2011* (NT), s 9(5); *Interpretation Act 1978* (NT), s 17.

⁵⁷ Section 4 of the Principal Act defines registration authorities as a statutory body in a State or another Territory of the Commonwealth, or in New Zealand, established to register teachers and includes a similar body in other jurisdictions.

⁵⁸ Director of the Teacher Registration Board of the Northern Territory, Submission No. 1, p. 1; Independent Education Union – Queensland and Northern Territory Branch (IEUA-QNT), Submission No. 2, p. 1; NT Christian Schools, Submission No. 3, p. 1; NT Principals' Association, Submission No. 4, p. 2.

the integrity of the teaching profession, Department of Education and Training and education and care services across the Northern Territory.⁵⁹

- 3.28 The Committee notes that the *Review of Child Safety Arrangements under the National Quality Framework* indicates that ‘timely guidance and resources [are needed] for effective implementation’ of its recommendations, including the information-sharing scheme.⁶⁰ The NT Principals’ Association also recommended that the Board publish ‘guidance on how the Board will exercise these powers, including privacy protections and notification practices where appropriate.’⁶¹
- 3.29 The Department told the Committee that they plan on providing guidelines on the exercise of the information sharing powers to support its implementation.⁶² The Department also advised the Committee that all information sharing must occur in accordance with the law, including the *Information Act 2002* (NT).⁶³ Safeguards to protect teacher privacy include the requirement for the Board to make a ‘reasonable assessment’ that doing so will protect a child from harm.⁶⁴
- 3.30 The Committee was further advised by the Department that they plan on upgrading the Board’s database systems:

We are also looking at the current database and systems used by the Teacher Registration Board. At the moment they are quite old. It is very heavily reliant on paper base. We are looking at a new data system so it will be more efficient and effective to implement these reforms.⁶⁵

Committee’s Comments

- 3.31 The Committee notes the importance of enabling information sharing between TRAs prior to the exemption on teachers from the Automatic Mutual Recognition Scheme lapsing at the end of June 2027.
- 3.32 Noting that there are ongoing plans to develop guidance regarding the implementation of the Bill, the Committee considers that it would be appropriate for this to include guidance on the operation of the information sharing scheme to support the Board to share information to prevent child harm and mitigate risks of child harm whilst appropriately protecting the privacy of teachers.

Recommendation 3

The Committee recommends that the departmental guidelines include guidance on the application of the information sharing powers provided for in Clause 17.

⁵⁹ NT Christian Schools, Submission No. 3, p. 1.

⁶⁰ Australian Children’s Education and Care Quality Authority, *Review of Child Safety Arrangements under the National Quality Framework*, 2023, p. 13, https://www.acecqa.gov.au/sites/default/files/2023-12/Review%20of%20Child%20Safety%20Arrangements%20under%20the%20National%20Quality%20Framework-full_report.pdf

⁶¹ NT Principals’ Association, Submission No. 4, p. 2.

⁶² Department of Education and Training, Committee Transcript, 10 November 2025, pp. 24-26.

⁶³ Department of Education and Training, Committee Transcript, 10 November 2025, p. 24.

⁶⁴ Department of Education and Training, Committee Transcript, 10 November 2025, p. 24.

⁶⁵ Department of Education and Training, Committee Transcript, 10 November 2025, p. 24.

Powers of the Minister and Chief Executive

3.33 The Bill seeks to make several amendments to the existing powers of the Minister and the Chief Executive of the Department. As described by the Explanatory Statement, the Bill will:

Strengthen the regulatory integrity of the Board and the Office of the Board by clarifying the Minister's power to set policy, performance and accountability expectations; and the Chief Executive of the agency responsible for teacher registration and regulation to manage the performance of the Director of the Board.⁶⁶

3.34 The Department elaborated on this in the Public Hearing, explaining that the intent of this section of the Bill was to:

clarify the role of the Director of the Teacher Registration Board, the role of myself as the Chief Executive of the department, and the role of the minister. These amendments do not change the existing law or introduce new concepts but rather reinforce existing roles and responsibilities established through the Administrative Arrangement Order and the Public Sector Employment and Management Act (PSEMA). Provisions are included to preserve the independence of the Teacher Registration Board and the Director of the Teacher Registration Board with respect to their statutory roles in regulating the teaching profession.⁶⁷

3.35 This is implemented through several amendments to the Principal Act:

- Clause 6 seeks to amend section 14(1) of the Principal Act to add a requirement that the Director of the Board is a public sector employee employed by Department. Clause 6 further seeks to amend section 14(2) to clarify that the Director is subject to direction by the Board in relation to the exercise of the Director's powers and performance of the Director's duties under this Act. The Director is otherwise subject to performance management by the CE of the Department as an employee of the Department.
- Clause 7 seeks to insert section 14A into the Principal Act to specify that the CE of the Department of Education and Training is required to provide the Board with staff, facilities and resources.
- Clause 8 seeks to insert section 25B into the Principal Act to enable the Minister to provide written direction to the Board in relation to the exercise of the Board's powers, performance of its functions, and its administration. New section 25B(3) prevents the Minister from providing the Board written direction related to a particular authorised person or registered teacher; an application for registration, renewal of registration, or authorisation; or a complaint, investigation, inquiry, or disciplinary action taken against a person.
- Clause 19 seeks to amend section 79 of the Principal Act to add a requirement that the Board report on written directions given to the Board

⁶⁶ Explanatory Statement, *Teacher Registration (Northern Territory) Legislation Amendment Bill 2025 (Serial 41)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/41-2025>, p.1.

⁶⁷ Department of Education and Training, Committee Transcript, 10 November 2025, p. 22.

by the Minister and their progress implementing these written directions in their annual report.

- 3.36 The Committee heard concerns from the NT Christian Schools, the Northern Territory Principals' Association and the Association of Independent Schools NT regarding the impact of these provisions on the independence of the Board and the relationship between the Board, the Director, and the Department. These concerns primarily related to Clauses 4 and 6.

Relationship between regulator and employer

- 3.37 Alice Mustin, Chief Executive Officer of the NT Christian Schools, advised the Committee that NT Christian Schools believed regulatory bodies should be entirely independent from those that they regulate, but that this was not established in this Bill:

Generally, it would be good practice for regulatory functions such as the Teacher Registration Board to sit with a standalone agency. Currently, Western Australia and NT maintains an arm's length model within the Department. All other jurisdictions operate through independent authorities.⁶⁸

- 3.38 Because the Bill introduces requirements for the Director of the Board to be an employee of the Department of Education and Training, several submitters stated that the Bill blurred the lines of responsibility between the Board and the Department. Phillip Leslie, former Chief Executive Officer of the NT Christian Schools, told the Committee that:

Critical is the relationship between the CE of Education and the Director of this area when the Director is taking their work advice and is responsible statutorily through the Board, but then gets performance assessed by the CE of Education.⁶⁹

- 3.39 The NT Principals' Association held similar concerns. They submitted to the Committee that there was:

Ambiguity of the relationship between the Board, the Department and the Minister, creating uncertainty about roles and responsibilities, particularly who manages the Director and Office of the Board staff and how policy, performance and accountability expectations are set and monitored.⁷⁰

- 3.40 As such, the NT Principals' Association submitted to the Committee that it was necessary to:

Preserv[e] the Board's independence from the Minister and the Director's independence from the Agency in respect of the Board's and Director's statutory powers to regulate the teaching profession under the Act.⁷¹

Bias towards the Department

- 3.41 Submitters told the Committee that the requirement for the Director to be subject to direction from the Board but performance management from the CE of the

⁶⁸ NT Christian Schools, Committee Transcript, 10 November 2025, p. 10.

⁶⁹ NT Christian Schools, Committee Transcript, 10 November 2025, p. 12.

⁷⁰ NT Principals' Association, Submission No. 4, p. 2.

⁷¹ NT Principals' Association, Submission No. 4, p. 2.

Department is an issue because the Board is the regulator of the teaching profession whilst the Department is the largest employer of teachers within the NT. As such, there were risks of conflicts of interest within the relationship between the Board and Department, through the Director. For example, the Association of Independent Schools NT advised the Committee that:

While the Director is accountable to the Board for statutory functions, this dual reporting line create ambiguity and potential conflict, particularly when regulatory decisions involve departmental employees or intersect with broader departmental interests.⁷²

3.42 This was also highlighted by Phillip Leslie, NT Christian Schools:

...it is difficult when that person is responsible for regulating the teachers coming into the Education Department. They are the biggest employer of teachers, yet the CE of that area is essentially doing your performance review. That has to be managed really well.

...that happens at the moment with the Registrar of Independent Schools, so it is the same sort of model that is coming up. It works right at the moment and it just needs to be kept in balance so that there is not a conflict that ensues between that, especially when you are working to a Board but then being assessed by someone else.⁷³

3.43 This was seen as a particular risk by the Association of Independent Schools NT and NT Christian Schools from a non-government school perspective. If the regulator of teachers was overseen by the largest employer of teachers, they submitted there may be bias towards the Department as an employer over non-government schools. As the Association of Independent Schools submitted:

This structure does not sufficiently separate the regulation of teachers from the operations of the Department. It risks compromising the transparency and impartiality of the [Board], especially in relation to Non-Government Schools.⁷⁴

3.44 Cheryl Salter, Executive Director, Association of Independent Schools NT, further advised the Committee that this could harm the ability of the Board to represent independent schools whose teachers are not employed by the Department:

What is important, particularly around any regulatory body, is that it is independent of the Department of Education, and it represent all sectors... the Director will be employed by the Department of Education and will be answerable to the CEO, and we have a Board that is independent and takes advice from the Minister... The Department of Education employs the most teachers and there are three sectors that are governed by this regulatory body. I think we have to be careful that it does not become driven by Department of Education policy.⁷⁵

3.45 Similarly, NT Christian Schools stated that:

⁷² Association of Independent Schools NT, Submission No. 5 p. 1.

⁷³ NT Christian Schools, Committee Transcript, 10 November 2025, p. 12.

⁷⁴ Association of Independent Schools NT, Submission No. 5 p. 1.

⁷⁵ Association of Independent Schools NT, Committee Transcript, 10 November 2025, pp. 1-2.

...this structure may compromise the independence of the [Board] and does not sufficiently separate regulation from departmental operations, particularly for non-government schools.⁷⁶

Enhancements to the independence of the Board

3.46 Accordingly, NT Christian Schools and the Association of Independent Schools NT recommended that the Board be established as a completely independent statutory authority.⁷⁷ Rachel Boyce, member of the Board, advised the Committee that they are presently an independent statutory authority.⁷⁸ Despite this, Rachel Boyce told the Committee that:

...the Board wishes to emphasise the importance of formally recognising the Teacher Registration Board as an independent statutory authority distinct from the Department of Education. This distinction is critical to maintaining the integrity, impartiality and transparency of the board's regulatory functions.⁷⁹

3.47 The Association of Independent Schools NT further submitted that the Board, NT Board of Studies, and Office of the Registrar of Non-Government Schools be amalgamated into a single authority. They noted that this Bill:

presents a critical opportunity to establish a unified, independent, statutory regulatory model, similar to the NSW Education Standards Authority, that oversees teacher registration, curriculum standards, school registration and compliance across both Government and Non-Government Schools Sectors.⁸⁰

3.48 This amalgamated body would be reflective of the New South Wales Education Standards Authority, and should be:

empowered to oversee teacher registration, curriculum standards, school registration, and regulatory compliance across all sectors.⁸¹

3.49 Despite their concerns regarding the independence of the Board, both the Association of Independent Schools NT and NT Christian Schools told the Committee that they understood the practicality of the arrangements in the Bill. Cheryl Salter noted that the Association of Independent Schools NT 'understand that we are a small Territory and that the money is not there to develop a whole department to regulate schools.'⁸² Similarly, Alice Mustin noted that NT Christian Schools understood the financial limitations on the Territory, stating that:

Since our submission we have been advised by our Registrar that establishing a fully independent authority outside the Department of Education and Training is not financially sustainable or viable at this point in time. We recognise that full independence remains the ideal model for the future should resources become available.⁸³

⁷⁶ NT Christian Schools, Submission No. 3, p. 2.

⁷⁷ NT Christian Schools, Submission No. 3, p. 2; Association of Independent Schools NT, Submission No. 5 p. 2.

⁷⁸ Teacher Registration Board of the Northern Territory, Committee Transcript, 10 November 2025, p. 17.

⁷⁹ Teacher Registration Board of the Northern Territory, Committee Transcript, 10 November 2025, p. 17.

⁸⁰ Association of Independent Schools NT, Submission No. 5, pp. 1-2.

⁸¹ Association of Independent Schools NT, Submission No. 5 p. 2.

⁸² Association of Independent Schools NT, Committee Transcript, 10 November 2025, p. 2.

⁸³ NT Christian Schools, Committee Transcript, 10 November 2025, p. 10.

3.50 Submitters also commented on alternatives that would not necessitate changes to the structural arrangements of the Board, Department, and Director. Leah Crockford, NT Principals' Association, told the Committee that:

the legislation needs to potentially look at the proposed changes around the registration framework and the explanatory statement may need to be a little bit more explicit...⁸⁴

3.51 Both NT Christian Schools and the Association of Independent Schools NT recommended that the Director's reporting and accountability arrangements be clarified 'to ensure impartiality between the Board's statutory functions and departmental employment management.'⁸⁵ Whilst the Association of Independent Schools NT supported the current appointment of the Director by the Minister, they also sought for the Director to be accountable to the Minister, rather than the CEO.⁸⁶

Benefits to a closer relationship

3.52 When asked if there could be any benefits from a closer relationship between the Department and the Board, Cheryl Salter advised the Committee they saw there may be enhancements in the space of support and staffing services.⁸⁷ Alice Mustin advised that a closer relationship could also help streamline processes and understanding of the teacher workforce and existing support for teachers.⁸⁸

Present independence of the Board

3.53 The Committee heard from the Board and the Department that the provisions in the Bill will not undermine the independence of the Board. Lisa Hirschausen, Acting Director of the Board, told the Committee that the changes in the Bill reflect the current arrangements between the Department and the Board:

...the changes that are being made are clarifications... the relationship that currently exists has existed over a long period of time. That work, in terms of the Director working very closely with the Office, and obviously the work of the Office is to provide the administrative and support for the Board to make the regulatory decisions. We then have the Education Department, which is a line manager of the Director and has provided in the past, the financial, the staff and the support to be able to run both the operational and the regulatory functions of the Board... we do not believe that [the relationship] is changing...⁸⁹

3.54 Board member, Rachel Boyce, further advised that the Board wanted to make clear to those in the teaching profession that their decisions are independent of the Department:

We, as a board, feel it is important for that transparency for all teachers across the Territory to understand that the board's decisions—as the

⁸⁴ NT Principals' Association, Committee Transcript, 10 November 2025, p. 15.

⁸⁵ NT Christian Schools, Submission No. 3, p. 2; Association of Independent Schools NT, Submission No. 5 p. 2.

⁸⁶ Association of Independent Schools NT, Submission No. 5 p. 2.

⁸⁷ Association of Independent Schools NT, Committee Transcript, 10 November 2025, p. 2.

⁸⁸ NT Christian Schools, Committee Transcript, 10 November 2025, p. 12.

⁸⁹ Teacher Registration Board of the Northern Territory, Committee Transcript, 10 November 2025, p. 17.

regulatory authority—are made independent of one of the three employers of teachers within the Northern Territory.⁹⁰

3.55 Similarly, the Department told the Committee that the intent of these provisions was:

to preserve the independence of the Teacher Registration Board and the Director of the Teacher Registration Board with respect to their statutory roles in regulating the teaching profession.⁹¹

What we are attempting to do here is to provide more clarity around the separation of powers. It is not changing anything specifically in the Act; it is making it clearer that there is a very clear separation between employees and the board under PSEMA, as well as the role and responsibility of me, as the CE, and the minister.⁹²

3.56 Alice Mustin, whilst noting that an arms-length model was not their preference, told the Committee that the arms-length model in the Bill currently works for the Registrar of non-Government Schools:

In the meantime, we must ensure that within this arm's length model proposed, perceived and actual conflicts of interest are well managed... we note, that the registrar of independent schools already operates effectively under a similar structure.⁹³

Governing arrangements in other Boards and TRAs

3.57 On the basis of the concerns of the submitters, the Committee examined the governing arrangements of Boards with similar functions in the NT and TRAs in other jurisdictions.

3.58 The Board has been classified as a quasi-judicial body by the responsible Minister.⁹⁴ Other statutory bodies similar to the Board are the Architects Board, the Plumbers and Drainers Licensing Board, the Surveyors Board, the Veterinary Board of the NT, and the Pharmacy Premises Committee.⁹⁵

3.59 Of these Boards, two have no legislated Director or Registrar, two require the Director or the Registrar to be a person employed in the public sector, and one has no requirement to work in the public sector.⁹⁶ In other jurisdictions, it is

⁹⁰ Teacher Registration Board of the Northern Territory, Committee Transcript, 10 November 2025, p. 17.

⁹¹ Department of Education and Training, Committee Transcript, 10 November 2025, p. 22.

⁹² Department of Education and Training, Committee Transcript, 10 November 2025, p. 25.

⁹³ NT Christian Schools, Committee Transcript, 10 November 2025, p. 10.

⁹⁴ Specifically, Class B4: Registration and Practice. Quasi-judicial bodies 'determine standards, monitor and regulate practices, grant licences, investigate complaints, review decisions and/or make judgements.' See: Department of the Chief Minister and Cabinet, Classification and remuneration of NT Government boards, Northern Territory Government, accessed 12 November 2025, <https://cmc.nt.gov.au/supporting-government/boards-and-committees/classification-remuneration>; Department of the Chief Minister and Cabinet, Northern Territory Government Boards Handbook: A guide for board members, 2025, p. 7, <https://cmc.nt.gov.au/media/docs/cabinet-protocol-and-remuneration/remuneration-of-government-boards-and-remuneration-tribunal/boards-handbook-for-board-members.pdf>.

⁹⁵ Department of the Chief Minister and Cabinet, *Northern Territory Government statutory bodies classified for remuneration purposes*, 2025, p.3, <https://cmc.nt.gov.au/media/docs/cabinet-protocol-and-remuneration/remuneration-of-government-boards-and-remuneration-tribunal/remuneration-of-gov-boards-forms/ntg-statutory-bodies-classified-for-remuneration-purposes.pdf>.

⁹⁶ Neither the Plumbers and Drainers Licensing Board nor the Surveyors Board have a legislated Director or Registrar of the Board. The Architects Board and the Veterinary Board of the NT require the Director or Registrar to be a person employed in the public sector. Only the Pharmacy Premises Committee shares the Principal Act's lack of requirement for the Director or Registrar to be a public sector employee. See: Plumbers and Drainers Licensing Act 1983 (NT); Licensed

common for the equivalent role to the Director to be public sector employees. For example, in Tasmania the Registrar is a state service officer or state service employee of the Department.⁹⁷

Ministerial directions

3.60 Submitters did not raise any concerns about Clause 8, which provides for the Minister to give written direction to the Board. Indeed, both the NT Principals' Association and the Association of Independent Schools NT supported the ability of the Minister to provide written direction to the Board.⁹⁸ The Association of Independent Schools also supported the limitations on this power, preventing Ministerial direction on particular cases or investigations.⁹⁹

3.61 The Department told the Committee that Ministerial powers to provide written direction to the Board were not related to regulatory decisions:

That is particularly about the minister maybe directing in terms of performance of the board, and potentially policies, but it has nothing to do with their actual regulatory functions. That is kept quite separate.¹⁰⁰

3.62 Similarly, the Board told the Committee that:

Like many of the other amendments, the purpose of this clause is to provide clarification, and the Board is broadly supportive of its inclusion. There was some consideration around the types of performance and accountability measures that may be requested of the Board. The Board acknowledges that the Minister's authority is limited to directing the Board in relation to its powers and the performance of its functions under the Act, and not in relation to any individual person. This distinction supports and preserves the Board's independence.¹⁰¹

3.63 The Committee also considered whether the delegation of power to the Minister to provide written direction to the Board in this Bill was appropriate, compared to other similar statutory bodies in the NT and TRAs in other jurisdictions. The Committee notes that the responsible Minister may provide written directions to two of the five other similar statutory bodies in the NT regarding their functions.¹⁰²

Surveyors Act 1983 (NT); Architects Act 1963 (NT), s11B; Veterinarians Act 1994 (NT), s8; Health Practitioners Act 2004 (NT), s18G.

⁹⁷ Additionally, the CEO of the ACT Teacher Quality Institute must be a public servant; in New South Wales, the CEO of the Education Standards Authority is an employee of the public service; and in Queensland the Director of the Office of the Queensland College of Teachers is a public sector employee. See: Teachers Registration Act 2000 (TAS), s7C; Teacher Quality Institute Act 2010 (ACT), s17; Education Standards Authority Act 2013 (NSW), s8; Education (Queensland College of Teachers) Act 2005 (Queensland), s278.

⁹⁸ NT Principals' Association, Submission No. 4, p. 2; Association of Independent Schools NT, Committee Transcript, 10 November 2025, p. 2.

⁹⁹ Association of Independent Schools NT, Committee Transcript, 10 November 2025, p. 2.

¹⁰⁰ Department of Education and Training, Committee Transcript, 10 November 2025, p. 26.

¹⁰¹ Teacher Registration Board of the Northern Territory, *Question on Notice*, 14 November 2025.

¹⁰² The Minister may direct the Plumbers and Drainers Licensing Board regarding its 'functions in relation to the examination, licensing and registration of persons practising or seeking to practise those trades' and may direct the Veterinary Board of the NT to 'investigate any matter arising relating to the professional conduct of registered veterinarians or veterinary specialists, or to the provision of veterinary services.' See: Plumbers and Drainers Licensing Act 1983 (NT), s16; Veterinarians Act 1994 (NT), s6.

3.64 In every other jurisdiction the responsible Minister has some form of power to direct or set expectations of a TRA in the performance of its functions.¹⁰³ There are various restrictions on these powers, normally regarding an action related to a particular person or application. In the ACT, South Australia, and Western Australia directions must be presented to the Parliament, whereas in Queensland they must be included in the TRA's annual report.¹⁰⁴

Committee's Comments

3.65 The Committee understands that the Board is an independent statutory authority.¹⁰⁵ The Committee has also heard the assurances of the Board and the Department that the Board makes, and will continue to make, regulatory decisions independently of the Department. The Committee is satisfied that the Bill's clarification that the Director is an employee of the Department will not undermine the independence of the Board.

3.66 The Committee is also satisfied that the delegation of power in this Bill to the Minister to provide written directions to the Board is appropriate. The Committee notes that the limitations on Ministerial powers are aligned with other jurisdictions and the requirement to include written directions in the annual report aligns with practice in Queensland. However, the Committee is of the opinion that the Explanatory Statement should be amended to acknowledge that the insertion of section 25B is a substantive amendment to the Principal Act that aligns the NT with practice in other jurisdictions, rather than describing it as a technical amendment.

Recommendation 4

The Committee recommends that the Explanatory Statement be amended to note that the insertion of section 25B is a substantive amendment that aligns the Northern Territory with practice in other jurisdictions.

Applications for registration and authorisation

3.67 The Bill seeks to make several amendments to the application process for registration, renewals of registration, and alternative authorisations to employ and teach. As described by the Explanatory Statement, the Bill will:

Address inefficiency and reduce unnecessary administrative burden by removing the limitation that an authority to employ an unregistered person will expire at the end of each calendar year. This will enable the Board to set the period of an authority to align with the relevant circumstances of employment up to a maximum of 2 years, or as prescribed by the regulations. This reform will streamline registration processes and create greater

¹⁰³ Teacher Quality Institute Act 2010 (ACT), s25; Teacher Accreditation Act 2004 (NSW); Education Standards Authority Act 2013 (NSW), s5; Education (Queensland College of Teachers) Act 2005 (Queensland), s272; Teachers Registration and Standards Act 2004 (SA), s8; Teachers Registration Act 2000 (TAS), s10A; Education and Training Reform Act 2006 (VIC), s2.6.5 and s5.2.1; Teacher Registration Act 2012 (WA), s93.

¹⁰⁴ Teacher Quality Institute Act 2010 (ACT), s25; Teachers Registration and Standards Act 2004 (SA), s8; Teacher Registration Act 2012 (WA), s93; Education (Queensland College of Teachers) Act 2005 (Queensland), s274.

¹⁰⁵ Teacher Registration Board of the Northern Territory, Committee Transcript, 10 November 2025, p. 17.

flexibility for employers to seek an authority to employ individuals teaching specialist subjects, such as VET trainers, who may not hold the necessary teaching qualification required for registration.¹⁰⁶

3.68 The Department elaborated on this in the Public Hearing, explaining that the intent of this section of the Bill was to:

address inefficiencies and reduce administrative burden for our workforce. These include the ability for the board to be more flexible on when teacher registration expires, avoiding peak periods. Currently the expiry date for all teachers is 31 December. By extending the period of time an authority to employ an unregistered person to teach may be issued—reducing the burden on employers for having to reapply at the end of every year.¹⁰⁷

3.69 This is implemented through several amendments to the Principal Act and Regulations:

- Clause 11 seeks to amend section 36(2) of the Principal Act and insert section 36(2A) to remove the requirement that registration must end at the end of a calendar year and instead provide for the Board to determine the date a registration ends, whilst not exceeding the maximum period of registration (i.e., 5 years for full registration and 3 years for provisional registration). Clause 12 makes similar amendments to section 39(3) with regard to renewed registration.
- Clause 13 seeks to amend section 41(3(a)(i) of the Principal Act to correct a drafting error.
- Clause 14 seeks to amend section 42 of the Principal Act to extend the period the Board may grant an authorisation for, whilst not exceeding two years. Clauses 13, 15 and 16 further seek to support this amendment by removing references to an authorisation expiring at the end of a calendar year in section 41(1), section 43(1)(a), and section 45, respectively.
- Clause 26 seeks to replace regulation 10, removing the reference to the expiry of registration at the end of a calendar year and updating payment options to align with current Board practice.
- Clause 27 seeks to amend Schedule items 2(a), 2(b) and 5(a) in the Regulations to align application fees with changes to requirements provided by Clause 22 and remove reference to calendar years.

Registration expiry date

3.70 NT Christian Schools and the NT Principals' Association supported the removal of the requirement for registration to end at the end of a calendar year. The NT Christian Schools commented that it would 'reduce administrative burden and improve efficiencies'.¹⁰⁸ So too did the NT Principals' Association, who

¹⁰⁶ Explanatory Statement, *Teacher Registration (Northern Territory) Legislation Amendment Bill 2025 (Serial 41)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/41-2025>, p.1.

¹⁰⁷ Department of Education and Training, Committee Transcript, 10 November 2025, p. 22.¹⁰⁸ NT Christian Schools, Submission No. 3, p. 2.

¹⁰⁸ NT Christian Schools, Submission No. 3, p. 2.

commented that ‘the move to anniversary based registration terms... should reduce end-of-year renewal bottlenecks.’¹⁰⁹

Extension of the maximum authorisation period

3.71 Ian Smith, Director of Indigenous Schools, Association of Independent Schools NT, noted his support from a remote school perspective for the enabling of authorisations to last for a period of up to two years instead of expiring at the end of every calendar year.¹¹⁰ The Association of Independent Schools NT told the Committee that authority to employ processes can be complicated in remote schools. Cheryl Salter advised that:

One of the greatest challenges for any remote school is the tyranny of distance. Often it is the administrative burden that can get in the way. It can be just having the support out there for some of these teachers, or language teachers, to get together all their experience and qualifications and do all the necessary paperwork.¹¹¹

3.72 The Committee was also advised by the Board that this would ease administrative burdens:

Additionally, allowing the Board to set a two-year employment period for authorities will streamline registration and reduce administrative burden for both the office and applicants.¹¹²

3.73 The Board advised the Committee that this yearly administrative burden on applicants can be quite significant:

...currently, for an authorisation to employ a VET teacher or a languages teacher from our languages schools, they can only be employed for a year at a time and then they have to resubmit every year. That is an incredible burden on the applicant... Every time you do a new application you also have to have a police check. That is also a financial burden to those who are applying, so that check now would last for two years rather than one year.¹¹³

Committee’s Comments

3.74 The Committee notes that stakeholders to the Inquiry support the proposed changes to applications and authorisation outlined in the Bill. The Committee considers these changes to be appropriate.

¹⁰⁹ NT Principals’ Association, Submission No. 4, p. 3.

¹¹⁰ Association of Independent Schools NT, Committee Transcript, 10 November 2025, p. 1.

¹¹¹ Association of Independent Schools NT, Committee Transcript, 10 November 2025, p. 2.

¹¹² Director of the Teacher Registration Board of the Northern Territory, Submission No. 1, p. 1.¹¹³ Teacher Registration Board of the Northern Territory, Committee Transcript, 10 November 2025, p. 19.¹¹⁴ Explanatory Statement, *Teacher Registration (Northern Territory) Legislation Amendment Bill 2025 (Serial 41)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/41-2025>, p.1.

¹¹³ Teacher Registration Board of the Northern Territory, Committee Transcript, 10 November 2025, p. 19.¹¹⁴ Explanatory Statement, *Teacher Registration (Northern Territory) Legislation Amendment Bill 2025 (Serial 41)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/41-2025>, p.1.

Accreditation requirements and exemptions

3.75 The Bill seeks to make several amendments to the current accreditation and authorisation requirements to better align with the the *Framework for Teacher Registration in Australia*. As described by the Explanatory Statement, the Bill will:

Improve the national consistency for the registration of all teachers by aligning minimum qualification, currency of practice, and English language proficiency requirements with the Framework for Teacher Registration in Australia.

Ensure Aboriginal languages are captured as a specialist subject eligible for an employer to apply for an authority to employ a person who is otherwise not eligible for registration as a teacher, by amending the legislation to refer to 'languages other than English', rather than 'foreign languages'.¹¹⁴

3.76 The Department elaborated on this in the Public Hearing, explaining that the intent of this section of the Bill was to:

align with minimum qualifications; currency of practice; and English language proficiency requirements with the Framework for Teacher Registration in Australia. The adoption of this framework was agreed by all Education ministers in September 2024. Under these reforms only early childhood teachers who meet the minimum requirements reflected in the framework will be eligible for registration. This will ensure that the integrity of the teaching profession in the Territory is maintained at a national standard...

contemporise outdated language by replacing the term 'foreign languages' with 'languages other than English'. This amendment will ensure that Aboriginal languages are captured as specialist subject languages where an unregistered person may be employed under an authority to teach in order to teach an Aboriginal language that cannot be taught by a teacher within the school.¹¹⁵

3.77 This is implemented through several amendments to the Principal Act and the Regulations:

- Clause 9 seeks to make a technical amendment to the wording of section 30(a) of the Principal Act to clarify that the required qualifications for full registration may be prescribed via regulations.¹¹⁶ Clause 10 further seeks to make a consequential amendment to section 33(1)(a) of the Principal Act to correct a legislative reference to section 30(a).
- Clause 18 seeks to amend section 74(4)(a) of the Principal Act to add an additional requirement for the Board in relation to accreditation of teacher education courses. The Board must not accredit a course unless satisfied on reasonable grounds that the course meets the requirements of the prescribed accreditation standards. Clause 26 further prescribes the accreditation standards to be *Accreditation of initial teacher education programs in Australia: Standards and Procedures*.

¹¹⁴ Explanatory Statement, *Teacher Registration (Northern Territory) Legislation Amendment Bill 2025 (Serial 41)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/41-2025>, p.1.

¹¹⁵ Department of Education and Training, Committee Transcript, 10 November 2025, p. 22.

¹¹⁶ The Regulations currently prescribe qualifications for registration. See *Teacher Registration (Northern Territory) Regulations 2004*, reg 4.

- Clause 22 seeks to amend regulation 4 of the Regulations to alter the prescribed qualifications for registration to include qualifications accredited by the Board, other TRAs, ACEQCA under the national regulations, and comparable overseas or historic qualifications. This has the effect of aligning qualification requirements with the National Law. Clause 21 further seeks to support this amendment by inserting new regulation 2AA, which defines the national regulations as the Education and Care Services National Regulations.
- Clause 23 seeks to make various amendments to regulation 5 in relation to the Board’s decision as to whether a person is competent to teach when deciding on an application for an authorisation to teach under section 42(2)(b) of the Principal Act. Amongst other matters, these amendments have the effect of:
 - amending wording to clarify that an exemption to English language competency requirements may apply if a person is only authorised to teach a language other than English. This has the effect of extending this exemption to teachers of Aboriginal languages.
 - enabling the Board to consider other matters or circumstances that it considers relevant when deciding if a person meets English language proficiency requirements.
- Clause 24 seeks to amend regulations 6(1)(a) and (b) to reduce the number of days of full-time service needed in the five years preceding an application for registration or renewal in order to demonstrate currency of practice from 180 to 100 days. This aligns with the *Framework for Teacher Registration in Australia*.

Qualifications

3.78 The IEUA-QNT submitted that the change in Clause 9 may allow the Board to recognise qualifications that do not meet the AITSL requirements for accreditation of Initial Teacher Education programs.¹¹⁷ Specifically, Adele Schmidt, Research Officer, IEUA-QNT, advised that the IEUA-QNT were concerned that this may allow for Initial Teacher Education programs of shorter duration than currently acceptable, pointing in particular to a one-year graduate diploma recently established in Western Australia as an example of this.¹¹⁸ Accordingly, the IEUA-QNT were concerned that the proposed changes would allow qualifications to be accepted for registration that would erode the teaching profession:

Our concern however, is that replacing the words ‘the prescribed qualifications for registration’ with ‘a qualification prescribed by the regulations’ [1], opens up the possibility of recognising qualifications that do

¹¹⁷ Association of Independent Schools NT, Submission No. 5 p. 1.

¹¹⁸ Independent Education Union – Queensland and Northern Territory Branch, Committee Transcript, 10 November 2025, p. 6.

not meet national (Australian Institute for Teaching and School Leadership) requirements for accreditation of ITE programs [3, 4].

This concern is highlighted by the recent introduction of a one-year Graduate Diploma program in Western Australia that has been opposed by Teacher Registration Authorities in other jurisdictions.¹¹⁹

- 3.79 Leah Crockford, NT Principals' Association, also questioned whether the qualifications that fall under this Bill align with ACECQA requirements.¹²⁰

Flexibility in assessing English language proficiency

- 3.80 The Australian Institute for Teaching and School Leadership's *Framework for Teacher Registration in Australia* outlines the national English language proficiency requirements.¹²¹ This framework requires an English language proficiency assessment if an applicant's qualifications for registration were not undertaken in English in Australia, New Zealand, the United Kingdom, the United States of America, Canada or the Republic of Ireland. Two tests (the International English Language Testing System and International Second Language Proficiency Ratings) are specified in the *Framework*. These must have been taken no more than three years prior to the time of application for registration.¹²²
- 3.81 The *Framework* also states that 'Teacher regulatory authorities have the discretion to consider specific claims by applicants for equivalence in meeting the English language proficiency level.'¹²³
- 3.82 NT Christian Schools supported the notion of flexibility in assessing English language proficiency, but noted their concern that the flexibility the Bill introduced in requirements for English language proficiency may 'impact the quality of the teaching profession, lower standards and impact literacy outcomes for students in the Northern Territory.'¹²⁴ They argued that 'Teaching experience or study in an English-speaking country does not always equate to classroom-ready proficiency or the communication demands of the teaching profession.'¹²⁵
- 3.83 As such, NT Christian Schools recommended that the Bill include evidence-based benchmarks for English proficiency aligned with the AITSL national framework.¹²⁶ At the public hearing, Alice Mustin further stated that they wanted the Board to be:

really transparent in those guidelines and that they post up the different tests, but to have it align with the national framework and to be transparent in those decisions so that we can have equity.¹²⁷

¹¹⁹ Independent Education Union – Queensland and Northern Territory Branch (IEUA-QNT), Submission No. 2, pp. 1-2.

¹²⁰ NT Principals' Association, Committee Transcript, 10 November 2025, p. 16.

¹²¹ Australian Institute for Teaching and School Leadership, *Framework for Teacher Registration in Australia*, p. 8, <https://www.aitsl.edu.au/docs/default-source/national-policy-framework/framework-for-teacher-registration-in-australia.pdf>.

¹²² Australian Institute for Teaching and School Leadership, *Framework for Teacher Registration in Australia*, p. 8, <https://www.aitsl.edu.au/docs/default-source/national-policy-framework/framework-for-teacher-registration-in-australia.pdf>.

¹²³ Australian Institute for Teaching and School Leadership, *Framework for Teacher Registration in Australia*, p. 8, <https://www.aitsl.edu.au/docs/default-source/national-policy-framework/framework-for-teacher-registration-in-australia.pdf>.

¹²⁴ NT Christian Schools, Committee Transcript, 10 November 2025, p. 11; NT Christian Schools, Submission No. 3, p. 2.

¹²⁵ NT Christian Schools, Submission No. 3, p. 2.

¹²⁶ NT Christian Schools, Submission No. 3, p. 2.

¹²⁷ NT Christian Schools, Committee Transcript, 10 November 2025, p. 11

- 3.84 Lisa Hirschausen told the Committee that the flexibility proposed by the Bill will allow the Board to look at a wider range of factors when making authorisation or registration decisions:

This change will also enable us, for example, to take into consideration the letters we get from principals who have been working with a teacher and have been working in a school setting. They have been able to identify through observations and working with the teacher that whilst perhaps they might not have met the standards in terms of the assessment, they still see they are able to teach and be understood by the students.¹²⁸

Recognition of Aboriginal language as a specialist subject

- 3.85 Authorisations to employ and teach are utilised when specific roles are hard to fill or specialised, allowing people who do not meet registration criteria to teach. The change to the Regulations extends the English language proficiency exemption provided for unregistered persons teaching a foreign language to unregistered persons teaching languages other than English, including Aboriginal languages. This recognition of Aboriginal languages as a specialist subject was supported by submitters.¹²⁹ The Committee heard from the Board that:

The shift from “foreign languages” to “languages other than English” enables the inclusion of Aboriginal language experts, preserving cultural knowledge.¹³⁰

- 3.86 However, several submitters saw a need for additional mechanisms to be developed to support the teaching of Aboriginal language and culture. The Association of Independent Schools NT emphasised that regulatory change alone was not sufficient to support Aboriginal language teaching. They spoke of the importance of ensuring that “there are the right structures in place to ensure that it opens pathways for Aboriginal language-speaking people.”¹³¹ Whilst the changes in the legislation may provide an easier pathway to authorisation for unregistered language teachers, Ian Smith advised the Committee that long-term it was important that people had a pathway towards *registration*, including the RATE programme:

My educated guess would be that it would help with the initial employment... At the moment, from my personal perspective, a good team is a teacher and an assistant teacher and using the strengths of both, but we want to see more qualified teachers from the local community. Those next steps are that there needs to be support in place for those local people to get through their qualifications.¹³²

- 3.87 Alice Mustin also submitted in favour of greater support and transition pathways to enable authorised persons to gain registration as a teacher. She noted that:

¹²⁸ Teacher Registration Board of the Northern Territory, Committee Transcript, 10 November 2025, p. 19.

¹²⁹ Director of the Teacher Registration Board of the Northern Territory, Submission No. 1, p. 1; Independent Education Union – Queensland and Northern Territory Branch (IEUA-QNT), Submission No. 2, pp. 2; NT Christian Schools, Submission No. 3, p. 2; Association of Independent Schools NT, Committee Transcript, 10 November 2025, p. 1.

¹³⁰ Director of the Teacher Registration Board of the Northern Territory, Submission No. 1, p. 1.

¹³¹ Association of Independent Schools NT, Committee Transcript, 10 November 2025, p. 1.

¹³² Association of Independent Schools NT, Committee Transcript, 10 November 2025, p. 3.

At Gawa Christian School we have eight Indigenous team teachers, three of whom have been teaching consistently. They are in a permanent role... One team teacher has expressed interest in becoming a fully registered teacher. We would like to see more culturally appropriate pathways and flexibility to support Aboriginal educators progressing toward full registration.¹³³

3.88 Similarly, the IEUA-QNT told the Committee that the use of alternative authorities to teach to meet demands for teaching of Aboriginal language was 'not adequate nor appropriate as a long-term solution to meeting needs.'¹³⁴ The IEUA-QNT proposed that an alternative registration category be developed for teachers of Aboriginal languages, similar to proposals for a 'two-category' model for EC registration.

3.89 The IEUA-QNT outlined some key requirements of such a pathway:

- Recognition that First Nations Language work is inextricably connected to local cultures and peoples and requires connection to local communities and country.
- Recognition of First Nations Language work as a professional undertaking that requires significant knowledge, skills and experience.
- Recognition that there are few, if any, formal qualifications in First Nations languages in most jurisdictions and, even where these exist, local individuals and communities may not view these as prerequisites to teach language and culture in schools.¹³⁵

3.90 As such, Adele Schmidt recommended to the Committee that the consultation was necessary with Aboriginal communities to 'determine how to approach regulation in this sector'.¹³⁶ Adele Schmidt noted that not all Aboriginal peoples who gain authorities to teach want to become a fully registered teacher:

We would support pathways that enabled [authorised language teachers] to transition into full teacher registration, recognising also that we have heard from some of our First Nations members that they do not necessarily want to be registered teachers with the teacher registration authority; they just want to teach their language and culture, which highlights the complexity of the situation and why there perhaps needs to be more consultation and discussion and less reliance on things that were not built for purpose.¹³⁷

3.91 Adele Schmidt also advised that the IEUA-QNT supported consultation to develop a similar transition pathway to registration for persons who teach Vocational Education and Training through alternative authorisation pathways.¹³⁸

3.92 When asked about the possibility of developing an alternative category for registration of Aboriginal language teachers, the Department advised that nationally agreed minimum requirements for registration would still bar registration, even if there was an alternative category:

¹³³ NT Christian Schools, Committee Transcript, 10 November 2025, p. 10.

¹³⁴ Independent Education Union – Queensland and Northern Territory Branch (IEUA-QNT), Submission No. 2, p. 2.

¹³⁵ Independent Education Union – Queensland and Northern Territory Branch (IEUA-QNT), Submission No. 2, p. 2.

¹³⁶ Independent Education Union – Queensland and Northern Territory Branch, Committee Transcript, 10 November 2025, p. 6.

¹³⁷ Independent Education Union – Queensland and Northern Territory Branch, Committee Transcript, 10 November 2025, p. 8.

¹³⁸ Independent Education Union – Queensland and Northern Territory Branch, Committee Transcript, 10 November 2025, p. 6.

the whole reason we have that authority to employ an unregistered person is because those people do not have the required qualifications or the other requirements as published in the national framework for teacher registration, so even if we had those separate categories, those particular teachers still would not be able to be registered because they do not meet those national standards.¹³⁹

- 3.93 The Committee further discussed with the Department the process surrounding authorisations for teaching Aboriginal languages. The Committee was advised that there is not currently any framework to assess the proficiency of unregistered people seeking authorisation to teach Aboriginal languages:

In terms of level of language proficiency, there is not a particular framework that we use other than the standard that we use for our teaching assistants in our schools. There are some places that I think we could tighten up in that area. Certainly, under an authority to teach, part of the evidence that the Teacher Registration Board would look at would be the language proficiency—if there is any evidence of that. I totally appreciate that may not be the case. That is something we could strengthen in this process.¹⁴⁰

- 3.94 Instead, the Department told the Committee that authorisation decisions relied on local decision-making around the competence and proficiency of an unregistered person. They stated that:

When decisions like that are made, they are generally made in consultation with the wider staff that we have in there. We have in all of our remote schools significant numbers of assistant teachers. Many of them have many years' experience... in the community who are native language speakers there. They are our source of consultation to make sure that when someone is coming in they have the depth to be able to communicate that and the nuance of the languages...¹⁴¹

- 3.95 The Committee notes that there were 5527 registered teachers in the NT in 2023, and 238 unregistered persons authorised to teach.¹⁴² This means that around 4.3% of the teaching workforce were doing so under an authority to teach in 2023. It is unclear what proportion of those authorisations were for teaching Aboriginal languages.

Committee's Comments

- 3.96 The Committee notes that the changes in the Bill align the qualification requirements with AITSL requirements, which the Committee considers to be the appropriate body to determine requirements for accreditation and qualification.
- 3.97 The Committee notes that, currently, the Board has no regulatory flexibility in assessing English language proficiency.¹⁴³ As AITSL's *Framework for Teacher Registration in Australia* provides for TRAs to have discretion in assessing a person's English language proficiency, the Committee considers it appropriate

¹³⁹ Department of Education and Training, Committee Transcript, 10 November 2025, p. 26.

¹⁴⁰ Department of Education and Training, Committee Transcript, 10 November 2025, p. 25.

¹⁴¹ Department of Education and Training, Committee Transcript, 10 November 2025, p. 25.

¹⁴² Teacher Registration Board of the Northern Territory, *2023-24 Annual Report*, 2024, pp. 25-32, <https://www.trb.nt.gov.au/system/files/uploads/files/2025/Teacher%20Registration%20Board%20of%20the%20Northern%20Territory%20-%202023-24%20Annual%20Report.pdf>.

¹⁴³ NT Christian Schools, Committee Transcript, 10 November 2025, p. 11.

that this Bill provides for a mechanism for the Board to do so. Noting that there are ongoing plans to develop guidance regarding the implementation of the Bill, the Committee considers that it would be appropriate for guidance to include acceptable forms of evidence of English language proficiency.

Recommendation 5

The Committee recommends that the departmental guidelines include criteria for assessing English language proficiency.

Other Matters

Explanatory Statement

3.98 During the course of its scrutiny, the Committee observed two drafting errors in the Explanatory Statement to the Bill.

- Page 3 of the Explanatory Statement explains that Clause 9 amends Section 30 of the Principal Act to make it clear that to be eligible for registration a person must have been awarded a qualification ‘prescribed in qualification 4.’ The Committee notes this is a typographical error. This should refer to regulation 4 rather than qualification 4.
- Page 7 of the Explanatory Statement explains that Clause 25 of the Bill inserts new regulation 9A into the Regulations. However, Clause 25 repeals and replaces regulation 7 (prescribed periods for terms of registration) to align legislative references with newly inserted sections in the Principal Act. It is noted that new regulation 9A is inserted by Clause 26.

Committee’s Comments

3.99 The Committee emphasises the importance of explanatory statements as a source of understanding the law, and as extrinsic material to guide with interpretation by the courts.¹⁴⁴ In this regard, the Committee considers that the Explanatory Statement should accurately reflect the policy intent of the Bill. Accordingly, the Committee considers that the errors should be corrected.

Recommendation 6

The Committee recommends that the explanation of Clause 9 in the Explanatory Statement is amended to correct a drafting error by replacing ‘qualification 4’ with ‘regulation 4’.

Recommendation 7

The Committee recommends that the Explanatory Statement is amended to explain the effect of Clause 25.

¹⁴⁴ *Interpretation Act 1978*, s 62B(2)(e).

Appendix 1: Submissions Received

Submissions Received

1. Director of the Teacher Registration Board of the Northern Territory
2. Independent Education Union Queensland and Northern Territory Branch
3. NT Christian Schools
4. Northern Territory Principals' Association
5. Association of Independent Schools of the Northern Territory

Note: Copies of submissions and public briefing transcripts are available at: <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/41-2025>.

Appendix 2: Public Hearings

Darwin – 10 November 2025

Association of Independent Schools of the Northern Territory

- Cheryl Salter – Executive Director
- Ian Smith – Director of Independent Indigenous Schools

Independent Education Union Queensland and Northern Territory Branch

- Adele Schmidt – Research Officer

NT Christian Schools

- Alice Mustin – Chief Executive Officer
- Phillip Leslie – Former Chief Executive Officer

Northern Territory Principals' Association

- Leah Crockford – NTPA Darwin Chapter Chair, Principal Leanyer Primary School

Teacher Registration Board of the Northern Territory

- Lisa Hirschausen – Acting Director
- Rachel Boyce – Board Member

Department of Education and Training

- Susan Bowden – Chief Executive
- Tony Considine – Deputy Chief Executive, Strategic and Business Services
- Victoria Eastwood – Senior Director, Strategic Policy
- Michelle Wright – Acting Director, Strategic Policy and Reform

Note: Copies of submissions and public briefing transcripts are available at: <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/41-2025>.

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Dissenting Report: Mr Chanston Paech MLA



**Chair
Legislative Scrutiny Committee
Northern Territory Legislative Assembly**

Dear Chair and Members of the Committee,

I am writing to acknowledge and thank the Legislative Scrutiny Committee for its ongoing work throughout the year, and in particular for the effort invested in the recent public hearing into the *Teacher Registration (Northern Territory) Legislation Amendment Bill 2025* given the short timeframes allocated by the NT Government. The commitment shown by my fellow Committee members in examining this Bill is greatly appreciated.

While I am broadly supportive of several aspects of the Bill and the intent to strengthen the teacher registration framework in the Northern Territory, I do provide this dissent and wish to place on record a number of concerns that have been raised and also reflected in the evidence presented at the public hearing.

A significant theme that emerged from witness testimony was unease regarding the consultation process. Multiple witnesses expressed concerns about the limited timeframes and the lack of meaningful engagement during the consultation period. Many felt that the process did not allow for genuine, comprehensive or culturally appropriate input, and some perceived that the Bill had been progressed too quickly which presented submitters with an uncomfortable position and left some submitters compromised in certain areas.

I also wish to highlight the concerns raised about the perceived independence of the Teacher Registration Board. Several witnesses noted that the Board risks being seen as an extension of the Department of Education rather than as an independent statutory authority. This perception, if left unaddressed, could undermine public confidence in the Board's impartiality and decision-making processes.

Importantly, much of the testimony strongly supported the invaluable contribution of First Nations Territorians within our education system. Witnesses provided firsthand accounts of the strength, cultural knowledge and educational capability that First Nations educators and support staff bring to classrooms and communities across the Territory. However, while there was broad support for improvements within the Bill, many also raised concerns about the lack of clear pathways for First Nations Territorians to become qualified teachers and progress within the education workforce.

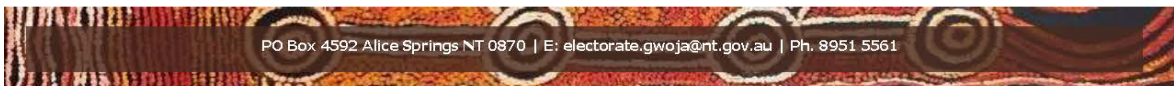
Furthermore, there is currently no recognised accreditation process within the Department of Education to formally acknowledge the language proficiency of Indigenous support staff and educators. At present, this is largely left to individual schools to assess, leading to inconsistency and missed opportunities. I strongly encourage the Department of Education to work with the Aboriginal Interpreter Service and relevant stakeholders to establish a recognised and culturally informed accreditation process.

Ensuring that First Nations language speakers have their skills formally recognised would not only support professional development but also expand local employment opportunities and strengthen bilingual education across our communities.

Once again, I thank the Committee for its thorough approach to scrutinising the Bill and for providing a platform for these important issues to be heard. I look forward to continuing to engage constructively as the Committee finalises its report and as we work collectively to ensure that our education system is fair, culturally responsive and genuinely reflective of the voices of Territorians.



Yours sincerely,
Chansey Paech MLA
Member for Gwoja



Dissenting Report: Justine Davis MLA

Justine Davis MLA

Independent Member for Johnston

Alawa - Jingili - Millner - Moil

integrity | action | community



19/11/25

Dear Chair and Members of the Legislative Scrutiny Committee,

Re : Teacher Registration (Northern Territory) Legislation Amendment Bill 2025,

I acknowledge the work of the Legislative Scrutiny Committee and the Committee Secretariat for their diligent work in examining this Bill and preparing a report for Parliament.

I provide this additional report, noting that I support the Committee's recommendation that the Legislative Assembly pass the Bill without amendment, and I endorse all seven recommendations contained in the Committee's report.

I also wish to place on the record some additional concerns, based on the submissions and the inquiry.

While I support the passage of the Bill, I note that of approximately 13 distinct concerns raised by stakeholders, only 3-4 are substantively addressed through Committee recommendations, specifically: Equivalency criteria for qualifications (Recommendation 2) although not as comprehensively as NTPA requested, information sharing guidance (Recommendation 3), English language proficiency criteria (Recommendation 5) and explanatory Statement amendments (Recommendations 4, 6, 7)

Many other concerns were not fully addressed including:

- Early Childhood specialist registration category
- Conditional registration model concerns
- Qualification standards erosion risk
- Transitional period flexibility
- Alternative registration categories for Aboriginal language/VET teachers
- Mandatory Aboriginal community consultation
- Formal Indigenous language proficiency accreditation
- Specific governance independence mechanisms
- Implementation plan publication requirement
- Administrative safeguards for renewals



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- Authority to employ transparency measures
- Consultation process concerns

There were specific concerns and recommendations made by stakeholders in all of these areas.

Noting the lack of time for adequate consultation these issues were not fully explored or addressed. However, I include below recommendations where stakeholders were either in agreement or where the recommendation would not disadvantage those who did not specifically request it. I note they focus on transparency, process, consultation, and implementation support rather than fundamental policy changes to the Bill's approach.

1. Transitional Period Flexibility

RECOMMENDATION:

That the regulations provide for targeted extensions to the 12-month transitional exemption period where circumstances warrant, particularly for remote schools and educators undergoing equivalency or bridging pathways, with clear criteria for when such extensions may be granted.

This was explicitly supported by the Northern Territory Principals' Association and the Association of Independent Schools NT (noting remote context challenges)

Other witnesses noted 12 months was sufficient for their contexts but did not oppose flexibility for others (NT Christian Schools, Association of Independent Schools NT)

2. Indigenous Language Proficiency Accreditation Framework

While the Bill's recognition of Aboriginal languages as specialist subjects was welcomed, there were concerns that this change alone does not create meaningful pathways for Aboriginal language teachers to be properly recognised and supported. The evidence revealed that there is no framework for formally assessing Aboriginal language proficiency, no culturally appropriate pathways toward full registration, and insufficient consultation has occurred with Aboriginal communities about what appropriate regulation should look like. The current authority-to-employ arrangement, while necessary, is not an adequate long-term solution for recognising the vital work these educators perform in preserving and teaching Aboriginal languages and culture.

I strongly urge the Department of Education to commit to meaningful consultation with Aboriginal communities, language centres, and Aboriginal-controlled education services as these reforms are implemented. Additionally, I call on the Department to work urgently with the Aboriginal Interpreter Service to establish a formal, culturally informed accreditation process for Indigenous language proficiency. A Territory-wide framework would support professional development, expand local employment opportunities, strengthen bilingual education, and provide the recognition that Aboriginal language educators deserve. This goes to the heart of how we value and preserve Aboriginal languages and cultures in the Territory.

RECOMMENDATION:

That the Department of Education work with the Aboriginal Interpreter Service and relevant stakeholders to establish a formal, culturally informed accreditation process for assessing



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Indigenous language proficiency, to provide consistency across the Territory and formal recognition of language expertise.

This was explicitly supported by the Independent Education Union - QNT (through their Yubbah Action Group), the Northern Territory Principals' Association (who noted the current lack of framework). NT Christian Schools commended recognition of Aboriginal languages)

I note that the Department acknowledged "*there are some places that I think we could tighten up in that area*" and that currently "*there is not a particular framework that we use*" for assessing language proficiency.

3. Meaningful Consultation with Aboriginal Communities

RECOMMENDATION:

That the Department of Education commit to meaningful consultation with Aboriginal communities, language centres, and Aboriginal-controlled education services regarding appropriate pathways and regulatory approaches for Aboriginal language and culture educators before full implementation of the registration reforms.

This was explicitly recommended by the Independent Education Union - QNT noting ongoing discussions via Yubbah Action Group), and all stakeholders raised concerns about the rushed consultation process.

4. Governance Independence Transparency Mechanisms

During our public hearing, we heard substantive concerns from the Association of Independent Schools NT, NT Christian Schools, and the NT Principals' Association about whether the proposed arrangements adequately preserve the independence of the Board and the Director in their regulatory functions.

The core concern raised was structural: when the Director of the regulatory body is employed by and performance-managed by the Chief Executive of the Territory's largest employer of teachers, there is an inherent tension that could affect- or be perceived to affect- the impartiality of regulatory decisions.

Representatives from the non-government education sector were particularly concerned that their schools and teachers might be treated differently than government schools in regulatory matters, or that departmental policy priorities might influence registration decisions in ways that disadvantage their sector.

I acknowledge the assurances provided by both the Department and the Board that the proposed arrangements clarify rather than change existing practice, and that the Board's independence in regulatory decision-making will be preserved. I also recognise the practical and financial constraints that make a fully independent statutory authority difficult in the Northern Territory context.

However, I note that perceptions of independence matter in regulatory settings, and the concerns raised by multiple stakeholders should not be dismissed simply because similar arrangements exist elsewhere or have worked adequately to date. The teaching profession - across all sectors - needs



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confidence that registration decisions are made impartially and that the regulatory body operates independently from employer interests.

I encourage the Department and the Board to give careful attention to how potential conflicts between regulatory and employment functions are identified and managed in practice, and to ensure transparent communication about the safeguards in place to protect the Board's independence. This will be particularly important as the Board takes on the additional regulatory responsibility for early childhood teachers and as information-sharing arrangements with other jurisdictions increase the visibility and consequences of registration decisions.

RECOMMENDATION:

That the Department of Education and the Teacher Registration Board publish guidance on how potential conflicts between regulatory and employment functions are identified and managed in practice, including:

- Processes for managing conflicts of interest
- Safeguards protecting the Director's independence in regulatory decision-making
- Reporting mechanisms for concerns about impartiality
- Regular independent review of the Board's operations

This was supported by the Association of Independent Schools NT (who requested clarification of accountability arrangements), NT Christian Schools (who requested clarification of the Director's reporting arrangements) and the Northern Territory Principals' Association (who sought clarity on roles and responsibilities)

Consultation concerns

A consistent theme throughout the evidence we received was concern about the adequacy of consultation, both in the development of the Bill and in the timeframes provided for our inquiry process.

Multiple witnesses indicated they felt the consultation period did not allow for comprehensive or culturally appropriate input, particularly in relation to how the reforms would affect remote and Aboriginal community contexts. Some submitters conveyed that they were placed in an uncomfortable position, feeling unable to fully articulate their concerns or engage meaningfully with the policy proposals before positions were finalised.

This is a missed opportunity for significant reform and I therefore include some of them here to ensure they are on the public record.

I also urge the Department of Education to approach the implementation phase with genuine openness to ongoing feedback, particularly from remote schools, Aboriginal community-controlled education services, and educators working in early childhood services outside major centres. The success of these reforms will depend on how well they work in practice across the Territory's diverse contexts, not just in urban settings.



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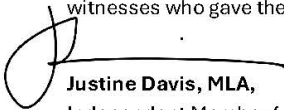


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Conclusion

Despite these concerns, I support the Committee's recommendation that the Assembly pass the Bill. The reforms contained in this legislation are necessary and important, and I place these additional comments on record to ensure that the concerns raised by stakeholders during our inquiry are not lost, and to signal my expectation that these matters will be taken seriously as the reforms are implemented.

Once again, I thank the Committee Chair, my fellow Committee members, and the Committee Secretariat for their professionalism and dedication throughout this inquiry. I also thank all the witnesses who gave their time and expertise to help us better understand this important legislation.



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Independent Member for Johnston
Legislative Scrutiny Committee



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