

# Explanatory Statement

## Teacher Registration (Northern Territory) Legislation Amendment Bill 2025

### SERIAL NO. 41 LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

#### MINISTER FOR EDUCATION AND TRAINING

#### GENERAL OUTLINE

This Bill amends the *Teacher Registration (Northern Territory) Act 2004* (the Act) and the *Teacher Registration (Northern Territory) Regulations 2004* (the Regulations).

This Bill will achieve the following key reforms:

- 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.
- 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.
- 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.
- 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'.
- 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 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.

#### **NOTES ON CLAUSES**

##### **Clause 1. Short Title.**

This is a formal clause which provides for the citation of the Bill. The Bill when passed will be cited as the *Teacher Registration (Northern Territory) Legislation Amendment Act 2025*.

**Clause 2. Commencement.**

This clause sets out how the *Teacher Registration (Northern Territory) Legislation Amendment Act 2025* (the amendment Act) will be commenced. In this case, the amendment Act (except Part 3) will commence on the day after the day the Administrator declares his assent. Commencement of Part 3 of the amendment Act will occur by notice given by the Administrator in the *Northern Territory Government Gazette* or by 1 September 2026, whichever occurs first.

**Clause 3. Act amended**

This is a formal clause which provides that Division 1 (of Part 2) of this Bill amends the Act.

**Clause 4. Section 4 amended (Definitions)**

This clause provides for a new definition for regulatory authority. A regulatory authority is the person declared under the *Education and Care Services (National Uniform Legislation) Act 2011* (the National Law) to be the regulatory authority overseeing education and care in each jurisdiction. In the NT, the regulatory authority is the Chief Executive Officer of the Department of Education and Training. The definition was necessary to support new information-sharing provisions at clauses 5 and 17.

This clause also includes a technical amendment in the form of a note inserted at the end of section 4 referencing the *Interpretation Act 1978*. It is current practice to add this standard note at the end of the definition section in Acts to alert readers to the application of the *Interpretation Act 1978* and the default definitions contained within it.

**Clause 5. Section 12 amended (Power of Board)**

This clause is a consequential amendment because of new provisions that enable the Board to share information with regulatory authorities at clause 17. Section 12(2)(c) is amended to include regulatory authorities as an entity with which the Board can share information.

**Clause 6. Section 14 amended (Director)**

This clause amends section 14 to clarify that the Director of the Board is a public sector employee employed within the Agency. The reference to 'public sector employee' does not include the Chief Executive Officer by reason of the definitions in section 17 of the *Interpretation Act 1978* and section 3(1) the *Public Sector Employment Management Act 1993* (PSEMA).

As the Director is a statutory officer established by section 14 and a public sector employee, the person holding this office will simultaneously be subject to statutory functions under the Act and be subject to public sector employment principles and the management and disciplinary principles of the PSEMA. To this point, this clause further clarifies the Chief Executive Officer of the Agency is excluded from holding the position of Director. This ensures the independence of this position from the Agency's CEO with regards to the Director's statutory functions.

Further to this, subsection (2) is amended to clarify the Director is subject to the direction of the Board only regarding the performance of the Director's functions under the Act. The Chief Executive Officer will remain responsible for the Director's performance management under the PSEMA.

**Clause 7. Section 14A inserted**

This clause inserts a new section, 14A Staff and facilities of the Board, that clarifies the responsibilities of the Chief Executive Officer of the responsible agency. This includes responsibility to provide staff, facilities and other supports. This is a technical amendment that clarifies the policy intent of the Act.

**Clause 8. Section 25B inserted**

This clause is a technical amendment that clarifies the intent of the Act that the Minister can direct the Board. The clause inserts a new section, 25B Ministerial directions to the Board. The new provisions clarify the Minister's power to set policy, performance and accountability expectations of the Board, while maintaining the Board's independence with regards to regulation of the teaching profession. While the Minister can direct the Board in relation to the exercise of the Board's powers and performance of its functions under the Act, the Minister cannot give a direction in relation to an individual person, including an authorised person or a registered teacher; a person's application for registration, re-registration, or authorisation; or a complaint, investigation, or enquiry; or any disciplinary action being taken against a particular person under the Act.

**Clause 9. Section 30 amended (Eligibility for full registration)**

This clause provides the eligibility requirements a person must meet to be eligible for full registration as a teacher in the NT. This clause amends section 30 by replacing the words 'the prescribed qualifications for registration' with 'a qualification prescribed by the regulations'. This is a technical amendment to clarify the language used. This amendment makes it clear that the person must have been awarded at least one of the qualification options that are prescribed in qualification 4.

**Clause 10. Section 33 amended (Application for registration)**

This clause addresses a minor drafting error by clarifying that the prescribed regulations are those prescribed for section 30(a) of the Act (eligibility for full registration).

**Clause 11. Section 36 amended (Decision of Board)**

Section 36 of the Act provides for the Board's decision-making process when determining a new application for registration as a teacher. Currently under section 36 the Act, all teacher registrations expire at the end of the specified calendar year nominated for each teacher registration (i.e. 31 December of the specified year). Further, the Act is currently silent on when a teacher's registration commences.

The 31 December expiry date has proven problematic in the past due to the teacher registration renewal and fee payment process for all teachers occurring during an extended holiday period with shutdown times and public holidays. This has resulted in many teachers not having their teacher registration renewed in time for Term 1.

This clause amends section 36 by replacing section 36(2) with new provisions that clarify when the registration period will commence (that is, either on the date the registration is granted or on a later date that is determined by the Board). The previous expiry of 'end of a specified calendar year' is replaced by 'a date determined by the Board'. A new subsection, (2A), is included that ensures that the date determined by the Board cannot exceed the maximum durations that are currently set in the legislation for both provisional and full registration.

**Clause 12. Section 39 amended (Decision of Board)**

Section 39 of the Act provides for the Board's decision-making process when determining an application to renew a registration as a teacher. This clause is a consequential amendment because of the amendments in clause 11.

Similarly, this clause amends section 39 by replacing section 39(3) with new provisions that clarify when the re-registration period will commence (that is, either on the day after the date on which the current registration ends if renewal occurs prior to the previous term lapsing; or the date on which the renewal is granted if the previous registration has already lapsed; or a date otherwise determined by the Board). The previous expiry of 'end of a specified calendar year' is replaced by 'a date determined by the Board'. A new subsection, (3A), is included that ensures that the date determined by the Board cannot exceed the maximum durations that are currently set in the legislation for both provisional and full registration.

**Clause 13. Section 41 amended (Employer may apply for authorisation)**

Under section 41 of the Act an employer may apply to the Board for an authorisation to employ an unregistered person who does not meet all the eligibility criteria for registration; however, has other specific knowledge, skills and experience related to teaching. Presently, the maximum period an employer may employ an unregistered teacher under an authority is limited to the end of the calendar year in which the employer makes the application. This limitation is creating unnecessary administrative burden where a person is employed to teach a specialist subject on a contract that is longer than the calendar year (for example, a Vocational Education and Training (VET) trainer). This clause amends section 41 by removing the end of the calendar year limitation.

This clause also addresses a drafting error. Presently at section 41(3)(a)(i), an application seeking approval to employ an unregistered person as a teacher was required to include the criminal history of the applicant. Applicant has been replaced with 'unregistered person', as it is the criminal history of the unregistered person that is required to be submitted with the application (not the criminal history of the employer, who is the applicant in this case).

**Clause 14. Section 42 amended (Decision of Board)**

Section 42 of the Act provides for the Board's decision-making process when deciding the outcome of an application for an authorisation to teach. This clause is a consequential amendment resulting from the removal of the calendar year limitation at clause 13.

This clause amends section 42 by inserting new subsections (4), (5) and (6). These provisions enable the Board to determine the period for which the authorisation will be in effect. The Board may not exceed a maximum period of two full years when setting the expiry date, unless a longer period is prescribed by the Regulations. The two-year limit will trigger reassessment of the authority to ensure the circumstances still meet requirements. The ability to set longer periods in the Regulations may provide benefit for certain classes of specialist teachers, such as VET trainers.

**Clause 15. Section 43 amended (Notice of decision)**

Section 43 of the Act provides for the notices the Board must provide on the outcome of an application for an authorisation to employ an unregistered person to teach. This clause is a consequential amendment resulting from the removal of the calendar year limitation at clause 13. Section 43 is amended so that the Board must include the period for which the authorisation is in effect in the written notices provided to the applicant of an authorisation, and the related unregistered person.

**Clause 16. Section 45 replaced**

This clause is a consequential amendment resulting from the removal of the calendar year limitation at clause 13. Section 45 provides clarification that an authorisation to employ an unregistered teacher granted under section 42 cannot be rolled over to a new term without undergoing re-assessment. If the employer wishes for the authorisation to continue, a new application must be submitted on the expiry of the original authorisation. The section has been re-drafted to contemporise the language and to remove references to the previous limitation of calendar year.

**Clause 17. Sections 66F and 66G inserted**

This clause inserts two new sections, section 66F Board may share information with corresponding registration authority, and section 66G Board may share information to prevent harm. These provisions 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.

The provisions in section 66F will enable the Board to share information collected and recorded in the NT's register of teachers (both public and non-public information) with a corresponding teacher registration authority to assist with the regulation of teachers in the corresponding authority's jurisdiction. A provision is included at subsection (3) to clarify that the information-sharing provisions do not affect any other specific requirement that may be imposed on the Board to share that same information in particular circumstances. For example, the requirement for the Board to share the same information under section 37(1) of the *Mutual Recognition Act 1992* (Cth).

The provisions in section 66G will enable the Board to proactively share relevant information with teacher registration authorities and regulatory authorities in other jurisdictions to prevent harm to a child if the Board reasonably believes a teacher registered or previously registered in the NT, or a person authorised to teach under an authority may pose a risk of harm to a child in that jurisdiction.

**Clause 18. Section 74 amended (Accreditation of teacher education courses)**

Section 74 prescribes the process a higher education institution must follow to ensure the education courses specialising in primary and secondary school education (initial teacher education courses) offered by the institution meet the standards required for primary and secondary school education in Australia. Presently, teacher registration authorities in all jurisdictions are required to accredit the initial teacher education courses offered by higher education providers in their jurisdictions. The Australian Institute for Teaching and School Leadership (AITSL) have developed the Accreditation of initial teacher education programs in Australia: Standards and Procedures (accreditation standards) which is applied when assessing an initial teacher education course to ensure the course meets national minimum standards.

This clause amends section 74 to provide clarity that the Board must use the accreditation standards when assessing initial teacher education courses provided by NT higher education institutions. This amendment ensures that the qualifications prescribed in regulation 4(2)(a)(i) of the amendment Act (see clause 21) will align with the minimum qualification requirements in the Framework for Teacher Registration in Australia. This amendment will ensure NT qualification requirements are consistent with other jurisdictions.

**Clause 19. Section 79 amended (Annual report)**

This clause contains a consequential amendment because of clarifying the Minister's power to set policy, performance and accountability expectations of the Board under clause 8. This clause amends section 79 to require the Board to report on any written directions given to the Board by the Minister in the relevant financial year, and any progress towards implementing those directions.

**Clause 20. Regulations amended**

This is a formal clause which provides that Division 2 (of Part 2) of the Bill amends the Regulations.

**Clause 21. Regulation 2AA inserted**

This clause inserts a new definition for 'national regulations'. This definition is a consequential amendment resulting from aligning the minimum qualifications required for full registration as a teacher with the National Framework (see clause 22). The national regulations means the Education and Care Services National Regulations made under the *Education and Care Services National Law* (NT).

**Clause 22. Regulation 4 amended (Qualifications for registration)**

Regulation 4 prescribes the qualifications a person is required to have to be eligible for full registration as a teacher under section 30(a) of the Act. The effect of the amendment is to align qualification requirements with the National Law, including the recognition of all teacher education qualifications accredited by the Board and other teacher registration authorities in other jurisdictions using the national standards; the recognition of all teacher education qualifications approved by the Australian Children's Education and Care Authority under the National Law; and the recognition of overseas or historic qualifications assessed as equivalent.

To achieve this in a way that provides optimal clarity, the regulation has been re-written. Subregulation (1) provides that regulation 4 prescribes the qualifications a person must hold for registration as a teacher for the purpose of section 30(a) (eligibility for full registration) of the Act. Subregulation (2) provides for the different qualification types that are accepted.

This includes at paragraph (a)(i) any teacher education course provided in the NT that has been accredited by the Board under section 74 of the Act. This may include a four-year accredited teacher initial education course, or a combination of an accredited alternative teaching qualification (e.g. a post graduate qualification such as as a Masters degree) and any other degree issued by a higher education institution.

Paragraph (a)(ii) provide for those qualifications issued in a recognised jurisdiction (a state or territory of the Commonwealth or New Zealand) that is nationally accredited against the standards, or qualifications that have otherwise been approved by the registration authority in the recognised jurisdiction as being acceptable for registration as a teacher.

Paragraph (b) of subregulation (2) provides for early childhood teaching qualifications that are approved by the Australian Children's Education and Care Authority under the national regulations.

Paragraph (c) of subregulation (2) provides for qualifications that are assessed by the Board as being equivalent to an accredited teacher education course. This provision enables the Board to assess qualifications awarded by overseas institutions (i.e. awarded in an overseas country other than New Zealand) by way of reference to subregulation (3); and enables the Board to accept an overseas qualification that has been assessed as equivalent by a teacher registration authority in a recognised jurisdiction by way of reference to subregulation (4).

Paragraph (d) of subregulation (2) provides for the recognition of historic qualifications that do meet the requirements already established under subregulations (2)(a) or (2)(c). A historic qualification may have been awarded under a previous law of any recognised jurisdiction. To be recognised, the person holding the historic qualification must have previously been registered and have prior, relevant teaching experience.

Subregulation (5) provides definitions for accreditation body, approved early childhood teaching qualification, and a recognised jurisdiction.

**Clause 23. Regulation 5 amended (Competence to teach)**

Regulation 5 prescribes how the Board assesses competency to teach. Sub regulation (1) prescribes how competency to teach is assessed for the purpose of eligibility for full registration under section 30(c) of the Act and sub regulation (2) prescribes how competency to teach applicable subjects is assessed by the Board when deciding an application for an authorisation under section 42(2)(b) of the Act. The regulation incorrectly refers to section 42(1)(b) instead of section 42(2)(b) and this drafting error is addressed.

Regulation 5(3) provides an exemption for a person under an authority to teach to meeting English language proficiency requirements if that person is only authorised to teach a foreign language. Subregulation (3) has been re-worded to contemporise the language and replaces the term 'foreign languages' with 'languages other than English'. This amendment clarifies that Aboriginal languages are included for the purpose of the exemption.

Regulation 5(4) provides for what the Board must have regard to when assessing if a person is proficient in English for the purpose of being awarded full registration under section 30(c) of the Act; and when assessing if a person is proficient in English for the purpose of issuing an authorisation under section 42(2)(b). A technical amendment is included to clarify that subregulation 4(a) is relevant to an application for registration. This amendment provides clarity and does not alter the original intent of the provision.

Presently, the Board is unable to consider evidence of a person's English language proficiency other than an approved English language test or if the person studied their teaching qualification in an approved English-speaking Country. Regulation 5 is further amended by the insertion of an additional paragraph under subregulation (4); and the addition of subregulation (5) which provide the Board with greater flexibility when assessing a person's English language proficiency. Paragraph (c) of subregulation (5) provides for some additional evidence the Board may apply in determining a person's competency in the English language, including if a person has worked or undergone schooling in an English-speaking country; or if the person holds other tertiary qualifications awarded in an English-speaking country. Subregulation (5) will enable the Board to consider other matters or circumstances that the Board considers relevant as evidence towards demonstrating a person's English language proficiency. These amendments provide the Board with greater flexibility when assessing English language proficiency and aligns the NT with the requirements in other jurisdictions.

Subregulation (4)(b) provides the Board with the ability to advise in the *NT Government Gazette* other English language tests approved by the Board for the purpose of assessing a person's English language proficiency. In circumstances where a body is required to provide notice in the Gazette of a change in policy, it is a more modern approach to require the body to publish the policy on the body's webpage, rather than in the Gazette. Subregulation (4)(b) is amended to replace the reference to the requirement to publish notice in the *Gazette* with a new subregulation, (6), which requires the Board to publish all approved English language tests on the Board's website.

**Clause 24      Regulation 6 amended (Professional experience and currency of practice for full registration).**

Regulation 6 prescribes the professional experience and currency of practice required for full registration under section 30(d) of the Act. Under the Regulations, prior to this amendment, a person was required to demonstrate at least 180 days full-time service (or part-time equivalent) within the five-year period immediately before the application date. The Framework for Teacher Registration in Australia sets the standard for professional experience and currency of practice to be 100 days of professional practice in the previous five years. Clause 24 amends regulation 6(1) by reducing the days from 180 to 100. This amendment aligns the NT with the National Framework and other jurisdictions.

**Clause 25.      Regulation 9A inserted**

This clause is a consequential amendment because of the amendment to section 74 under clause 18. The new regulation 9A identifies the prescribed standards as the Accreditation of initial teacher education programs in Australia: Standards and Procedures, as published from time to time by the Australian Institute for Teaching and School Leadership.

**Clause 26. Regulation 10 replaced (Registration fees)**

Regulation 10 prescribes the registration fees payable for the purpose of section 40A (payment of registration fees) of the Act. This is a consequential amendment because of the amendments in clause 11 that remove the end of the calendar year (31 December) expiry date for teacher registrations. The clause repeals the previous regulation and replaces it with new provisions that omit the reference to the annual registration fee falling due no later than 31 December of the previous registration year.

Provisions are also included at subsection (3) that better reflect the payment options available to teachers that are presently provided by the Board. This includes the ability to pay in advance for the first year on application and any subsequent year(s) annually as agreed to between the teacher and the Board. The teacher will receive written notice from the Board prior to the fee falling due advising of the amount and date the payment is due to be paid. This aligns with current flexible payment options that are offered by the Board.

Subregulation (5) provides a definition of registration year, including each year in the term of the registration, and, if the term of registration is for, or includes part of a year, the part of the year. This amendment also reflects current practice where, if a teacher applies for teacher registration after 1 October in a given year, that part of the year is rolled into the following year for the purpose of charging the 75-revenue unit fee (i.e. the teacher is only charged 75 revenue units for the full period). If the teacher applies for registration prior to 1 October in a given year, the teacher is charged 75 revenue units for the part year up until October of the given year.

This amendment reflects current practice.

**Clause 27. Schedule amended (Application fees)**

The Schedule to the Regulations provides for the application fees applicable to the type of application. Schedule items 2(a), 2(b) are amended because of re-drafting the qualification requirements at clause 22. The amendments replace old referencing with the new references to the relevant qualification provisions.

The amendment at item 5(a) is a consequence of removing the end of year limitation on an application for an authorisation to employ an unregistered person to teach under section 41 of the Act. Item 5(a) is updated to reflect that an application for one year or less will attract a 75-revenue unit fee. An application for a two-year authorisation will attract a 115-revenue unit fee. The revenue unit fees for the applications remain unchanged.

**Clause 28. Act amended**

This is a formal clause which provides that Division 1 of Part 3 of the Bill amends the Act. Part 3 of the Act contains those amendments that will commence via *Gazette* notice (refer clause 2).

**Clause 29. Section 4 amended (Definitions)**

This clause inserts a new definition for 'early childhood service' and a reference to a new definition for 'teach' at section 4A inserted by clause 30. This clause also amends the definition of 'teacher'.

To maintain consistency, the definition of early childhood service is linked to the definition of 'education and care service' under the National Law. However, unlike an education and care service, an early childhood service does not include a family day care service or an outside of school hours service, as there is no requirement under the National Law for these services to employ a teacher. The new definition also includes an option prescribe further service types in the regulations. While there are no additional service types now, this provision will enable any future additions to be provided for in the regulations for efficiency.

The definition of 'teacher' is updated to include an early childhood teacher in the definition. The words describing the tasks carried out by a teacher are removed from the definition of teacher and instead are incorporated into a new definition of 'teach'.

The new and amended definitions have the effect of extending the existing provisions under the Act that relate to the registration and regulation of the teaching profession to include teachers teaching in early childhood services. A series of consequential amendments are required to update the Act wherever it refers to 'a school' or 'schools' to also refer to 'an early childhood service' or 'early childhood services'. The amendment is provided for in a schedule to the Amendment Act (see clause 34).

**Clause 30. Section 4A inserted**

This clause inserts a new section providing for a definition of 'teach'. The new definition includes the types of tasks undertaken by both teachers who teach in schools and teachers who teach in early childhood services.

The new definition also includes a provision that will enable classes of persons and duties that may involve 'teaching' in a general sense to be prescribed as excluded from the definition. This provision will provide clarity that early childhood educators (other than early childhood teachers) are excluded from the definition of teach, thus clarifying that early childhood educators do not require registration under the Act.

**Clause 31. Section 72 amended (Offence to employ certain persons)**

This clause extends the general offence, offence to employ certain persons, to include an early childhood service as well as a school. This means that an early childhood service will be committing an offence under the Act if the service employs an unregistered teacher to teach in the early childhood service.

**Clause 32. Section 73 amended (Penalty for teaching unregistered or without authorisation)**

This clause re-titles the offence provision to 'Offence to teach unregistered or without authorisation' so that the title is consistent with the titling of the other offence provisions.

This clause also extends this general offence to include an unregistered person who teaches at an early childhood service as well as a school. This means that a person who teaches at an early childhood service without being registered will be committing an offence under the Act.

**Clause 33. Part 11 inserted**

This clause inserts transitional arrangements that will provide teachers teaching in early childhood services up to 12 months to become registered following commencement of section 28 of the Amendment Act.

A new section 97, Application of amendments to existing early childhood teachers and existing employers, is included which has the effect of exempting teachers who teach in early childhood services, and the early childhood services who employ those teachers, from the offence provisions under the transition period of 12 months (see clauses 31 and 32). Subsection (1) provides that any existing, unregistered early childhood teacher that is employed in an early childhood service at the time the amending Act commences, does not commit an offence under section 73 (Offence to teach unregistered or without authorisation) for the duration of the transition exemption period. Subsection (2) defines the transition exemption period as being from the commencement of the amendment Act to either: the date on which the teacher is granted registration; or, if the person has their application for registration refused, the day after the person is notified of the refusal; or otherwise, the end of the 12-month transitional exemption period.

Subsection (3) provides that an employer who has in their employ an unregistered early childhood teacher at the time the amending Act commences does not commit an offence under section 72 (Offence to employ certain persons) during the transition period that is relevant to the teacher as provided for in subsection (2).

Subsection (4) provides definitions for 'amending Act' being *Teacher Registration (Northern Territory) Amendment Act 2025*; 'commencement' being the commencement of section 28 (refer Clause 28 above); 'existing early childhood teacher' as a person who was employed or otherwise engaged to teach at an early childhood service immediately prior to commencement and that person is not a registered teacher; 'existing employer' as a person who employed or otherwise engaged the existing early childhood teacher to teach in an early childhood service prior to commencement of the transition period; and the 'transition period' as being 12 months from the date of commencement.

All teachers not already employed as a teacher in an early childhood service at the date of commencement must be registered prior to being employed as a teacher in an early childhood service once the new legislation commences.

#### **Clause 34. Act further amended**

This is a formal clause which provides that the schedule at the end of the Bill will further amend the Act with the consequential amendments related to teacher registration extending to teachers teaching in early childhood settings. A series of consequential amendments are required to update the Act wherever it refers to 'a school' or 'schools' to also refer to 'an early childhood service' or 'early childhood services'.

#### **Clause 35. Regulations amended**

This is a formal clause which provides that Division 2 (of Part 3) of the Bill amends the Regulations. Part 3 of the Act contains those amendments that will commence via *Gazette* notice (refer clause 2).

#### **Clause 36. Regulation 2B inserted (Meaning of *teach*)**

This clause is a consequential amendment because of the new definition to teach inserted at clause 30. The regulations are amended to include a new regulation for the purpose of section 4A that prescribes that early childhood educators and the duties performed by an early childhood educator are not included in the definition.

**Clause 37. Regulation 3 amended (Attendance at meetings)**

This clause is a consequential amendment because of extending the provisions under the Act that relate to the registration and regulation of teachers to include teachers teaching in early childhood services. Regulation 3 provides that the Board must reimburse a school for expenses incurred by the school because of engaging a relief teacher to cover for a teacher who attends a Board meeting. The regulation is amended to include an early childhood service (as well as a school) in the provision.

**Clause 38. Regulation 6 amended (Professional experience and currency of practice for full registration)**

This clause is a consequential amendment because of extending the provisions under the Act that relate to the registration and regulation of teachers to include teachers teaching in early childhood services. Regulation 6 is amended to recognise that the 100 days of full-time service a teacher or principal is required to complete to demonstrate currency of practice, may be completed working in an early childhood service. Regulation 6 is further amended to also include a reference to 'early childhood service' in subsection (b).

**Clause 39. Repeal of Act**

This is a formal clause which results in the amendment Act being repealed the day after commencement, having served its purpose of amending the Act.