




NEW ZEALAND QUALIFICATIONS AUTHORITY  
MANA TOHU MĀTAURANGA O AOTEAROA

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# Transitional ITO Prescribed Quality Assurance Requirements Rules 2021

**Final version** for signatures for the purposes of section 452 of the Education and Training Act 2020

NZQA Board:  Date: 12 February 2021

Minister of Education:  Date: 15 March 2021

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### 1. Authority

1.1 These Rules are made under section 452 of the Education and Training Act 2020, for the purposes clause 48(2)(j) of Schedule 1 of that Act and section 13B of the Industry Training and Apprenticeships Act 1992.

1.2 These Rules prescribe quality assurance requirements for transitional ITOs.

### 2. Commencement

2.1 These Rules commence on the 28<sup>th</sup> day after the date of approval by the Minister under section 452(5) of the Education and Training Act 2020.

### 3. Interpretation

3.1 In these Rules, unless the context otherwise requires, –

**Act** means the Education and Training Act 2020

**external evaluation and review** means the quality assurance system known as EER that is set out in rules from time to time made under section 452(1)(t) of the Act

**ITA Act** means the Industry Training and Apprenticeships Act 1992, certain provisions of which are continued by clause 48(2) of Schedule 1 of the Act

**NZQA** means the New Zealand Qualifications Authority, continued under section 430 of the Act

**NZQF** means the Qualifications Framework as defined in section 10(1) of the Act

**relevant activities** are the activities carried out by a transitional ITO under clause 45 of Schedule 1 of the Act

**transitional ITO** has the same meaning as in clause 42(1) of Schedule 1 of the Act.

#### **4. Prescribed Quality Assurance Requirements for transitional ITOs**

4.1 The prescribed quality assurance requirements for transitional ITOs are to:

- (a) participate in external evaluation and review, which may include consideration of whether the organisation has, or will have, and is likely to maintain, adequate and appropriate systems and processes, and capability, knowledge and experience to -
  - (i) manage, operate and govern the organisation as a transitional ITO (*in so far as governance relates to sub-paragraphs (ii) – (vi) below*):
  - (ii) carry out its relevant activities:
  - (iii) develop its transition plan, and implement and maintain that plan, for the purposes of clause 52 of Schedule 1 of the Act:
  - (iv) support providers specified by the Tertiary Education Commission in transferring responsibility for delivery of work-based training and apprenticeship training for the purposes of clauses 52(1)(a)(ii) and 52(1)(c) of Schedule 1 of the Act:
  - (v) manage any change to the transitional ITO's specified industries:
  - (vi) comply with:
    - (A) relevant rules made by NZQA under section 452 of the Act:
    - (B) the provisions of the ITA Act continued by clause 48 of Schedule 1 of the Act:
- (b) have and implement adequate and appropriate systems and processes for the purposes of subparagraphs (i) – (vi) of paragraph (a):
- (c) have and utilise adequate and appropriate capability, knowledge and experience for the purposes of subparagraphs (i) – (vi) of paragraph (a).

#### **5. Consequential Revocations**

5.1. The following rules are consequentially revoked:

- (a) Industry Training Organisation Prescribed Quality Assurance Requirements Rules 2015
- (b) Industry Training Organisation Prescribed Quality Assurance Requirements Amendment Rules 2018.

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#### **Explanatory note**

*This note is not part of these Rules. It is intended to indicate the general effect of these Rules.*

These rules prescribe the quality assurance requirements for transitional ITOs under section 452 of the Education and Training Act 2020, for the purposes clause 48(2)(j) of Schedule 1 of that Act and section 13B of the Industry Training and Apprenticeships Act 1992.