

# Quality Assurance (including External Evaluation and Review (EER) Amendment Rules 2018

## 1. Authority

1.1 These Amendment Rules are made under section 253 of the Education Act 1989.

## 2. Commencement

2.1 These Amendment Rules, except rule 4.3, commence 28 days after the date of approval by the Minister under section 253(5) of the Education Act 1989.

2.2 Rule 4.3 commences on the date that is 3 months after the date of commencement of these Amendment Rules.

## 3. Principal rules

3.1 These rules amend the Quality Assurance (including External Evaluation and Review (EER)) Rules 2016 (the **Principal rules**).

## 4. Principal Rules amended

4.1 In rule 8.5, replace "Subject to Rule 8.6 and Rules 9.1 - 9.7" with "Except where Rule 8.6 applies or where the Rule 9 reconsideration process is undertaken".

4.2 In rule 13.4, replace paragraph (a) with:

- (a) if it is a Category 3 institution, enrol new students unless NZQA considers the institution has acceptable assessment and moderation arrangements in place (*noting that for Category 4 institutions rule 14A applies*); or

4.3 Add the following rule after rule 14B:

### **14C. Student assessment material retention requirements**

14C.1 Institutions (*except for PTEs, which have the same retention requirements in the PTE Enrolment and Academic Records Rules*) and ITOs must keep all student assessment materials generated from education or training in which students are enrolled at the institution or ITO, or full copies of them, for at least 12 months from the date of completion of that education or training (*for the avoidance of doubt this includes assessment materials of education or training provided by sub-contractors of the institution or ITO*).

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## Explanatory note

This note is not part of these Rules, but is intended to indicate their general effect.

This amendment to the principal Rules, which commence 28 days after the date of approval by the Minister under section 253(5) of the Education Act 1989 (*except for rule 4.3 which commences 3 months later*), -

- (a) make two amendments to rules to clarify their intended meaning; and
- (b) add new rule requiring institutions (except PTEs) and ITOs, and their sub-contractors, to keep all student assessment materials generated from education or training in which students are enrolled at the institution or ITO, or full copies of them, for at least 12 months from the date of completion of that education or training. PTEs are excluded because this obligation already applies to them under the PTE Enrolment and Academic Records Rules. There is a 3 month transition period for this new rule.

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*These Rules are administered by the New Zealand Qualifications Authority*

Signatures for the purposes of section 253 of the Education Act 1989	
NZQA Board: 	Date: 28/6/2018
Minister of Education: 	Date: 24/7/18