

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

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Minister of Education: ...  Date: 15/12/22

Annual Fee Rules 2022

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Rules

1. Authority

- 1.1 These rules are made under section 452(1)(d) of the Education and Training Act 2020 for the purposes of section 349 of that Act.

2. Commencement

- 2.1 These Rules commence on the 28th day after the date of approval by the Minister of Education 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

credit value means the number of credits, with each credit representing ten notional learning hours

full time equivalent student is calculated in accordance with rule 5.1

learning hours in respect of a student enrolled at the PTE, include:

- (a) lecturer and tutor contact hours including workshops and tutorials:
- (b) hours for tests, assignments and other assessments:
- (c) hours where a student is in a supervised practical placement:
- (d) hours for study-time:
- (e) hours of self-directed learning where tutorial support is available

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

PTE means a registered private training establishment as defined in section 10 of the Act

student credit value for a student enrolled in the calendar year, -

- (a) means the number of credits the student will gain from successful completion of the education or training the student is enrolled in; or
- (b) where the student withdraws from the education or training prior to its completion, means the pro rata number of credits determined in the same proportion that the days elapsed until withdrawal by the student bears to the total days that the student had enrolled to complete

TEC means the Tertiary Education Commission continued by section 401 of the Act.

Part 1

PTE annual registration fee

4. PTE annual registration fee

4.1 The PTE annual registration fee is determined as follows:

- (a) \$775 (plus GST), *plus*
- (b) \$10 multiplied by the number of full time equivalent students, (plus GST).

5. Calculating "full time equivalent students"

5.1 Full-time equivalent students is calculated as follows:

- (a) subject to rule 5.2, for education or training in which a student is enrolled at the PTE in the calendar year and which has a credit value:
 - (i) the *sum* of the totals of the student credit value for each enrolled student during the calendar year, then
 - (ii) *divided* by 120; and
- (b) subject to rules 5.3 and 5.4, for education or training in which a student is enrolled at the PTE in the calendar year, but for which there is no credit value or for which the credit value cannot be properly assessed:
 - (i) total learning hours the student is enrolled to complete, then
 - (ii) *multiplied* by the number of enrolled students, then
 - (iii) *divided* by 1200.

5.2 Where the student credit value for a student exceeds 120 credits, the student credit value for the purposes of sub-paragraph (a)(i) of rule 5.1 will be 120 credits.

5.3 Where the total learning hours for a student exceed 1200, the maximum total learning hours for the purposes of sub-paragraph (b)(i) of rule 5.1 will be 1200 learning hours.

5.4 For the purposes of paragraph (b) of rule 5.1, where a student withdraws from the education or training in which they are enrolled prior to its completion, the total learning hours shall be the

pro rata number of learning hours determined in the same proportion that the days elapsed until withdrawal by the student bears to the total days that the student had enrolled to complete.

6. When the PTE annual registration fee is payable

- 6.1 The PTE annual registration fee is payable for each calendar year (in arrears) upon invoice by NZQA in the following year.

Part 2
Revocation

7. Revocation

- 7.1 The Annual Fee Rules 2021 are revoked.

Explanatory note

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

These rules prescribe the following:

- the method for determining the annual registration fee for PTEs; and
- when those annual fees are payable.