

## The Tertiary Education (2022 Fee Regulation Settings) Notice 2021

Under sections 419(3)(d) and 420(1)(b) of the Education and Training Act 2020 (“Act”), the Minister of Education (“Minister”) gives notice of the proposed conditions setting limits on fees that tertiary education organisations (TEOs) may charge to domestic students in 2022.

### Notice

#### 1. Title

This notice may be cited as the Tertiary Education (2022 Fee Regulation Settings) Notice 2021.

#### 2. Commencement

The proposed conditions outlined in this notice apply for the 2022 calendar year only.

#### 3. Interpretation

In the conditions set out in this notice, unless the context otherwise requires, —

**Course** means part of a programme of study that leads to the award of a qualification on the New Zealand Qualifications Framework (NZQF), including a certificate, diploma, degree, or postgraduate qualification. For the avoidance of doubt, this includes a course that is part of a qualification where the student is not enrolled in the qualification (for example, where a student is only enrolled in the course or where the student is undertaking the course as part of a training scheme or micro-credential); and

**Training scheme** means study or training that leads to an award but does not, of itself, lead to a qualification listed on the NZQF, but excludes micro-credentials; and

**Micro-credentials** are a sub-set of training schemes that certify achievement of a coherent set of skills and knowledge and that have evidence of need by industry, employers, iwi and/or the community; and

**Fees** means:

1. tuition fees; and
2. compulsory course costs that are charged to all students enrolled in a course, which includes (but are not limited to) the following: any compulsory costs associated with enrolment, examinations (including reporting of credits to the New Zealand Qualifications Authority), field trips, and any compulsory purchase of equipment or books through the TEO; and
3. excludes any administrative fees or charges (other than tuition fees of compulsory course costs) for additional services that are payable as a result of the specific circumstances of a student, which includes (but are not limited to) the following: reassessment or remarking of examination results, examination relocation fees, fees associated with recognition of prior learning or fees associated with an application for selected entry programmes.

**TEO** means tertiary education organisation as defined in section 10 of the Act.

#### 4. Proposal

I propose to specify the following conditions under section 419(3)(d) of the Act that the Tertiary Education Commission (TEC) must attach to funding provided under the funding mechanism for Student Achievement Component funded provision at level 3 or above on the NZQF (SAC L3+):

- a. the annual limits by which TEOs can increase fees charged to domestic students for courses or training schemes; and
- b. the conditions on fees charged to domestic students by TEOs for new courses or training schemes; and
- c. the conditions that cap the fees charged to domestic students by TEOs for micro-credentials; and
- d. other conditions in relation to fees that the TEC must attach to the SAC L3+ funding mechanism; and
- e. the proposed conditions do not apply to fees for courses that are at level 1 and 2 on the NZQF, which remain subject to the conditions as set out in the Tertiary Education Fees-Free Conditions Notice 2015 ([New Zealand Gazette, 28 May 2015, Issue No. 58, Notice No. 2015-go3051](#)) and The Tertiary Education Fees-Free (Levels 1 and 2) Conditions Notice 2016 ([New Zealand Gazette, 16 June 2016, Issue No. 54, Notice No. 2016-go3430](#)).

#### 5. Call for Submissions

Any student, student organisation, TEO or any other person, body or organisation having an interest in the matter, is invited to make a submission on the proposed fee regulation conditions set out in this notice.

## NEW ZEALAND GAZETTE

All submissions should be sent either by email to: [tertiary.strategy@education.govt.nz](mailto:tertiary.strategy@education.govt.nz) or by post to Fee Regulation Settings Submissions, Tertiary Education Policy, Ministry of Education, PO Box 1666, Wellington 6140.

### **6. Date for Submissions**

All submissions must be received by 6 August 2021.

Dated at Wellington this 16th day of July 2021.

HON CHRIS HIPKINS, Minister of Education.

2021-go2983

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