



**Te Tāhuhu o  
te Mātauranga**  
Ministry of Education

**Application to Become a  
Centre-based  
Early Learning Service**  
Education (Early Childhood Services) Regulations 2008

**EC1-CB**

(OFFICE ONLY) DATE RECEIVED

**Before completing this form, contact your local Ministry office so we can explain what the application process involves.**

This application must be completed by a person involved in the governance of the proposed service.

This application will incur a non-refundable application fee of \$2,817.50 inclusive of GST.

**Privacy Statement**

This application form collects personal information to assess your application under the Education (Early Childhood Services) Regulations 2008 (the regulations). We also use this information to:

- make licensing decisions, such as whether your service meets the requirements of the regulations and licensing criteria
- maintain accurate records, including data quality and compliance, ongoing regulatory compliance documentation and historical licence data
- investigate complaints or incidents, ensuring we can follow up on issues or safety concerns
- produce directories, reports, and statistical analysis, which may be shared publicly or with government agencies for transparency and oversight
- share relevant information with the Education Review Office (ERO) to support their evaluation and review functions
- communicate important updates, including changes in regulations, licensing requirements, or professional development opportunities relevant to your service.

The information collected in this form, unless otherwise stated, will not be disclosed to any third parties unless it is authorised or required by law.

If you don't provide the information required in this form, the Ministry of Education (the Ministry) may not be able to process your application.

This could result in delays, or your application being declined. If you would like to discuss the information that is collected in this application process, please contact your Ministry regional office.

Individuals have the right to request access to and correction of personal information. If you or anyone named in this application would like to request access to or correction of your personal information, please contact your Ministry regional office.

**1. Service Provider Details - Information provided in this section may be included in online Ministry of Education directories.**

Please provide details of the legal status, address and contact information for the service provider.

**Service Provider Name**

*This is the name of the body, agency or person who owns or that operates the centre.*

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**New Zealand Business Number (NZBN)**

*The Companies Office administers the NZBN register which is responsible for the allocation of the NZBN for New Zealand businesses.*

9	4										
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*If you do not have a NZBN enter **N/A**, or  
 If you are not sure if you have a NZBN look it up using your organisation's name at [www.nzbn.govt.nz](http://www.nzbn.govt.nz) or  
 If you do not know your NZBN enter '?'*  
**Note that if your organisation is an incorporated society, a trust board or a company then you will have a NZBN.**

**Ownership Type**

*Tick one only*

<b>Owned Privately</b>			
<input type="radio"/>	Sole Trader*	<input type="radio"/>	Company
<input type="radio"/>			Partnership
<b>Owned by an Incorporated Society</b>			
<input type="radio"/>	An Incorporated Society ( <i>under the Incorporated Societies Act</i> )		
<b>Owned by a Trust</b>			
<input type="radio"/>	Charitable Trust <i>(under the Charitable Trusts Act)</i>	<input type="radio"/>	Statutory Trust ( <i>e.g. a trust under the Anglican Church Trusts Act 1981</i> )
<input type="radio"/>			Private Trust <i>(includes trusts declared to be charitable for tax)</i>
<b>Owned by a Community Organisation</b>			
<input type="radio"/>	Community Trust	<input type="radio"/>	State Owned Enterprise
<input type="radio"/>	Government Department	<input type="radio"/>	Crown Entity
<input type="radio"/>			Public Education Institution ( <i>e.g. polytechnic, college of education, university, wananga</i> )
<input type="radio"/>	Other (please specify) _____		

### Sole Trader Declaration

*(This declaration is only applicable to applicants operating as Sole Traders)*

*Please see section 13, note 6 for more information.*

Sole Trader consent is required under section 548A(1)(b) of the Education and Training Act 2020, for the Ministry of Education (authorised under Part 5 of the Data and Statistics Act 2022) to disclose data held in Statistics New Zealand Integrated Data Infrastructure related to your service.

This consent only applies to data disclosed at the level of an early childhood service and will solely be used for the purposes of developing or using tools relating to the provision of funding to early childhood services, i.e., an equity index, as provided for in section 548A(1) of the Education and Training Act 2020.

The privacy of the children and families is protected, as data in the IDI is governed by robust confidentiality rules and is de-identified.

You may withdraw your consent at any time by notifying the Ministry in writing.

I authorise consent

I do not authorise consent

Signature

Date

### Service Provider Address

*These addresses relate to the service provider and may be different from the service's addresses.*

#### Street Address

Suburb / District

Town / City

Postcode

Phone Number

Mobile Number

Email

Website

*If different from Street Address*

#### Postal Address

Suburb / District

Town / City

Postcode

Special Delivery Instructions

## 2. Applicant Details

*A person must be listed for the purposes of this application. This person must be from the service provider and is the person who must complete this application, including the Application Declaration in section 109 and if applicable, the Statutory Declaration in section 11.*

*Note: Applicant details are not included in online directories.*

First Name

Middle Names

Family Name

Phone Number

Mobile Number

Email

## 3. Funding Details

Funding Contact Details

First Name

Middle Names

This person will receive financial forms (e.g., RS7) from the Ministry of Education and be the contact for funding matters.

Note: Funding contact details will not be included in the online directories.

Family Name	
Phone Number	Mobile Number
Email	

#### 4. Early Learning Information (ELI) System

<p><b>ELI Email</b></p> <p>This is the email address that the Ministry of Education will use to contact the service for ELI related matters.</p> <p>Note: ELI information will not be included in the online directories.</p>	Email
<input type="checkbox"/> Yes <input type="checkbox"/> No	As the Service Provider, I am aware of the Early Learning Information (ELI) System and the information requirements.
<input type="checkbox"/> Yes <input type="checkbox"/> No	As the Service Provider, I have selected a method to connect to the Early Learning Information (ELI) System.
If 'Yes'	<input type="radio"/> ELI Web, or
	<input type="radio"/> Student Management System.
	Please state SMS:

#### 5. Service Details - Information provided in this section may be included in online Ministry of Education directories.

These are details of the service for which the application is being made. If these details are the same as the service provider details in section 1, you may indicate this by ticking the appropriate box.

Service Name(s)

<input type="radio"/>	Education and care centre
<input type="radio"/>	Puna Reo
<input type="radio"/>	Reo Rua Education and Care
<input type="radio"/>	Leo o Fanau Moana Immersion
<input type="radio"/>	Leo o Fanau Moana Bilingual
<input type="radio"/>	Kindergarten (must be affiliated to a Kindergarten association)
<input type="radio"/>	Playcentre

Service Type

Tick one only

Māori Language Education and Care Services

Choose Puna Reo if language delivery is in te reo Māori 81-100% of the time, or Reo Education and Care if delivery is in te reo Māori 51-80% of the time.

Pacific Language Education and Care Services

Choose Leo o Fanau Moana Immersion if language delivery is in one Pacific Language 81-100% of the time or Leo o Fanau Moana Bilingual if delivery is in one Pacific language 51-80% of the time.

### Service Address

*In relation to the ECE centre for which the licence is sought.*

<input type="radio"/>	Tick this box if the <b>service's street address</b> is the same as the service provider street address in Section 1.	
<b>Street Address</b>		
Suburb / District		
Town / City		Postcode
Phone Number		Mobile Number
Email		
Website		

*If different from Street Address*

<input type="radio"/>	Tick this box if the <b>service's postal address</b> is the same as the service provider postal address in Section 1.	
<b>Postal Address</b>		
Suburb / District		
Town / City		Postcode
Special Delivery Instructions		

## 6. Service Provider Contact Person Details

### Service Provider Contact Person Details

*This is the person nominated by the service provider to represent it and whose name will appear on the certificate of licence.*

*Please see section 13, note 1, for more information about the service provider contact person requirements.*

*Note: Service provider contact, name, email and phone number may be included in the online directories.*

First Name	Middle Names	
Family Name		
Address		
Suburb / District		
Town / City		Postcode
Special Delivery Instructions		
Phone Number	<input type="radio"/>	Tick if the phone number can be included in online directories.
Mobile Number	<input type="radio"/>	Tick if the mobile number can be included in online directories.
Email	<input type="radio"/>	Tick if the email can be included in online directories.

As the proposed service provider contact person, I confirm that I meet and will continue to meet the requirements of a service provider contact person as detailed in section 13, note 1 of this application.

Signature

## 7. Nomination of Emergency Contact

The emergency contact person is an important link between your Early Childhood Education (ECE) service and the Ministry of Education during emergencies. In situations such as bomb threat, earthquake, or other serious incidents, fast and accurate communication helps keep children, staff, and the community safe.

We use Mataara Emergency system to communicate quickly. The emergency contact provides a contact for sharing urgent information and receiving guidance from the Ministry or other agencies when assistance is needed onsite

Accurate contact details are essential – delays or incorrect information can compromise safety and slow our response.

Emergency Contact Person

First Name	Family Name
Phone Number	Mobile Number
Email	

Note: Emergency contact details will not be included in the online directories.

## 8. Operating Details

The operating details provided below will inform the conditions under which the ECE centre will be authorised to operate, and which will be listed on the Certificate of Licence.

	Monday		Tuesday		Wednesday		Thursday		Friday		Saturday		Sunday	
<i>Tick only one per day</i>	Teacher Led Parent Led		Teacher Led Parent Led		Teacher Led Parent Led		Teacher Led Parent Led		Teacher Led Parent Led		Teacher Led Parent Led		Teacher Led Parent Led	
<i>Tick only one per day</i>	All Day	Sessional	All Day	Sessional	All Day	Sessional	All Day	Sessional	All Day	Sessional	All Day	Sessional	All Day	Sessional
<b>All-day or Session 1</b>	Start	End	Start	End	Start	End	Start	End	Start	End	Start	End	Start	End
Times														
Max # child places														
Max # child places aged <b>under</b> two years														

<b>Session 2</b>	Start	End	Start	End	Start	End	Start	End	Start	End	Start	End	Start	End
Times														
Max # child places														
Max # child places aged <b>under</b> two years														

Note: The initial licence you receive may be issued for a lower maximum number of children than the service can be licensed for. In determining the maximum number, consideration is given to how many children are ready to enrol and your staffing numbers. As you increase enrolments and staffing, you can apply to increase your maximum number using an EC8 form.

## 9. Confirmation of Curriculum Framework Pathway

Please identify the curriculum framework pathway chosen by the service. For more information, please visit [Te Whāriki Online \(education.govt.nz\)](http://www.education.govt.nz). Te Kōhanga Reo are automatically assigned Te Whāriki a te Kōhanga Reo pathway.

Curriculum framework pathway

<input type="radio"/>	Te Ara Māori	<input type="radio"/>	Te Ara Whānui
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## 10. Confirmation of Language

Please identify the primary language option chosen by the service. Please select one option.

<input type="checkbox"/>	English	<input type="checkbox"/>	Micronesian – not further defined
<input type="checkbox"/>	Te Reo Māori	<input type="checkbox"/>	Pukapukan: Pukapuka: Bukabuka
<input type="checkbox"/>	Arabic/Egyptian	<input type="checkbox"/>	Reo Tahiti – Tahiti
<input type="checkbox"/>	Central Pacific – not elsewhere defined	<input type="checkbox"/>	Solomon Aelan Pijin
<input type="checkbox"/>	Chinese / Japanese	<input type="checkbox"/>	Te `Gana Tuvalu – Tuvaluan
<input type="checkbox"/>	Dorerin Naoero – Nauru	<input type="checkbox"/>	Te Reo Māori Kūki Āirani
<input type="checkbox"/>	Fāeag Rotuam – Rotuman	<input type="checkbox"/>	Te Taetae ni Kiribati: Kiribati
<input type="checkbox"/>	French	<input type="checkbox"/>	Vagahau Niue - Niuean
<input type="checkbox"/>	Gagana Sāmoa - Samoan	<input type="checkbox"/>	Vanuatu Languages
<input type="checkbox"/>	Gagana Tokelau - Tokelauan	<input type="checkbox"/>	Vosa Vaka-Viti – Fijian
<input type="checkbox"/>	Korean	<input type="checkbox"/>	Other
<input type="checkbox"/>	Lea Faka-Tonga - Tongan		

If you select a language other than English, you may be eligible to receive Equity Funding Component C “language and culture other than English”. Complete and submit an [EC15 form](#) “Application to receive Equity Funding for providing early childhood Education in language other than English” to: [resourcing@education.govt.nz](mailto:resourcing@education.govt.nz)

## 11. He Pānui Kōhungahunga – the Early Learning Bulletin

The Ministry publishes a bulletin which is emailed to all service providers. The bulletin is the Ministry's way of communicating important information, changes and events happening in the early learning community.

Ensure that you read and engage with information in the bulletin to stay up to date and remain compliant.

If you would like the bulletin emailed to others within the service, please add their information through the bulletin sign up page:

[Early Learning Bulletin \(list-manage.com\)](http://list-manage.com)

## 12. Application declaration

To be completed by the applicant.

I am applying under the Education (Early Childhood services) Regulations 2008 for a new centre-based licence.

I confirm that to the best of my knowledge the information contained in this application is correct and accurate.

Applicant name

Applicant signature

Date

### 13. Statutory Declaration by Service Provider

- This statutory declaration must be completed and signed by the applicant identified in Section 1 in front of the authorised person under Section 9 of the *Oaths and Declarations Act 1957*.
- Service providers that own or operate more than one service may wish to photocopy this part of the form once completed. Please note that the statutory declaration should be no older than 3 months if you intend to use it for subsequent licence applications.
- **For more information about the statutory declaration, see section 13, note 2.** This also tells you what you must do if any circumstance arises which might make this statutory declaration incorrect.

#### STATUTORY DECLARATION

(First Schedule, Oaths and Declarations Act 1957)

#### TO ACCOMPANY APPLICATIONS FOR LICENCES TO OPERATE EARLY CHILDHOOD EDUCATION AND CARE CENTRES

I \_\_\_\_\_ of \_\_\_\_\_  
 (Insert full name of person completing application) (Insert place of abode)

\_\_\_\_\_  
 (Insert occupation)

Note: To complete this declaration – you must tick one of the options have/do not have

#### I SOLEMNLY AND SINCERELY DECLARE THAT:

I am a [director/controller/officer] of \_\_\_\_\_ [entity] which is applying for a probationary licence for an early childhood service. I have full authority to make this declaration on \_\_\_\_\_ [entity]’s behalf.

To the best of my knowledge, I, and each person who is involved in the governance of the proposed service:

<b>a</b>	<input type="radio"/> have <input type="radio"/> do not have	any previous conviction for any offence
<b>b</b>	<input type="radio"/> have <input type="radio"/> do not have	any involvement in, or association with, an organisation that has been convicted of an offence
<b>c</b>	<input type="radio"/> have <input type="radio"/> do not have	any history of health conditions that may affect the individual’s ability to comply with the <i>Education and Training Act 2020</i> (the Act), the <i>Education (Early Childhood Services) Regulations 2008</i> , and any regulations made under section 636 of the Act
<b>d</b>	<input type="radio"/> have <input type="radio"/> do not have	any property order or personal order under the <i>Protection of Personal and Property Rights Act 1988</i> to which the person is, or has been, subject
<b>e</b>	<input type="radio"/> have <input type="radio"/> do not have	any sum of money owed, or previously owed, to the Crown, including in respect of bodies that the individual has been involved in managing
<b>f</b>	<input type="radio"/> have <input type="radio"/> do not have	any adjudication of bankruptcy under the <i>Insolvency Act 2006</i> or the <i>Insolvency Act 1967</i>
<b>g</b>	<input type="radio"/> have <input type="radio"/> do not have	any prohibition on being a director or promoter of, or being concerned or taking part in the management of,— (i) a company under the <i>Companies Act 1993</i> ; or (ii) any other body corporate

<b>h</b>	<input type="radio"/> have <input type="radio"/> do not have	any current or previous role as a governing member of an entity or organisation that became insolvent, including being placed in liquidation, receivership, or voluntary administration
<b>i</b>	<input type="radio"/> have <input type="radio"/> do not have	any prohibition against acting as an employer or an officer of an employer under the <i>Employment Relations Act 2000</i> to which the individual is, or has been, subject
<b>j</b>	<input type="radio"/> have <input type="radio"/> do not have	any previous involvement in an early childhood service in respect of which— (i) an application for a licence was refused; or (ii) a licence was suspended or cancelled
<b>k</b>	<input type="radio"/> have <input type="radio"/> do not have	previous registration with the Teaching Council of Aotearoa New Zealand, and that registration was cancelled for any reason.

I understand that:

1. This information is required for the purpose of enabling the Ministry of Education to determine whether members of the service provider, including the applicant, are suitable to be involved in the governance of the proposed service.
2. This information is required pursuant to regulations 6(3)(b) of the *Education (Early Childhood Services) Regulations 2008*.
3. I must complete this application **on behalf of myself and each person to be involved in the governance of the proposed service.** See Section 13, note 1 for clarification.
4. It is an offence under section 111 of the Crimes Act 1961 to make a false declaration where that declaration would amount to perjury if made on oath in a judicial proceeding.
5. Where I have answered in the affirmative to any statement above, I have attached all the relevant details in relation to the matter.

**Note: Do not complete the following section until you are in front of the authorised person witnessing your declaration.**  
**After the declaration is made and signed, there must not be any alterations. (Refer to Section 15, note 2)**

I make this solemn declaration conscientiously believing the same to be true and by virtue of the *Oaths and Declarations Act 1957*

**Your signature** \_\_\_\_\_

**Declared at** \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_.  
(Place, for example, town or city) (insert day, e.g. 21<sup>st</sup>) (insert month and year)

**Before** \_\_\_\_\_ **(Signature of person taking declaration)**  
(Justice of the Peace or other person authorised to take a Statutory Declaration)

\_\_\_\_\_ **(Full name of person taking declaration)**

\_\_\_\_\_ **(Capacity, e.g. Barrister, Justice of the Peace)**

\***Service Provider** means in relation to an early childhood education and care centre, the body, agency, or person who or that operates the centre.

## 14. Documentation Checklist

The following documentation (except the RS3 form) is required to be submitted with your application to the regional office of the Ministry of Education for consideration. Regulation numbers refer to the *Education (Early Childhood Services) Regulations 2008* unless otherwise noted.

<b>General requirements</b>	
1)	<input type="radio"/> A list of names and roles of all persons to be involved in the governance of the service as set out in Regulation 6(3)(b).
2)	<input type="radio"/> Copy of Police vet (less than 3 years old) for each individual involved in the governance of the service who is not a children's worker as set out in Regulation 8(a).  <i>Note: A Notice of Network Approval <b>which has not expired</b> can be provided to satisfy this requirement. You must still provide a Police vet for any governance member not listed on the notice, or if any member has a conviction to declare.</i>  A new Police vet may be required after assessment of this application in some cases (e.g. if the Ministry needs to further verify a declaration to be true).
3)	<input type="radio"/> Certificate of Incorporation as a company, charitable trust, or incorporated society if applicable.
4)	<input type="radio"/> IRD notification of charitable tax status if applicable.
5)	<input type="radio"/> Certified copies of recognised teaching qualifications and evidence of practising certificates for anyone counting towards the person responsible or qualification requirements as set out in Regulations 6(3)(a) and 44 and Schedule 1. <a href="https://www.education.govt.nz/education-professionals/early-learning/people-and-employment/qualification-requirements-and-persons-responsible-role#qualification-and-person-responsible-requirements-for-different-service-types">https://www.education.govt.nz/education-professionals/early-learning/people-and-employment/qualification-requirements-and-persons-responsible-role#qualification-and-person-responsible-requirements-for-different-service-types</a>
6)	<input type="radio"/> Certified copies of First Aid Certificates from a first aid training provider accredited by the New Zealand Qualifications Authority as set out in Regulations 6(3)(a) and 44, Schedule 1 and licensing criterion HS119.
7)	<input type="radio"/> A plan for supervision which clearly indicates how staff will be deployed so that children are supervised at all times. Services are to provide evidence that adult: child ratios are maintained within the indoor/ outdoor areas, over staff breaks and any periods of administration (non-contact) as set out in Regulations 6(3)(a), and 44.
8)	<input type="radio"/> Copy of a Health Report as set out in Regulation 9(2).
9)	<input type="radio"/> Evidence that the service provider <b>contact person</b> resides locally e.g., copy of a utility bill, tenancy agreement as set out in Regulation 3 (See Section 13, Note 1).
<b>Plans, policies and procedures - please provide copies of the following:</b>	
10)	<input type="radio"/> Copy of the service provider's procedure for safety checking before employment or engagement of all persons who have access to children in accordance with the Children's Act 2014. Also provide copies of completed safety checking records and results for all children's workers as set out in licensing criterion GMA106.  <i>Note: If the service provider engages a children's worker who has lived overseas, it is recommended that there is a process to obtain a copy of a police certificate from the person's country of citizenship and from any country in which they have lived for one or more years within the last ten years in addition to a New Zealand Police vet.</i>
11)	<input type="radio"/> Copy of the service provider's procedure to obtain a Police vet and conduct a risk assessment of information returned in the vet for: <ul style="list-style-type: none"> <li>• non-teaching and unregistered employees (who are not children's workers) before the person begins work at the service; and</li> <li>• contractors and their employees (who are not children's workers) before the person has or is likely to have unsupervised access to children.</li> </ul> The procedure must also ensure a further police vet is gained and a risk assessment is undertaken every three years as set out in Schedule 4 of the Education and Training Act 2020. <i>Risk assessment guidelines:</i> <a href="https://www.education.govt.nz/education-professionals/early-learning/health-and-safety/risk-assessments-after-police-vet-early-learning-services">https://www.education.govt.nz/education-professionals/early-learning/health-and-safety/risk-assessments-after-police-vet-early-learning-services</a>

12)	<input type="radio"/>	A written child protection policy and procedure that meets the requirements of the Children's Act 2014. The policy and procedure contain provisions for the identification and reporting of child abuse and neglect, information about how the service will keep children safe from abuse and neglect, and how the service will respond to suspected child abuse and neglect. As set out licensing criterion HS125
13)	<input type="radio"/>	A process for providing positive guidance to encourage social competence in children as set out in licensing criterion C110.
14)	<input type="radio"/>	Operative evacuation scheme for public safety, approved by Fire and Emergency NZ as set out in Regulation 9(1)(c).
15)	<input type="radio"/>	A written or digital emergency plan to ensure the care and safety of children and adults at the service as set out in licensing criterion HS105.
16)	<input type="radio"/>	A process for providing regular opportunities (formal and informal) for parents engage in their child's learning as set out in licensing criterion C112.
17)	<input type="radio"/>	Written or digital information letting parents and whānau know how to access information as set out in licensing criteria GMA102.
18)	<input type="radio"/>	A copy of the enrolment form that will be used by the service that meets the requirements of the ECE Funding Handbook as set out in licensing criteria GMA109
19)	<input type="radio"/>	<b>New Service providers only:</b> A copy of the service's annual plan identifying "who", "what", and "when" in relation to the key tasks the service intends to undertake each year as set out in licensing criterion GMA107.

#### **Building consents and diagrams**

20)	<input type="radio"/>	Evidence that the premises comply with the Resource Management Act 1991 in respect of their use as a centre as set out in Regulation 9(1)(d) (See section 13, note 3).
21)	<input type="radio"/>	Evidence that the building complies with the Building Act 2004 in respect of its use as a Centre as set out in Regulation.9(1)(e) (See section 13, note 4)
22)	<input type="radio"/>	A floor plan of buildings showing metric measurements and uses of each area as set out in Regulation.9(1)(a) (See section 13, note 5)
23)	<input type="radio"/>	A site plan of the entire premises showing metric measurements and uses of each area as set out in Regulation 9(1)(a) (See section 13, note 5)

#### **Fees and Funding Forms**

24)	<input type="radio"/>	Evidence that the application fee of \$2,817.50, inclusive of GST, has been paid. As set out in Regulation 5(2). Payment to Westpac Bank account number: 030049 0004125 00. Please use your proposed service's name and your local Ministry office as a reference.
25)	<input type="radio"/>	A completed RS3 funding form. <i>This is not a required document at the time of the EC1 application but recommended. It can be submitted later but <b>must be received before Government funding can be accessed.</b></i>  <b>Note:</b> Playcentre services are automatically placed on standard level funding, if you wish to change to quality level funding also complete an EC11 funding form.

## To be completed by Ministry of Education officers *only*

Date	<input type="radio"/> Complete	<input type="radio"/> Incomplete
<b>Service Provider Details</b>		
Service Provider Number (ECA number)	Licence number	
Effective Date <i>(This is the day service will open)</i>	<input type="radio"/> Granted	<input type="radio"/> Declined

## 15. Information to Assist Applicants

### Note 1: Nominating a Service Provider Contact Person

The Education (Early Childhood Services) Regulations 2008 require a contact person to be nominated for each service for which a licence is sought, and this person's name is displayed on the certificate of licence. The service provider is legally responsible for meeting regulatory requirements, not the contact person. However, the contact person must:

- represent the service provider;
- be able to respond to the Ministry of Education as soon as practicable on any issue relating to licensing;
- have the authority to act on behalf of the service provider; and
- reside locally.

In relation to the last bullet point, a person will generally be considered to 'reside locally' if they live within the geographical boundaries serviced by the local Ministry of Education office. Contact your local Ministry of Education office to discuss further if you are unsure whether the contact person would meet this requirement.

## Note 2: Completing Section 13 (Statutory Declaration)

### Who can I get to sign my statutory declaration?

- Section 9 of the Oaths and Declarations Act 1957 lists those who are authorised to take a statutory declaration.
- It is your responsibility to ensure that the person you select is authorised to witness your declaration.
- You will need to sign the statutory declaration **in front of the authorised person** you have chosen. Please be aware that after the declaration is made and signed, there must not be any alterations.
- You should check that the person notes on the form, with their signature, their full name and the capacity under which they are signing the declaration, eg Justice of the Peace, barrister of the High Court.

### Who does the statutory declaration have to cover?

When the **governance of the proposed service is made up of a group of people**, the statutory declaration needs to cover the officers of the organisation that has identified itself as the service provider. In most cases, the deed of incorporation for the legal entity will determine this. The following table outlines the most common scenarios for service providers.

If the service provider is...	Then the statutory declaration should cover ...
An incorporated society	the office holders (such as Secretary, Treasurer and President)
A trust board	the board members
A company	the company director(s)
An individual person (whether registered as a legal entity or not)	only that person
An unincorporated body	the people that identify themselves as being part of the governing body

### Is there any other matter that needs to be declared to the Director of Regulation?

Regulation 7 of the Education (Early Childhood Services) Regulations 2008 enables the Director of Regulation to require a statutory declaration for any other matter considered relevant. As per this regulation, the Director of Regulation requires the applicant and those involved in the governance of the service to declare whether any governance members were previously registered with the Teaching Council of Aotearoa New Zealand, and that registration was cancelled for any reason.

### How do I get the information I need from the people covered by the statutory declaration?

As the person signing the statutory declaration, you must satisfy yourself that the information supplied is correct. How you collect this information from the other people covered by the statutory declaration is up to you and your organisation. There is a range of ways that this might be done, including:

Information gathered through your recruitment or election processes	Personal knowledge of the person
Verbal assurances	Written attestation
Seeking Police vets in relation to past convictions	Individual statutory declarations from each person covered (so that the statutory declaration to the Ministry of Education becomes a composite of individual declarations to the applicant)

### How do I decide how to respond to the statements on the statutory declaration?

- You must tick one of the options at the beginning of each statement.
- If the service provider is a group of people and an affirmative answer applies to one or more people you must answer in the affirmative on the statutory declaration.
- Most of the statements are relatively straightforward – people will know whether or not they have any convictions, adjudications of bankruptcy etc.
- The main exception will be statement (c) regarding health conditions. It is important to be clear about the difference between (1) a mental/physical condition that might prevent people from managing their role in complying with the conditions of a licence or obligations under the regulations and (2) any other condition that would not have this kind of impact. Relevant factors to consider might include, for example, health problems that require frequent hospitalisation or sick leave, or that might render a person unconscious or quickly incapacitated. Frequency and severity of those conditions might also be relevant.

**What will the Ministry of Education do if I answer in the affirmative (ie 'have') to any of the statements on the statutory declaration?**

If you answer in the affirmative for any statements, you must attach all relevant information in relation to the matter. Answering in the affirmative to any statement does not automatically exclude the service provider from being deemed fit and proper to hold a licence. Given the range of unique circumstances that may be identified, all decisions about whether or not to grant a licence are made on a case-by-case basis.

**What do I need to do if something changes – new people become part of the service provider, or people's circumstances change that make the statutory declaration incorrect?**

Regulation 35 of the Education (Early Childhood Services) Regulations 2008 requires that a service provider must notify the Ministry of Education as soon as practicable if any of the circumstances under (a) to (k) on the statutory declaration form have changed for any person who is covered by the statutory declaration.

You do not need to notify the Ministry of Education every time someone new becomes part of the service provider UNLESS that person's circumstances make the information you have provided on the statutory declaration incorrect.

The Ministry of Education will then review the new information and decide whether the service provider continues to be fit and proper to hold a licence.

**Important:** Please note that if you intend to use the statutory declaration in subsequent licence applications for other services you may own or operate, the statutory declaration **should be no older than 3 months** in order to be accepted.

**Note 3: Evidence of compliance with the Resource Management Act 1991**

Evidence of compliance with the Resource Management Act will consist of a copy of the centre's resource consent with any attached conditions.

**Note 4: Evidence of compliance with the Building Act 2004**

1. In the case of a newly-built (or recently renovated/converted) premises, evidence of compliance with the *Building Act 2004* generally consists of:

- a code compliance certificate (issued under section 95 of the Act),
- a compliance schedule (issued under section 100 of the Act), if the premises require it.

If your premises also requires an annual building warrant of fitness (issued under section 108 of the Act), you do not need to send in a copy of this document – it will be sighted during the licensing assessment visit.

Note that in particular circumstances, a Certificate for Public Use (issued under section 363A of the Act) or a Certificate of Acceptance (issued under section 96 of the Act) may also be considered evidence of compliance. Contact your local Ministry of Education for further details.

2. In the case of premises built prior to 1992 that have not undergone any building work or alterations, evidence of compliance with the *Building Act 2004* can be established by providing evidence of the age of the building.

## Note 5: Site Plan and Premises Definition

### Site Plan

To aid the assessment of your application indicate any defined activity space where appropriate (i.e. where your service has designated areas/spaces for the use of children of a specific age and/or number of children).

### Premises Definition

In order to be granted one licence the premises must –

- be situated on a single site; and
- be for the exclusive use of the centre or hospital-based education and care service.

If the premises comprise of 2 or more components –

- each component must be immediately adjacent and connected to at least one other component; and
- children must have safe access to each component

In this regulation –

- component means any land or building that forms the part of the premises.
- premises means the premises from which the centre will operate, or from which the hospital-based education and care service will be provided.

## Note 6: Sole Trader Declaration

When the Data and Statistics Act 2022 came into force, the Ministry was no longer able to calculate and then release the equity index number from the IDI for non-public organisations to input into the funding calculations. In late August 2023, Parliament passed a change to the Education and Training Act 2020 that allows the Ministry to release this data. The term used in the legislation for releasing the equity index data is disclosed.

For sole traders the equity index number is considered personal information, as it is information about an identifiable person (the sole trader). Therefore, the legislation requires the Ministry to obtain consent from sole traders to disclose the equity index number relating to the services they operate.

The information (i.e., your service's equity index number) we seek to release does not contain other personal information and is calculated based on the children attending your service at a service level. The privacy of the children and families using services is protected, as data in the Integrated Data Infrastructure is governed by robust confidentiality rules and is de-identified.

The legislation also authorises the Ministry to publish the equity index number for each service, which the Ministry does for the school's equity index. While we intend to provide each service with their number once calculated, decisions have yet to be made on publishing equity index numbers. Should the Ministry decide to publish equity index numbers, we will seek your permission separately.

In the event you do not agree to the index being released or withdraw your consent in the future, the Ministry will develop a bespoke equity index number for your service. This number may not accurately reflect the current circumstances of the children attending your service, which may affect your service's entitlement to equity funding.

Your consent will remain valid for the duration of your licence to operate your early childhood service. Should there be a change in ownership of your service to someone who intends to operate as a sole trader, the Ministry will seek a separate consent from the new owner when they apply for their licence.