

Cabinet Paper material Proactive release

Minister & portfolio Hon Penny Simmonds Minister for Tertiary Education
Name of package Orders in Council for the Establishment of Final Polytechnics
Date considered 25 May 2026
Date of release 4 August 2026

These documents have been proactively released:

Orders in Council for the Establishment of Final Polytechnics

Date considered: 25 May 2026

Author: Office of the Minister for Tertiary education

Cabinet Legislation Committee Minute LEG-26-MIN-0104

Date considered: 21 May 2026

Author: Committee Secretary

Cabinet Minute CAB-26-MIN-0178

Date considered: 25 May 2026

Author: Secretary for the Cabinet

Material redacted

Some deletions have been made from the documents in line with withholding grounds under the Official Information Act 1982. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

The applicable withholding grounds under the Act are as follows:

Section 9(2)(b)(ii) to protect the commercial position of the supplier of the information

Section 9(2)(f)(iv) to protect the confidentiality of advice tendered by Ministers of the Crown and officials

Some deletions have been made from the documents as the information withheld does not fall within scope of the Minister's portfolio responsibilities, and is not relevant to the proactive release of this material.

You can read the Official Information Act 1982 here:

<http://legislation.govt.nz/act/public/1982/0156/latest/DLM64785.html>

In Confidence

Office of the Minister for Tertiary Education
Chair, Cabinet Legislation Committee

Orders in Council for the establishment of final polytechnics

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the Orders in Council to establish:
 - 1.1 Western Institute of Technology at Taranaki
 - 1.2 Whitireia and WelTec Institute of Technology
 - 1.3 Northland Polytechnic.

Executive Summary

- 2 The redesigned vocational education and training (VET) system, as set out in the Education and Training Act 2020¹ (the Act), consists of independent stand-alone polytechnics. Orders in Council are required under the Act to establish the polytechnics listed above.
- 3 In March 2026, as a part of the ongoing implementation of the redesigned VET system, Cabinet agreed to establish the Western Institute of Technology at Taranaki (WITT), Whitireia and WelTec Institute of Technology (Whitireia/WelTec), and Northland Polytechnic (NorthTec) [SOU-26-MIN-0022 refers], and to issue drafting instructions for the necessary Orders in Council to the Parliamentary Counsel Office.
- 4 I have undertaken the relevant consultation and have considered all the matters required by the Act (as set out in paragraphs 8-12) and recommend that Cabinet give effect to its earlier decisions to establish these three polytechnics by approving the attached Orders in Council.
- 5 This paper sets out the content of the proposed Orders in Council. No new policy decisions are required.

Establishment of polytechnics

- 6 In March 2026, Cabinet agreed to establish WITT, Whitireia/WelTec, and NorthTec as polytechnics, and agreed to other proposals to support their ongoing financial viability [SOU-26-MIN-0022 refers]. These included:

¹ The Education and Training (Vocational Education and Training System) Amendment Act 2025 came into force on 22 October 2025 and amended the Education and Training Act 2020.

- 6.1 9(2)(b)(ii) [REDACTED]
- 6.2 providing NorthTec with \$1.3 million per year from funding for strategically important provision, for the period of 2028 to 2031, to support its ongoing viability
- 6.3 9(2)(f)(iv) [REDACTED]
- 7 I am confident these additional decisions will support the ongoing viability of these three polytechnics.
- 8 The requirements in section 315(2) of the Act for establishing a polytechnic have been satisfied as follows:
- 8.1 I have considered advice provided by the New Zealand Qualifications Authority (NZQA) on quality assurance matters. See paragraphs 11-12 below.
- 8.2 I have consulted with key stakeholders and have considered the submissions from them. The results of this consultation are set out in paragraph 22 below.
- 8.3 I am satisfied that each of the three proposed polytechnics will have the characteristics of a polytechnic set out in section 314 of the Act. These are that each polytechnic will:
- 8.3.1 provide a wide diversity of continuing education
- 8.3.2 be responsive to the education and training needs of local communities and industries in their region
- 8.3.3 undertake research, particularly applied and technological research
- 8.3.4 improve outcomes for Māori students and trainees and Māori communities in collaboration with Māori and iwi.
- 9 I note that in the cases where polytechnics have room for improvement on some of these characteristics, the TEC will work with them to improve these matters as part of their investment plan process.
- 10 As required by section 315(2)(d) of the Act, I am satisfied that the establishment of each of the polytechnics is in the interest of the tertiary education system and the nation as a whole. A network of polytechnics capable of providing core foundation, vocational education, and degree level and postgraduate study significantly benefits New Zealand's regions.
- New Zealand Qualifications Authority Advice*
- 11 I have considered advice from NZQA about the proposed polytechnics. NZQA has advised me that its monitoring of the three polytechnic divisions within NZIST from 1

January 2025 to 31 December 2025 has identified some matters requiring remedial action. None of the issues identified are of sufficient magnitude to cause fundamental concern regarding each polytechnic division's overarching capability to deliver quality outcomes.

- 12 When the polytechnics are established, NZQA will engage with them to confirm that their academic structures, policies, and procedures are functioning as required.

Timing and 28-day rule

- 13 I propose that the Orders in Council to establish the new polytechnics come into effect on 1 October 2026 and be notified in the *New Zealand Gazette* on 28 May 2026. This timeline meets the requirement that regulations should not come into force until at least 28 days after they have been notified in the *New Zealand Gazette*.

Compliance

- 14 The proposed Orders in Council comply with:
- 14.1 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993
 - 14.2 the principles and guidelines set out in the Privacy Act 2020
 - 14.3 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.
- 15 The Orders do not appear to be inconsistent with Treaty of Waitangi principles but, given the terms of the empowering provisions, do not include specific Treaty provisions.

Regulations Review Committee

- 16 There are no grounds for the Regulations Review Committee to draw the Orders in Council to the attention of the House under Standing order 327.

Certification by Parliamentary Counsel

- 17 The draft Orders in Council have been certified by the Parliamentary Counsel Office as being in order for submission to Cabinet and the Executive Council.

Impact Analysis

- 18 A Regulatory Impact Statement (RIS) was provided for Cabinet to consider the policy to disestablish Te Pūkenga and replace it with a network of regional polytechnics [SOU-24-MIN-0174 refers]. A further RIS was provided in March 2026 to support the policy decisions to establish these three polytechnics [SOU-26-MIN-0022 refers]. Both RIS's were rated as partially meeting the Quality Assurance criteria due to the constraints imposed on consultation and analysis.

Publicity

- 19 I intend to issue a press release alongside the publication of the Orders in Council.

Proactive release

- 20 I plan to proactively release this Cabinet paper in line with provisions in the Official Information Act 1982.

Consultation

Relevant private sector organisations and public consultation processes

- 21 In proposing to establish a polytechnic under section 315 of the Act, in addition to considering advice from the NZQA, as the responsible Minister, I may also consult other people that I see fit. The key stakeholders I consulted on the establishment of the three polytechnics were local chambers of commerce, mayors, iwi, local and national student representative bodies, staff unions, universities and wānanga, the Tertiary Education Union, and Business New Zealand.
- 22 The 11 submissions received were supportive overall of the proposed names of the polytechnics, and that they would likely fulfil the statutory characteristics of a polytechnic. Five submissions conveyed that they were unsure these polytechnics would undertake research, particularly applied and technological research. One submission, regarding NorthTec, was not in agreement that it would fulfil the statutory characteristics of a polytechnic nor that the establishment of NorthTec is in the interest of the tertiary education system. One submission, regarding NorthTec suggested the name should be NorthTec Te Tai Tokerau Wānanga, instead of Northland Polytechnic, to reflect the name currently in use as well as regional and cultural identity. NorthTec Te Tai Tokerau Wānanga will likely remain the trading name of the polytechnic.

Ministries, Departments and Crown Entities

- 23 The Department of the Prime Minister and Cabinet, Treasury, Department of Internal Affairs, Inland Revenue Te Tari Taake, Ministry for Ethnic Communities, Ministry for Pacific Peoples, Ministry for Primary Industries, Ministry for Regulation, Ministry for Women, Ministry of Business, Innovation and Employment, Ministry of Health, Health New Zealand Te Whatu Ora, Ministry of Justice, Ministry of Social Development, Ministry of Youth Development, Public Service Commission, Office of Treaty Settlements Te Arawhiti, Te Puni Kōkiri Ministry of Māori Development, Whaikaha Ministry of Disabled People, New Zealand Qualification Authority, Tertiary Education Commission, Office of the Privacy Commissioner, Office of The Ombudsman, Department of Corrections, Ministry of Transport, Ministry of Culture and Heritage, Parliamentary Counsel Office and Office of the Auditor General were provided the opportunity to comment on the draft Cabinet paper and draft Orders in Council.

Recommendations

I recommend that the Cabinet Legislation Committee:

- 1 **note** that section 315(1) of the Education and Training Act 2020 (the Act), provides that the Governor-General may, by Order in Council made on the recommendation of the responsible Minister, establish polytechnics
- 2 **note** that in March 2026, Cabinet agreed to establish three stand-alone polytechnics, being the Western Institute of Technology at Taranaki, Whitireia and WelTec Institute of Technology, and Northland Polytechnic [SOU-26-MIN-0022 refers], and to issue drafting instructions to the Parliamentary Counsel Office
- 3 **note** that the Education and Training Orders that accompany this paper give effect to the decisions referred to in paragraph 2 above
- 4 **note** that section 315(2) of the Act requires the responsible Minister to be satisfied that establishing each of the polytechnics is in the interests of the tertiary education system and the nation as a whole, having taken into account the characteristics of polytechnics
- 5 **note** that the Minister for Tertiary Education has consulted with relevant mayors, chambers of commerce, Business New Zealand, iwi, tertiary student and staff groups, and other tertiary education institutions, and this has identified no issues of concern with making the proposed Orders
- 6 **note** that the Minister for Tertiary Education considers that each of the proposed polytechnics is capable of giving effect to the characteristics of the polytechnics set out in section 314 of the Act, and that it is in the interests of the tertiary education system and the nation as a whole to complete the establishment of the network of regionally based polytechnics
- 7 **authorise** the Minister for Tertiary Education to submit to the Executive Council the following Orders to establish the polytechnics:
 - 7.1 Education and Training (Western Institute of Technology at Taranaki) Order 2026
 - 7.2 Education and Training (Whitireia and WelTec Institute of Technology) Order 2026
 - 7.3 Education and Training (Northland Polytechnic) Order 2026
- 8 **note** that the Orders to establish the polytechnics come into force on 1 October 2026.

Authorised for lodgement

Hon Penny Simmonds

Minister for Tertiary Education



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Orders in Council for the Establishment of Final Polytechnics

Portfolio **Tertiary Education**

On 21 May 2026, the Cabinet Legislation Committee:

- 1 **noted** that section 315(1) of the Education and Training Act 2020 (the Act), provides that the Governor-General may, by Order in Council made on the recommendation of the responsible Minister, establish polytechnics;
- 2 **noted** that in March 2026, the Cabinet Social Outcomes Committee agreed to establish three stand-alone polytechnics, being the Western Institute of Technology at Taranaki, Whitireia and WelTec Institute of Technology, and Northland Polytechnic [SOU-26-MIN-0022];
- 3 **noted** that the Education and Training Orders in paragraph 7 below give effect to the decisions referred to in paragraph 2 above;
- 4 **noted** that section 315(2) of the Act requires the responsible Minister to be satisfied that establishing each of the polytechnics is in the interests of the tertiary education system and the nation as a whole, having taken into account the characteristics of polytechnics;
- 5 **noted** that the Minister for Tertiary Education has consulted with relevant mayors, chambers of commerce, Business New Zealand, iwi, tertiary student and staff groups, and other tertiary education institutions, and this has identified no issues of concern with making the Orders below;
- 6 **noted** that the Minister for Tertiary Education considers that each of the proposed polytechnics is capable of giving effect to the characteristics of the polytechnics set out in section 314 of the Act, and that it is in the interests of the tertiary education system and the nation as a whole to complete the establishment of the network of regionally based polytechnics;
- 7 **authorised** the submission to the Executive Council of the:
 - 7.1 Education and Training (Western Institute of Technology at Taranaki) Order 2026 [PCO 28923/3.0];
 - 7.2 Education and Training (Whitireia and WelTec Institute of Technology) Order 2026 [PCO 28924/3.0];
 - 7.3 Education and Training (Northland Polytechnic) Order 2026 [PCO 28925/3.0];

8 **noted** that the Orders to establish the polytechnics come into force on 1 October 2026.

Sam Moffett
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Paul Goldsmith
Hon Louise Upston (Chair)
Hon Mark Mitchell
Hon Tama Potaka
Hon Penny Simmonds
Hon Brooke van Velden
Hon Shane Jones
Hon Casey Costello
Hon Nicola Grigg
Hon James Meager
Hon Scott Simpson
Hon Cameron Brewer
Hon Andrew Hoggard
Stuart Smith MP
Jamie Arbuckle MP

Officials present from:

Office of the Minister of Commerce and Consumer Affairs
Officials Committee for LEG

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Minute of Decision

Report of the Cabinet Legislation Committee: Period Ended 22 May 2026

Out of scope

[illegible]

Out of scope	[REDACTED]
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LEG-26-MIN-0104	Orders in Council for the Establishment of Final Polytechnics Portfolio: Tertiary Education	CONFIRMED
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Out of scope	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Rachel Hayward
Secretary of the Cabinet

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