



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

Report: Draft LEG paper for consultation - ECE amendment regulations

To:	Hon David Seymour, Associate Minister of Education		
Cc:	Hon Erica Stanford, Minister of Education		
Date:	23 January 2026	Deadline:	30 January 2026
Security Level:	In-Confidence	Priority:	Medium
From:	9(2)(a) Senior Policy Manager	Phone:	9(2)(a)
Drafter:	9(2)(a)	METIS No:	1354879
Title ok for release?	Yes		

Why are we sending this to you?

- This report follows previous advice that sought your decisions on the ECE Amendment Regulations and that committed to providing you with a draft Cabinet paper for Ministerial and agency consultation [METIS 1354528 refers].
- This report seeks your agreement to begin joint Ministerial and agency consultation on the draft Cabinet Legislation Committee (LEG) paper *Education (Early Childhood Services) Amendment Regulations 2026* and the *Education (Early Childhood Services) Amendment Regulations 2026*.

What action do we need, by when?

- Please return the signed report by Friday 30 January.

Key facts, issues and questions

- The draft LEG paper sets out the *Education (Early Childhood Services) Amendment Regulations 2026* ('the Amendment Regulations') that amend the thresholds for using licence reclassification to enforce compliance and introduce new graduated enforcement tools for use by the Director of Regulation [CAB-25-MIN-0123].
- Joint Ministerial and agency consultation on the draft LEG paper is scheduled for 2 – 16 February.
- Following this, the draft LEG paper is due to be considered by the Cabinet Legislation Committee on 5 March and Cabinet on 9 March. The Amendment Regulations will be gazetted by Friday 13 March and will come into effect from Monday 29 June.

Alignment with Government priorities

1. This report aligns with the Coalition Government's commitment to carry out a regulatory sector review of early childhood education (ECE) and to improve the quality of ECE regulation.

Background

2. This report follows previous advice that provided a summary of feedback from public consultation on the exposure draft of regulations and that sought further drafting decisions from you [METIS 1354528 refers]. We committed to providing you with a draft Cabinet Legislation Committee (LEG) paper and draft Amendment Regulations for Ministerial and agency consultation. These have been provided with this report as Annex 1 and 2 respectively.
3. We had also previously committed to providing you with a draft Regulatory Impact Statement (RIS). However, the Ministry for Regulation has now determined that a RIS is not required as the additional drafting and policy decisions you have made on the Amendment Regulations would have been eligible for an exemption from Cabinet's regulatory impact analysis requirements.
4. We are seeking your agreement to undertake joint Ministerial and agency consultation on the draft LEG paper from 2 – 16 February. This timing is intended to allow for final Cabinet decisions to be confirmed and gazetted as soon as possible. This will give the sector as much prior notice of the final regulations as possible, before they come into effect from 29 June 2026.

Next steps

5. We will progress the Amendment Regulations according to the timeframes outlined below.

Key milestone	Timing
Ministerial and agency consultation on LEG paper	Monday 2 February - Monday 16 February
Final Cabinet paper to Minister's office for lodging	Tuesday 24 February
Cabinet paper to be lodged	Thursday 25 February
LEG Committee meeting	Thursday 5 March
Cabinet meeting and Executive Council	Monday 9 March
Regulatory amendments gazetted	Friday 13 March
Regulations come into effect	Monday 29 June

Annexes

- Annex 1: Draft LEG paper - *Education (Early Childhood Services) Amendment Regulations 2026* (attached separately)

Annex 2: Draft Education (Early Childhood Services) Amendment Regulations 2026
(attached separately)

Recommended Actions

The Ministry of Education recommends you:

- a. **note** that the attached draft LEG paper seeks approval to submit the Education (Early Childhood Services) Amendment Regulations 2026 to the Executive Council, to provide the Director of Regulation with a broader set of regulatory and compliance tools.

Noted

- b. **agree** to undertake Ministerial and agency consultation on the draft LEG paper from 2 – 16 February.

Agree / Disagree

Proactive Release:

- c. **agree** that the Ministry of Education release this paper after final decisions have been made by Cabinet with any information needing to be withheld done so in line with the provisions of the Official Information Act 1982.

Agree / Disagree

9(2)(a)



Senior Policy Manager

Te Pou Kaupapahere

Hon David Seymour

Associate Minister of
Education

23 / 01 / 2026

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