Version
as at 23 February 2026

Education (Playgroups) Regulations 2008

(SR 2008/205)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 7th day of July 2008

Present:
His Excellency the Governor-General in Council

Pursuant to section 319 of the Education Act 1989, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

These regulations are administered by the Ministry of Education.

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Regulations

1 Title

These regulations are the Education (Playgroups) Regulations 2008.

2 Commencement

(1) Regulation 17 comes into force on the day after the date on which the making of these regulations is notified in the *Gazette*.

(2) The rest of these regulations come into force on 1 December 2008.

3 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Education and Training Act 2020

certificate means a certificate issued under these regulations

certified playgroup means a playgroup for which a current certificate is held

children, in relation to a playgroup, means children attending the playgroup

full certificate means a certificate issued under regulation 8

interim certificate means a certificate issued under regulation 7

playgroup has the same meaning as in section 10(1) of the Act

Secretary has the same meaning as in section 10(1) of the Act

service provider has the same meaning as in section 10(1) of the Act.

Regulation 3 **Act**: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 3 **certificated playgroup**: revoked, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 3 **certified playgroup**: inserted, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 3 **playgroup**: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 3 **Secretary**: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 3 **service provider**: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Part 1
Certification

4 Applications

(1) Every application for a certificate for a playgroup must be made by 1 individual person on behalf of the service provider.

(2) An application for a certificate for a playgroup must—

(a) be made in a form approved by the Director of Regulation; and

(b) include the information required by regulation 5 and be accompanied by the statement required by regulation 6; and

(c) include information of any other kind required by the Director of Regulation.

Regulation 4(2)(a): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 4(2)(c): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

5 What details must be included in applications

(1) Every application for a certificate must nominate a person involved with the playgroup who is able to respond to the Director of Regulation in a timely way.

(2) Every application for a certificate must be accompanied by evidence satisfactory to the Director of Regulation that the playgroup does, or is likely to, comply with all the standards set out in Part 2.

Regulation 5(1): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 5(2): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

6 Statement by applicant required

An application for a certificate, or for an amendment to or renewal of a certificate, must be accompanied by a statement by the person completing the application form, indicating—

(a) that he or she is authorised to make the application; and

(b) whether, after having made all reasonable inquiries, and to the best of his or her knowledge and belief, the application includes or is accompanied by all relevant information known to the service provider; and

(c) whether all information included in or accompanying the application is, after having made all reasonable inquiries, and to the best of his or her knowledge and belief, in all respects true and correct.

Interim certificate

7 Issue of interim certificate

(1) The Director of Regulation must issue an interim certificate for any playgroup that does not hold a certificate if, and only if, satisfied on reasonable grounds that—

(a) the curriculum, health and safety practices, management and administration, and ratios of the playgroup are likely to comply with the standards set out in regulations 18, 19, 21, and 22; and

(b) the premises and facilities used by the playgroup comply with the standard set out in regulation 20.

(2) If satisfied that the information contained in the application is complete, the Director of Regulation must take all reasonably practicable steps to ensure that the decision to issue or refuse to issue an interim certificate in respect of the playgroup is made within 30 working days.

(3) Unless earlier withdrawn, every interim certificate remains in force for the period specified in the certificate (which must not exceed 12 months from the date of issue), and then expires.

(4) At any time before the interim certificate expires, the Director of Regulation may, on the application of the playgroup, issue a full certificate.

(5) To avoid doubt, it is not necessary for the Director of Regulation to issue an interim certificate for a playgroup before issuing a full certificate for that playgroup.

Regulation 7(1): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 7(2): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 7(4): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 7(5): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Full certificate

8 Issue of full certificate

The Director of Regulation must issue a full certificate for a playgroup if, and only if, satisfied on reasonable grounds that the playgroup complies with all the standards set out in Part 2.

Regulation 8: amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

9 Duration of full certificate

(1) Every full certificate remains in force, unless earlier withdrawn, until the date of expiry specified in the certificate.

(2) The date referred to in subclause (1) must not be later than the expiry of 3 years after—

(a) the date of issue of the full certificate; or

(b) if the applicant previously held an interim certificate, the date of issue of that interim certificate.

General

10 Content of certificate

(1) Every certificate must state the following:

(a) the full name of the playgroup for which the certificate is issued:

(b) the premises for which the certificate has been issued:

(c) the date of issue of the certificate:

(d) the date of expiry of the certificate:

(e) any other details included at the direction of the Director of Regulation.

(2) Subject to subclause (1), certificates may be in any form the Director of Regulation thinks fit.

Regulation 10(1)(e): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 10(2): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

11 Power to issue directions and require action plan

(1) The Director of Regulation may issue a direction requiring a certified playgroup holding an interim certificate or a full certificate to implement an action plan prepared by the Director of Regulation if any aspect of the operation of the playgroup does not comply with—

(a) these regulations; or

(b) the relevant standards set out in Part 2.

(2) An action plan is a plan which, if implemented, will enable the playgroup to comply, within the period specified in that plan, with—

(a) these regulations; and

(b) the relevant standards set out in Part 2.

(3) The period for compliance specified in the plan is a period specified by the Director of Regulation in his or her direction that—

(a) the Director of Regulation considers reasonable in the circumstances; but

(b) does not expire after the expiry of the certificate held by the playgroup.

(4) The Director of Regulation—

(a) may amend an action plan at any time while it is in force; and

(b) must notify the playgroup of any amendment to the action plan as soon as is reasonably practicable.

(5) The service provider who operates a playgroup must—

(a) comply with any direction issued by the Director of Regulation under this regulation; and

(b) ensure that the non-compliance referred to in the direction is remedied within the period specified by the Director of Regulation.

Regulation 11(1): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 11(1): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 11(3): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 11(3)(a): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 11(4): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 11(5)(a): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 11(5)(b): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

12 Withdrawal of certificates

(1) Subject to subclause (3), the Director of Regulation must, by written notice delivered to the service provider, withdraw a certificate for a playgroup if—

(a) the playgroup has permanently ceased to operate; or

(b) the playgroup does not comply with the Act or these regulations or the relevant standards set out in Part 2, and the service provider has received a direction from the Director of Regulation under regulation 11(1) and has either—

(i) failed to implement an action plan; or

(ii) failed to ensure that the non-compliance referred to in the direction is remedied within the period specified by the Director of Regulation.

(2) Subject to subclause (3), the Director of Regulation may, by written notice delivered to the service provider, withdraw a certificate for a playgroup if, in the opinion of the Director of Regulation, continued participation by children in the playgroup poses an immediate health or safety risk to those children.

(3) The Director of Regulation may not withdraw a certificate under subclause (1) or (2) unless—

(a) the Director of Regulation has taken all reasonable steps to give the service provider for the playgroup concerned written notice of the Director of Regulation's intention to do so and the Director of Regulation—

(i) has not been able to do so; or

(ii) has taken into account all representations received from the service provider within a reasonable time of the service provider being given notice; or

(b) if subclause (2) applies, the Director of Regulation is satisfied that it is desirable in the interests of the children's safety to withdraw the certificate immediately.

(4) Withdrawal of a certificate takes effect on the date of withdrawal specified in the notice issued under subclause (1) or (2).

Regulation 12(1): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 12(1)(b): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 12(1)(b)(ii): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 12(2): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 12(3): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 12(3)(a): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 12(3)(b): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

13 Amendment of certificates

(1) The service provider for a certified playgroup must apply to the Director of Regulation for an amendment to the certificate if—

(a) the service provider wants to make any alterations to the operation of the playgroup that would have affected the decision to issue the certificate; or

(b) the service provider wants to make any changes to the operation of the playgroup that would make any matter specified in the certificate incorrect.

(2) If subclause (1) applies, the Director of Regulation must review the certificate and, as seems appropriate,—

(a) confirm it; or

(b) amend any of the particulars specified in it; or

(c) if regulation 11 or 12 applies, exercise any power referred to in whichever of these regulations is applicable.

Regulation 13(1): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 13(1): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 13(2): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

14 Replacement certificates

If satisfied that a certificate is lost, stolen, defaced, or destroyed, or that it contains an error, the Director of Regulation may grant a replacement certificate.

Regulation 14: amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

15 Renewal of full certificates

(1) A holder of a full certificate may, not later than 30 working days before the expiry of that certificate, apply in the manner provided for in regulations 4 to 6 for the renewal of that certificate, and regulations 8 to 10 apply with any necessary modications.

(2) If an application for renewal of a full certificate is made in accordance with subclause (1), the playgroup is deemed to continue to be a certified playgroup until the application for renewal is determined.

(3) If an application for renewal of a full certificate is granted, the new certificate comes into effect on the expiry of the previous certificate.

Regulation 15(2): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Part 2
Standards

16 Outline and purpose of Part

(1) This Part requires the service provider for every certified playgroup to comply with each of the following minimum standards:

(a) the curriculum standard (*see* regulation 18):

(b) the ratios standard (*see* regulation 19):

(c) the premises and facilities standard (*see* regulation 20):

(d) the health and safety practices standard (*see* regulation 21):

(e) the management and administration standard (*see* regulation 22).

(2) The purpose of the minimum standards is to ensure the health, comfort, care, education, and safety of children attending certified playgroups.

Regulation 16(1): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 16(2): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

17 Minister may prescribe criteria

(1) The Minister may, after consultation with the Director of Regulation and those organisations that appear to the Minister to be substantially affected by these regulations, by notice prescribe criteria to be used by the Director of Regulation to assess compliance with the minimum standards imposed by regulations 18 to 22, or any of them.

(1A) For the purposes of this regulation, the Secretary is the Minister's principal policy adviser.

(1B) The Secretary's advice to the Minister—

(a) must set out the effects of the proposed criteria, including who will be affected by the criteria; and

(b) may include any other information that the Secretary thinks fit.

(2) A notice made under this regulation is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

(3) By way of explanation and elaboration, the purpose of criteria prescribed by the Minister is to enable those criteria to be used by the Director of Regulation to assess whether service providers have complied with the minimum standards.

Legislation Act 2019 requirements for secondary legislation made under this regulation

Publication	The maker must: • publish it in the *Gazette*; or • notify it in the *Gazette* with a statement of where a copy of it may be obtained by members of the public	LA19 ss 73, 74(1)(a), Sch 1 cl 14

Presentation	It is not required to be presented to the House of Representatives because a transitional exemption applies under Schedule 1 of the Legislation Act 2019	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the secondary legislation.

Regulation 17(1): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 17(1): amended, on 28 October 2021, by regulation 102(1) of the Legislation Act (Subdelegated Secondary Legislation) Regulations 2021 (LI 2021/248).

Regulation 17(1A): inserted, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 17(1B): inserted, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

Regulation 17(2): replaced, on 28 October 2021, by regulation 102(2) of the Legislation Act (Subdelegated Secondary Legislation) Regulations 2021 (LI 2021/248).

Regulation 17(3): amended, on 23 February 2026, by section 14 of the Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70).

18 Curriculum standard

The curriculum standard requires the service provider for every certified playgroup to—

(a) plan for, provide, and review an education programme that is consistent with any curriculum framework prescribed by the Minister that applies to certified playgroups; and

(b) provide positive guidance to children attending the playgroup in order to support children's learning.

Regulation 18: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 18(a): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

19 Ratios standard

The ratios standard requires the service provider for every certified playgroup to ensure that—

(a) more than half of the children attending on any occasion have a parent or caregiver present in the same play area at the same time; and

(b) the total number of children attending on any occasion is not greater than 4 times the number of parents and caregivers present in the same play area at the same time.

Regulation 19: substituted, on 24 September 2009, by regulation 4 of the Education (Playgroups) Amendment Regulations 2009 (SR 2009/233).

Regulation 19: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

20 Premises and facilities standard

(1) The premises and facilities standard requires the service provider for every certified playgroup to operate from premises that are—

(a) safe and that provide sufficient space, facilities, and equipment to support the learning of children attending the playgroup and maintain their health and well-being; and

(b) available for use by other groups in the community; but

(c) not used as a private dwelling.

(2) Subclause (1)(b) does not prevent a playgroup from operating from a part of any premises set aside for the exclusive use of the playgroup, (for example, a particular room in a building) if another part or parts of the same premises are open to use by other groups in the community.

Regulation 20(1): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

21 Health and safety practices standard

The health and safety practices standard requires the service provider for every certified playgroup to take reasonable steps to—

(a) maintain good health and safety practices at the playgroup; and

(b) ensure, so far as is reasonably practicable, the health and safety of children attending the playgroup; and

(c) ensure that appropriate procedures are in place to deal with fires, earthquakes, and other emergencies.

Regulation 21: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 21(b): replaced, on 4 April 2016, by section 232 of the Health and Safety at Work Act 2015 (2015 No 70).

22 Management and administration standard

(1) The management and administration standard requires the service provider for every certified playgroup to ensure that—

(a) the playgroup is effectively managed in accordance with good management practices; and

(b) the playgroup is managed in a collaborative way with the parents and caregivers involved; and

(c) appropriate written procedures and records are developed, maintained, and made available when appropriate.

(2) All written procedures and records required by subclause (1)(c) must be made available by the service provider for inspection—

(a) at any reasonable time on request by a parent or member of the family or caregiver of a child attending the playgroup:

(b) at any time on request by any person exercising powers or carrying out functions under Part 2 of the Act.

(3) Subclause (2) does not limit any rights of access conferred by law to any document referred to in subclause (1)(c).

Regulation 22(1): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Regulation 22(2)(b): amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Rebecca Kitteridge,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 10 July 2008.

Notes

1 General

This is a consolidation of the Education (Playgroups) Regulations 2008 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Education and Training (Early Childhood Education Reform) Amendment Act 2025 (2025 No 70): section 14

Legislation Act (Sub-delegated Secondary Legislation) Regulations 2021 (LI 2021/248): regulation 102

Education and Training Act 2020 (2020 No 38): section 668

Health and Safety at Work Act 2015 (2015 No 70): section 232

Education (Playgroups) Amendment Regulations 2009 (SR 2009/233)

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2026