

Version
as at 1 February 2022



Education (Export Education Levy) Regulations 2011 Revocation Order 2021

(SL 2021/395)

Education (Export Education Levy) Regulations 2011 Revocation Order 2021: revoked, on 1 February 2022, by clause 4.

Cindy Kiro, Governor-General

Order in Council

At Wellington this 29th day of November 2021

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 641 of the Education and Training Act 2020—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Education made after complying with section 641(3) of that Act.

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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.

This order is administered by the Ministry of Education.

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Order

1 Title

This order is the Education (Export Education Levy) Regulations 2011 Revocation Order 2021.

2 Commencement

This order comes into force on 1 January 2022.

3 Revocation of Education (Export Education Levy) Regulations 2011

The Education (Export Education Levy) Regulations 2011 (SR 2011/383) are revoked.

4 Revocation of this order

This order is revoked on 1 February 2022.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 1 January 2022, revokes the Education (Export Education Levy) Regulations 2011 (the **regulations**). The effect of the revocation is to remove the requirement for certain education providers to pay the export education levy (the **levy**). The revocation recognises the effect that COVID-19 is having on New Zealand's international education sector. The number of international students enrolled with New Zealand education providers has dropped significantly since the outbreak of COVID-19 in 2020.

Prior to revocation, the regulations required any education provider who received tuition fees from international students to pay a levy each year. For a private training establishment (a **PTE**), the levy was set at 0.89% of the tuition fees the PTE received from international students for that year. For all other education providers, the levy was set at 0.50% of the tuition fees the provider received from international students for that year.

Clause 69 of Schedule 1 of the Education and Training Act 2020 (the **Act**) suspended the requirement to pay the levy from 1 January 2020 to 31 December 2021.

An export education levy is able to be imposed again in future by way of regulations made under section 641 of the Act.

This order is revoked on 1 February 2022.

Regulatory impact statement

The Ministry of Education produced a regulatory impact statement on 22 September 2021 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <https://www.education.govt.nz/international-students/>
- <https://treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 2 December 2021.

Notes

1 *General*

This is a consolidation of the Education (Export Education Levy) Regulations 2011 Revocation Order 2021 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 (Export Education Levy) Regulations 2011 Revocation Order 2021 (SL 2021/395): clause 4