

**2025**

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**ACT TEACHER QUALITY INSTITUTE AMENDMENT REGULATION 2025 (No 1)  
Subordinate Law SL2025-27**

**EXPLANATORY STATEMENT**

**Presented by  
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Minister for Education and Early Childhood**

## **ACT Teacher Quality Institute Amendment Regulation 2025 (No 1)**

The Regulation Amendment **is not** a Significant Regulation Amendment. It is unlikely to have significant engagement of human rights and therefore does not require more detailed reasoning in relation to compatibility with the *Human Rights Act 2004*.

### **OVERVIEW OF THE REGULATION AMENDMENT**

The *ACT Teacher Quality Institute (TQI) Amendment Regulation 2025* will amend the *TQI Regulation 2010*.

The *TQI Amendment Regulation 2025* proposes amendments to TQI Regulation to establish an adapted model of registration for teachers who are over 60 and are teaching part-time or who wish to teach part time.

### **CONSULTATION ON THE PROPOSED APPROACH**

In developing the *ACT Teacher Quality Institute Regulation Amendment 2025*, TQI consulted with the Government Solicitor's Office (GSO), the Parliamentary Counsel's Office (PCO) and the Education Directorate. TQI also consulted via the TQI Board and TQI Board committees, with teacher employers, education unions, teacher and principal representatives and a community representative. During May and June 2025, TQI consulted with teacher employers, teacher unions and the teaching profession about establishing an adapted model of teacher registration for retiree teachers. TQI also consulted with PCO in the development of the *TQI Amendment Regulation 2025*.

### **CONSISTENCY WITH HUMAN RIGHTS**

The Amendment to the TQI Regulation does not engage human rights.

## CLAUSE NOTES

### Clause 1 Name of Regulation

This regulation is the *ACT Teacher Quality Institute Amendment Regulation 2025* (No 1).

### Clause 2 Commencement

This clause enables the Regulation to commence on 19 January 2026. Commencing on this date allows teachers who wish to apply for registration under the adapted model for retiree teachers to do so from the beginning of the 2026 renewal period of teacher registration.

### Clause 3 Legislation amended

This clause identifies that the Regulation amends the *ACT Teacher Quality Institute Regulation 2010*.

### Clause 4 Section 5A, new definitions

This clause inserts a definition for

- *education and care service* – an approved education and care service under the *Education and Care Services National Law (ACT)*.
- *retiree teacher* as a person who is at least 60 years old and approved by the Institute to be a retiree teacher for the purposes of registration under subsection 2 - if satisfied it is appropriate in the circumstances, taking into account the person's experience in teaching in Australia or New Zealand.

This clause also inserts a new definition of *teaching in Australia or New Zealand*.

The new definition defines *teaching in Australia or New Zealand* as teaching in a government or non-government school under the *ACT Education Act 2004* – that is an ACT school, or a school recognised under a law of a corresponding jurisdiction that regulates schools – that is registered schools in Australia and New Zealand or an approved education and care service under the Education and Care Services National Law.

### Clause 5 New section 5A (2)

This clause gives authority for the Institute to approve a person as a retiree teacher for the purposes of registration if their experience of teaching is deemed to be sufficient. The retiree teacher is not a new category of registration, rather the person is registered under an adapted model of registration which recognises the experience and expertise of many teachers who are aged over 60.

#### **Clause 6      New section 6 (h)**

This clause requires that a person's application for registration must include whether the applicant is a retiree teacher.

#### **Clause 7      Section 9 (1)**

This clause excludes the requirement that a retiree teacher with full registration must have taught for the prescribed period of 180 days in the last five years.

#### **Clause 8      New section 9 (1A)**

This clause requires that a retiree teacher applying for full registration must have taught for 50 days in Australia or New Zealand in the last five years or to have taught for a period that the Institute is satisfied is equivalent to satisfactory completion of 50 days of teaching in Australia or New Zealand in the last five years.

#### **Clause 9      New section 9 (2) and (4)**

Section 9 (2) establishes that days taught while holding a permit to teach are to be disregarded in an application for full registration as a retiree teacher.

Section 9 (4) establishes that if the Institute is satisfied on reasonable grounds that the person's teaching carried out under a permit to teach should be taken into account, the days taught in the last five years by a person applying under the adapted model of registration for retiree teachers can be taken into account.

#### **Clause 10    Section 9 (5)**

This clause removes the definition of *teaching in Australia or New Zealand* because the definition is included earlier in the Regulation in Section 5A

#### **Clause 11    New section 10A (2)**

This clause establishes that to be eligible for full registration a retiree teacher will not teach in a school or an education and care service for more than 120 days in any 12-month period.

#### **Clause 12    New section 12A (2)**

This clause establishes that to be eligible for provisional registration, a retiree teacher will not teach in a school or an education and care service for more than 120 days in any 12-month period.

#### **Clause 13    New section 12D**

This clause establishes, to be eligible for early childhood teacher registration, that a retiree teacher will not teach in a school or an education and care service for more than 120 days in any 12-month period.

#### **Clause 14    New section 13 (3)**

This clause removes the reference to the definition of *teaching in Australia or New Zealand*. This is a technical change to remove duplication.

#### **Clause 15    New section 14A**

This clause requires that a person's registration as a retired teacher be included on the teachers register.

#### **Clause 16    Section 15, example – par (a)**

This clause is a technical amendment so that the regulation refers to the correct section in the Act.

#### **Clause 17    Section 17 (1)**

This clause excludes the requirement that a retiree teacher with full registration must have taught for the prescribed period of 180 days in the last five years.

#### **Clause 18    Section 17 (1) (b)**

This clause makes the language in 17 (1) (b) consistent with 17 (1) (a) by adding the words to 17 (1) (b) 'in Australia and New Zealand'.

#### **Clause 19    New section 17 (1A)**

This clause requires that a retiree teacher applying for renewal of full registration must have taught for 50 days in Australia or New Zealand in the last five years or to have taught for a period that the Institute is satisfied is equivalent to satisfactory completion of 50 days of teaching in Australia or New Zealand in the last five years.

#### **Clause 20    New section 17 (2)**

Section 17 (2) establishes that if the Institute is satisfied on reasonable grounds that the person's teaching carried out under a permit to teach should be taken into account, the days taught in the last five years by a person applying under the adapted model of registration for retiree teachers can be taken into account.

#### **Clause 21    Section 17 (4), definition of *teaching in Australia or New Zealand***

This clause removes the reference to the definition of *teaching in Australia or New Zealand*. This is a technical change to remove duplication.

#### **Clause 22    Section 18A**

This clause removes the repeat of a person applying for renewal of registration as it is included in the section heading. The clause clarifies that 18A 1 does not apply to retiree teachers.

**Clause 23    Section 18A**

This clause makes a technical amendment to omit an unnecessary note.

**Clause 24    New section 18A (2)**

This clause requires that a retiree teacher applying for renewal of registration must have undertaken 25 hours of professional learning in the five-year period before the application is made, or a pro-rata amount or an amount considered equivalent to 25 hours over five years.

**Clause 25    Dictionary, new definitions**

This clause refers the reader to the new definitions included in Section 5A.