



Education (School Attendance) Regulations 2024

Rt Hon Dame Helen Winkelmann, Administrator of the Government

Order in Council

At Wellington this 21st day of October 2024

Present:

Her Excellency the Administrator of the Government in Council

These regulations are made under section 638 of the Education and Training Act 2020 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Education (School Attendance) Regulations 2024.

2 Commencement

These regulations come into force on 1 January 2025.

3 Application

These regulations apply only to State schools (other than distance schools) on and after—

- (a) 1 July 2025, in relation to a State school that is governed by a specified kura board:
- (b) 1 January 2025, in relation to any other State school.

4 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Education and Training Act 2020

attendance record, for a student, means the record kept under section 237A of the Act in relation to the student

specified kura board means the board of any of the following:

- (a) a Kura Kaupapa Māori:
- (b) a designated character school with a character that is hapū- or iwi-based or that affiliates with Ngā Kura ā Iwi o Aotearoa:
- (c) a State integrated school with a special character that is hapū- or iwi-based.

5 Transitional, savings, and related provisions

The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.

Attendance records

6 Duty to record attendance for each half-day

- (1) The principal of a State school must ensure that the attendance record records the student's attendance for each half-day that the school is open for instruction.
- (2) However, if the student is no longer attending the school, the principal must ensure that the attendance record records—
 - (a) that the student is no longer attending the school; and
 - (b) the last day of the student's attendance.

- (3) The information referred to in subclause (2) must be recorded as soon practicable after the principal knows that—
- (a) the student no longer attends the school on a permanent basis; or
 - (b) the student has been unjustifiably absent from the school for 20 consecutive school days or more, unless the principal has been informed that the student's absence is temporary.

Compare: SR 1951/181 rr 3, 8, 11

7 Duty to provide attendance records to Secretary

The principal of a State school must ensure that the attendance record is provided to the Secretary—

- (a) at the end of each school day; and
- (b) in the form and manner specified in rules made under section 237A of the Act.

Compare: SR 1951/181 r 13

Revocation

8 Revocation

The Education (School Attendance) Regulations 1951 (SR 1951/181) are revoked.

Schedule 1

Transitional, savings, and related provisions

r 5

Part 1

Provisions relating to these regulations as made

There are no transitional, savings, and related provisions relating to these regulations as made.

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations but is intended to indicate their general effect.

These regulations, which come into force on 1 January 2025, revoke and replace the Education (School Attendance) Regulations 1951 with new regulations made under the Education and Training Act 2020 (the **Act**).

The effect of these regulations is to impose duties on the principal of a State school (other than a distance school) to ensure that—

- the attendance record for each student enrolled at the school records the student's attendance for each half-day that the school is open for instruction; and
- the attendance record is provided to the Secretary for Education at the end of each school day in the form and manner specified in rules made under section 237A of the Act.

The duties in these regulations apply to a State school governed by a specified kura board on and after 1 July 2025 and to any other State school on and after 1 January 2025.

Issued under the authority of the Legislation Act 2019.

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These regulations are administered by the Ministry of Education.