



Education (Domestic Student: Tertiary Education and Vocational Education and Training) Notice 2025

This notice is made by the Minister for Vocational Education and the Minister for Universities under section 10(1) of the Education and Training Act 2020.

Contents

		Page
1	Title	1
2	Commencement	1
3	Interpretation	1
4	Persons to be treated as if they are not international students for purposes of Parts 4 and 5 of Act	2
5	Domestic student status not transferable	2
6	Revocation	2
	Schedule	3
	Persons to be treated as if they are not international students for purposes of Part 4 and Part 5 of Act	

Notice

- 1 **Title**
 This notice is the Education (Domestic Student: Tertiary Education and Vocational Education and Training) Notice 2025.

- 2 **Commencement**
 This notice comes into force on 1 January 2026.

- 3 **Interpretation**
 In this notice, unless the context otherwise requires,—
Act means the Education and Training Act 2020
dependent child has the same meaning as in section 4 of the Immigration Act 2009.

4 Persons to be treated as if they are not international students for purposes of Parts 4 and 5 of Act

For the purposes of paragraph (c) of the definition of domestic student in section 10(1) of the Act, persons of a class or description specified in the Schedule are to be treated as if they are not international students for the purposes of Parts 4 and 5 of the Act (except sections 455, 519, 520, and 524).

5 Domestic student status not transferable

To avoid doubt, a person specified in the Schedule who is to be treated as if they are not an international student based on their programme or course of study does not qualify as a domestic student in relation to any other programme or course of study, unless the person is to be treated as if they are not an international student for that programme or course of study.

6 Revocation

The Tertiary Education (Domestic Students) Notice 2024 (published in the *Gazette* on 14 March 2024, 2024-go1042) is revoked.

Schedule

Persons to be treated as if they are not international students for purposes of Part 4 and Part 5 of Act

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- 1 A person who has a letter from the Protocol Division of the New Zealand Ministry of Foreign Affairs and Trade confirming that they are, for the time being, entitled to any immunity from jurisdiction by or under the Diplomatic Privileges and Immunities Act 1968 or the Consular Privileges and Immunities Act 1971 for the current academic year and until the end of the year in which that status expires.
- 2 A person who has made a claim to be recognised as a refugee or a protected person under Part 5 of the Immigration Act 2009 and who holds a valid temporary visa.
- 3 A person who—
 - (a) is recognised as a refugee or a protected person under Part 5 of the Immigration Act 2009 and who, for the time being, has not been granted a New Zealand residence class visa; or
 - (b) is the partner or any child in New Zealand of a person referred to in paragraph (a); or
 - (c) is the parent or any sibling in New Zealand of a person referred to in paragraph (a) who is a dependent child.
- 4 A person who is in New Zealand to study under a New Zealand Government-approved exchange programme at a tertiary education provider.
- 5 A person who is in New Zealand to study and who is enrolled in a Doctor of Philosophy programme at a New Zealand university.
- 6 A person who—
 - (a) was enrolled on 31 December 2022 at a tertiary education provider for the purpose of participating in training or an apprenticeship that was funded by the Tertiary Education Commission (TEC) through the Industry Training Fund funding determination issued under section 419 of the Act and that was in force on that date; and
 - (b) continues to be enrolled in the same programme of study that is funded by TEC through the Determination of Design of Funding Mechanism: Delivery at Levels 3 to 7 (non-degree) on the New Zealand Qualifications and Credentials Framework and all Industry Training.
- 7 A person who—
 - (a) is working in New Zealand on an Accredited Employer Work Visa and in an occupation that—
 - (i) is specified on the Immigration New Zealand Green List; or
 - (ii) was within the scope of a sector agreement in place as at 9 March 2025; and
 - (b) is studying a qualification that—
 - (i) is delivered in the work-based mode of delivery; and
 - (ii) has been identified by the appropriate industry skills board or workforce development council (as applicable) as being in the national interest; and
 - (iii) has been approved by TEC as being in the national interest; and
 - (c) is enrolled in study or training that is funded by TEC through the Determination of Design of Funding Mechanism: Delivery at Levels 3 to 7 (non-degree) on the New Zealand Qualifications and Credentials Framework and all Industry Training.
- 8 A person who—
 - (a) is enrolled in a course of study or training funded by TEC for search and rescue training; and

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(b) is entitled to remain in New Zealand on a visa for at least 6 months from the date of their enrolment in that course of study or training.

A person who—

(a) is enrolled in a course of study or training funded by TEC through the English Language Teaching—Intensive Literacy and Numeracy Fund or through the Determination of Design of Funding Mechanism: Adult and Community Education; and

(b) is residing in New Zealand on any of the following visas:
 - (i) Partner of a New Zealander Work Visa:
 - (ii) Partner of a New Zealander Visitor Visa:
 - (iii) 2022 Special Ukraine Visa.
- 10

A person who—

(a) is enrolled at a tertiary education provider in a short-term work-related training course that—
 - (i) receives no funding from TEC under section 419 of the Act; and
 - (ii) is for a period of 10 days or less; and

(b) is required by their employer for the particular work being undertaken.

Dated at Wellington this 10th day of December 2025.

Hon Penny Simmonds,
Minister for Vocational Education.

Dated at Wellington this 10th day of December 2025.

Hon Shane Reti,
Minister for Universities.

Explanatory note

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

This notice, which comes into force on 1 January 2026, is made under section 10(1) of the Education and Training Act 2020 (the **Act**) and specifies persons who, for the purposes of paragraph (c) of the definition of domestic student in section 10(1), are required to be treated as if they are not international students in respect of Parts 4 and 5 of the Act.

The effect of treating a person specified in the *Schedule* as if they are not an international student is that the person becomes entitled to tertiary education and vocational education and training in New Zealand as if they were a domestic student.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 18 December 2025.

This notice is administered by the Ministry of Education.