NORTHERN TERRITORY OF AUSTRALIA

EDUCATION STANDARDS AND REGISTRATION BOARD ACT 2026

As in force at 6 November 2026

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 6 November 2026

EDUCATION STANDARDS AND REGISTRATION BOARD ACT 2026

An Act to establish the Northern Territory Education Standards and Registration Board and for related purposes

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Education Standards and Registration Board Act 2026*.

2 Commencement

(1) This Act (except sections 3 and 4 and Parts 2, 3 and 5) commences on the day after the day on which the Administrator's assent to this Act is declared.

(2) Subject to subsection (3), the remaining provisions of this Act commence on the day fixed by the Administrator by *Gazette* notice.

(3) If a provision of this Act does not commence before 5 April 2027, it commences on that day.

3 Definitions

In this Act:

alternate member means an alternate member of the Board appointed under section 8(1).

authorised person, see section 4 of the *Teacher Registration (Northern Territory) Act 2004*.

Board means the Northern Territory Education Standards and Registration Board established by section 5.

Chairperson means the chairperson of the Board appointed under section 9(1).

code of conduct means a code of conduct made by the Board

under section 31 and includes a provision of a code of conduct.

committee means a committee established under section 29(1).

Deputy Chairperson means the deputy chairperson of the Board appointed under section 9(2).

Director means the Director of the Board appointed under section 25(1).

early childhood service means an education and care service as defined in section 5 of the *Education and Care Services National Law (NT)*, but does not include:

(a) a family day care service as defined in section 5 of the *Education and Care Services National Law (NT)*; or

(b) an outside school hours service; or

(c) any other service of a kind prescribed by regulation.

education law means the following:

(a) the *Education Act 2015*;

(b) the *Teacher Registration (Northern Territory) Act 2004*.

industry adviser means an industry adviser appointed under section 18(1).

member means a member of the Board appointed under section 6(1).

registered, see section 4 of the *Teacher Registration (Northern Territory) Act 2004*.

registration, see section 4 of the *Teacher Registration (Northern Territory) Act 2004*.

school, see section 5 of the *Education Act 2015*.

teacher, see section 4 of the *Teacher Registration (Northern Territory) Act 2004*.

Note for section 3

The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.

4 Application of Criminal Code

Part IIAA of the Criminal Code applies to an offence against this Act.

Note for section 4

Part IIAA of the Criminal Code states the general principles of criminal responsibility, establishes general defences, and deals with burden of proof. It also defines, or elaborates on, certain concepts commonly used in the creation of offences.

Part 2 Northern Territory Education Standards and Registration Board

Division 1 Establishment of Board

5 Establishment

(1) The Northern Territory Education Standards and Registration Board is established.

(2) The Board:

(a) is a body corporate with perpetual succession; and

(b) has a common seal; and

(c) is capable, in its corporate name, of suing and being sued; and

(d) is capable, in its corporate name, of acquiring, holding and disposing of real, leasehold and personal property.

(3) All courts, judges and persons acting judicially are to take judicial notice of the common seal of the Board affixed to a document and must assume that it was duly affixed.

(4) The Board has the privileges, rights or immunities of the Crown in right of the Territory.

Division 2 Composition of Board and appointment of members

6 Composition of Board

(1) Subject to subsection (2), the Board consists of not less than 7 members appointed by the Minister.

(2) A person appointed as a member must have the professional skills and expertise in one or more of the following areas:

(a) education system, school and student performance;

(b) teaching and learning practice;

(c) workforce development;

(d) law or regulatory practice;

(e) corporate governance;

(f) any other skills or experience that the Minister considers appropriate.

(3) In appointing a person to be a member, the Minister must have regard to the need for the Board to have an appropriate balance of skills and expertise among the members.

(4) The Minister must not appoint a person to be a member unless satisfied the person is a fit and proper person to be a member.

7 Term of appointment

(1) The appointment of a member is for the term, not exceeding 4 years, specified in the instrument of appointment.

(2) Subject to subsection (3), a member is eligible for reappointment.

(3) A member must not be reappointed if the reappointment would result in the member serving consecutive terms of appointment that together exceed 8 years, unless the Minister is satisfied exceptional circumstances exist.

(4) For subsection (3), a term of appointment is taken to be consecutive to another term if less than 6 months elapses between the end of one term and the beginning of the next term.

8 Alternate members

(1) The Minister may appoint one or more persons as alternate members.

(2) In appointing an alternate member, the Minister must:

(a) have regard to the criteria mentioned in section 6(2); and

(b) be satisfied the person is a fit and proper person to be an alternate member.

(3) The Chairperson may authorise an alternate member to act in the place of a member during the member's absence or inability to act.

(4) While acting in the place of a member as authorised under subsection (3), an alternate member:

(a) has all the power and functions of the member; and

(b) is taken to be a member of the Board.

(5) The appointment of an alternate member is for the term, not exceeding 4 years, specified in the instrument of appointment.

(6) Subject to subsection (7), an alternate member is eligible for reappointment.

(7) An alternate member must not be reappointed if the reappointment would result in the alternate member serving consecutive terms of appointment that together exceed 8 years, unless the Minister is satisfied exceptional circumstances exist.

(8) For subsection (7), a term of appointment is taken to be consecutive to another term if less than 6 months elapses between the end of one term and the beginning of the next term.

9 Chairperson and Deputy Chairperson

(1) The Minister may, in writing, appoint a member to be the Chairperson of the Board.

(2) The Minister may, in writing, appoint a member to be the Deputy Chairperson of the Board.

(3) The Deputy Chairperson acts as Chairperson, despite an alternate member acting as a member in the place of the Chairperson, if:

(a) the Chairperson is absent from duty; or

(b) the Chairperson is otherwise unable to perform the functions of the office; or

(c) there is a vacancy in the office of the Chairperson.

10 Vacation of office

(1) A member may resign office by giving written notice to the Minister.

(2) The Chairperson or Deputy Chairperson may resign the office of Chairperson or Deputy Chairperson by giving written notice to the Minister but remain a member.

(3) A person ceases to hold office as a member if:

(a) the person resigns; or

(b) the person's term of appointment comes to an end and the person is not reappointed; or

(c) the appointment of the person is terminated under section 11.

11 Termination of appointment

(1) The Minister may terminate the appointment of a person as a member if:

(a) the member is absent from 3 consecutive meetings of the Board without the Board's permission; or

(b) the member becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with the member's creditors or makes an assignment of the member's remuneration or estate for their benefit; or

(c) the member is found guilty of:

(i) an offence against this Act; or

(ii) an offence against another Act that is punishable by imprisonment; or

(iii) an offence against a law of the Commonwealth, a State or another Territory that is punishable by imprisonment; or

(d) the member fails, without reasonable excuse, to comply with the member's obligation under section 24.

(2) The Minister may terminate the appointment of a person as a member if the Minister is satisfied that the person:

(a) has acted improperly in the performance of the person's duties as a member; or

(b) has disclosed confidential information obtained by the person in the course of the person's duties as a member; or

(c) is unable to competently perform the person's duties as a member; or

(d) has contravened a code of conduct applicable to the member.

12 Validity of acts

An act or decision of the Board is not invalid because of:

(a) a defect or irregularity in connection with the appointment of a member; or

(b) a vacancy in the membership of the Board.

Division 3 Objective, functions and powers

13 Objective of Board

The objective of the Board is to ensure that school curriculum, assessment frameworks, teaching standards and regulatory standards under an education law are developed, implemented and monitored in a manner that promotes improved student learning outcomes while maintaining flexibility across the school education and teaching sector.

14 Functions of Board

The Board has the following functions:

(a) to provide strategic advice to the Minister and the Chief Executive Officer on curriculum, student assessment and certification for the school education system in the Territory, including in relation to:

(i) establishing and maintaining curriculum frameworks to address the needs of all students in the Territory school education system; and

(ii) determining and maintaining procedures for student assessment, reporting and certification;

(b) to promote and support high standards in the teaching profession in the Territory by promoting professional development of teachers and quality teaching practice;

(c) to provide advice to the Minister on matters relating to teacher quality, minimum qualifications and other requirements for registration;

(d) to cooperate and consult with bodies prescribed by regulation that are engaged in education or related matters;

(e) any other functions conferred on it under this Act, an education law or any other Act.

15 Powers of Board

(1) The Board has the powers necessary or convenient to perform the Board's functions.

(2) The Board has the power to charge a fee for the provision of a service, whether or not the fee is prescribed.

Division 4 Role of Minister

16 Ministerial directions to Board

(1) Subject to subsection (2), the Minister may give written directions to the Board in relation to:

(a) the government's expectations of how the Board is to achieve its objective, perform its functions and exercise its powers; and

(b) the administration of the Board.

(2) The Minister must not give a direction under subsection (1) that relates to:

(a) a particular authorised person or registered teacher; or

(b) a particular application for:

(i) registration of a teacher or renewal of a teacher's registration under Part 4 of the *Teacher Registration (Northern Territory) Act 2004*; or

(ii) an authorisation under Part 5 of the *Teacher Registration (Northern Territory) Act 2004*; or

(c) a particular complaint, investigation or inquiry under Part 6 of the *Teacher Registration (Northern Territory) Act 2004* or disciplinary action taken against a particular person under that Part.

(3) The Minister must not give a direction to the Board that is inconsistent with this Act or an education law.

(4) The Board must give effect to the Minister's directions in exercising its powers and performing its functions.

17 Review of Board

The Minister may review the operation and performance of the Board if the Minister thinks it appropriate to do so.

Division 5 Industry advisers

18 Industry advisers

(1) The Minister may, in writing, appoint not more than 2 persons as industry advisers.

(2) A member must not be appointed as an industry adviser.

(3) The appointment of an industry adviser is for the term, not exceeding 4 years, specified in the instrument of appointment.

(4) The functions of an industry adviser are:

(a) to advise and make recommendations to the Board; and

(b) to perform other functions prescribed by regulation.

Division 6 Procedures of Board

19 Meetings

(1) The Board will meet as determined by the Board but must meet at least 4 times per year.

(2) The Chairperson:

(a) may convene a meeting of the Board; and

(b) must convene a meeting:

(i) on request by any 3 members; or

(ii) if directed to do so under subsection (3).

(3) The Minister may at any time direct the Chairperson to convene a meeting of the Board.

(4) Subject to this Act, the Board determines the procedure to be followed at or in connection with its meetings.

20 Quorum and voting at meetings

(1) A meeting of the Board must be presided over by:

(a) the Chairperson; or

(b) in the absence of the Chairperson, the Deputy Chairperson.

(2) A quorum of a meeting of the Board is the greater of:

(a) a majority of the members for the time being holding office; or

(b) 4 members.

(3) All questions before a meeting of the Board must be decided by a majority of votes of the members present.

(4) The presiding member at a meeting of the Board has a deliberative vote and, in the event of an equality of votes, also has a casting vote.

21 Attendance at meetings

(1) A member, with the Chairperson's prior approval, may attend a meeting of the Board by teleconference or audiovisual link.

(2) A person who employs or engages a member must, without penalty or deduction from the member's remuneration, allow the member the time that is necessary to attend Board meetings.

(3) If a school or early childhood service incurs expense through engaging a relief teacher to cover for a teacher who is attending a Board meeting as a member, the Board must reimburse the school or early childhood service for the expense.

22 Resolution without meeting

(1) The Board may decide a matter by passing a resolution without meeting in accordance with this section if:

(a) the Chairperson has taken reasonable steps to give notice to each member setting out the terms of the proposed resolution and stating the time for providing a response; and

(b) a majority of the members assent to the resolution in accordance with subsection (2).

(2) A member may assent to a resolution by, within the time for providing a response:

(a) signing a document containing a statement that the member is in favour of the resolution in the terms set out in the document; or

(b) sending to the Chairperson from the member's nominated email account an email containing a statement that the member is in favour of the resolution in the terms set out in the email; or

(c) by using other technology approved by the Board in the manner approved by the Board.

(3) A member who has an interest (whether pecuniary or otherwise) that would conflict with the proper performance of the member's functions in relation to the proposed resolution must not be counted as part of the majority of members mentioned in subsection (1)(b).

(4) As soon as practicable after the time for providing a response has ended, the Chairperson must ensure that each member is advised whether the proposed resolution was passed and is given a copy of the resolution.

(5) In this section:

nominated email account, of a member, means an email account nominated by the member to the Board for the purposes of communications between the member and the Board.

23 Minutes

The Board must keep full and accurate minutes of its meetings and the passing of resolutions without meetings.

24 Disclosure of interest

(1) If a member has a direct or indirect interest (whether pecuniary or otherwise) in a matter being considered or about to be considered by the Board, the member must disclose the nature of the interest to the Board as soon as practicable after the relevant facts come to the member's attention.

(2) A disclosure made under subsection (1) must be recorded in the minutes of a meeting of the Board.

(3) A member who discloses an interest in a matter:

(a) must not be present during any deliberations of the Board in relation to the matter; and

(b) must not take part in any decision of the Board in relation to the matter.

(4) A person commits an offence of strict liability if the person fails to comply with subsection (1) or (3).

Maximum penalty: 50 penalty units.

(5) It is a defence to a prosecution for an offence against subsection (4) if the defendant has a reasonable excuse.

Division 7 Director of Board

25 Director

(1) The Minister may appoint a public sector employee employed in the Agency to be the Director of the Board.

(2) The Director has the following functions:

(a) to assist with the administration and operation of the Board; and

(b) any other functions conferred on the Director under this Act, an education law or any other Act.

(3) The Director is subject to the direction of the Board in the exercise of the Director's powers and performance of the Director's functions under this Act and any education law.

26 Delegation of Director

The Director may, in writing, delegate any of the Director's powers and functions to a public sector employee employed in the Agency.

Division 8 Administration of Board

27 Staff and facilities of Board

The Chief Executive Officer must provide the Board with staff, facilities and other support services to enable the Board to properly perform its functions and exercise its powers.

28 Delegation of Board

The Board may, in writing, delegate any of its powers and functions under this Act or an education law, other than the Board's powers under section 53 or 64 of the *Teacher Registration (Northern Territory) Act 2004*, to any of the following:

(a) a member;

(b) the Director;

(c) a committee of the Board;

(d) a public sector employee.

29 Board may establish committees

(1) The Board may, with the approval of the Minister, establish the committees it considers appropriate to assist the Board in performing its functions.

(2) The Board may appoint any person as a committee member, whether or not the person is a member.

(3) The Board must, with the approval of the Minister, determine terms of reference for a committee.

(4) The terms of reference of a committee may set out matters relating to its composition, proceedings, the exercise of powers and performance of functions and any other matters the Board considers appropriate.

(5) In performing its functions, a committee must comply with the terms of reference determined under subsection (3).

(6) The Board may give written directions to a committee that are not inconsistent with the terms of reference.

(7) Subject to subsection (5), a committee must give effect to the Board's directions in performing its functions.

(8) A committee must keep accurate minutes of its proceedings.

30 Disclosure of interest for committee member

(1) If a committee member has a direct or indirect interest (whether pecuniary or otherwise) in a matter being considered or about to be considered by the committee, the committee member must disclose the nature of the interest to the committee as soon as practicable after the relevant facts come to the committee member's attention.

(2) A disclosure made under subsection (1) must be recorded in the minutes of a meeting of the committee.

(3) A committee member who discloses an interest in a matter:

(a) must not be present during any deliberations of the committee in relation to the matter; and

(b) must not take part in any decision of the committee in relation to the matter.

(4) A person commits an offence of strict liability if the person fails to comply with subsection (1) or (3).

Maximum penalty: 50 penalty units.

(5) It is a defence to a prosecution for an offence against subsection (4) if the defendant has a reasonable excuse.

Part 3 Miscellaneous matters

31 Code of conduct

(1) The Board must make a code of conduct.

(2) The code of conduct must:

(a) set out the standards of behaviour applicable to members; and

(b) provide for any other matter prescribed by regulation.

(3) The Board must ensure the code of conduct, as in force from time to time, is published on the Agency's website.

32 Offence to disclose certain information

(1) A person commits an offence if:

(a) the person obtains information in the course of performing a function connected with the administration of this Act or exercising a power under this Act; and

(b) the information is confidential and the person is reckless in relation to that circumstance; and

(c) the person intentionally engages in conduct; and

(d) the conduct results in the disclosure of the information and the disclosure is not:

(i) for a purpose connected with the administration of this Act, including a legal proceeding arising out of the operation of this Act; or

(ii) to a person who is otherwise entitled to the information; and

(e) the person is reckless in relation to the result and circumstance referred to in paragraph (d).

Maximum penalty: 200 penalty units or imprisonment for 2 years.

(2) Strict liability applies to subsection (1)(a).

(3) If the information referred to in subsection (1) relates to a person, it is a defence to a prosecution for an offence against that subsection if the person consented to the disclosure of the information.

Note for subsection (3)

In addition to the circumstances mentioned in this section, a person who discloses information mentioned in this section will not be criminally responsible for an offence if the disclosure is justified or excused by or under a law (see section 43BE of the Criminal Code).

33 Annual report

(1) The Board must, not later than 30 September of each year, give to the Minister a report on its operations for the preceding financial year.

(2) The report must include:

(a) any written directions given to the Board by the Minister under section 16 during the preceding financial year; and

(b) information regarding the Board's implementation of the Minister's directions, during the preceding financial year.

(3) Subject to subsection (4), the Board may include information in the report by way of case studies or case histories of the subject of an inquiry taken under Part 6 of the *Teacher Registration (Northern Territory) Act 2004* and the Board's decision in relation to the inquiry.

(4) The information must not include:

(a) information that may identify any of the following:

(i) a teacher or authorised person the subject of the inquiry;

(ii) persons allegedly involved in or affected by conduct giving rise to the inquiry;

(iii) a witness who participated in the inquiry;

(iv) a complainant;

(v) the employer of the teacher or authorised person the subject of the inquiry;

(vi) the school or early childhood service where the teacher or authorised person the subject of the inquiry was employed;

(vii) the location where the events the subject of the inquiry occurred; or

(b) other information prescribed by regulation.

34 Protection from liability

(1) A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise of a power or performance of a function as any of the following:

(a) the Director;

(b) a member;

(c) a member of a committee;

(d) an industry adviser;

(e) a member of the staff of the board or a person otherwise engaged by the Board.

(2) In addition, the person is not civilly or criminally liable for an act done or omitted to be done by the Board or a committee in the exercise of a power or performance of a function under this Act.

(3) Subsections (1) and (2) do not affect any liability the Territory or the Board would, apart from those subsections, have for the act or omission.

(4) In this section:

exercise, of a power, includes the purported exercise of the power.

performance, of a function, includes the purported performance of the function.

35 Regulations

The Administrator may make regulations under this Act.

Note for section 35

See section 65 of the Interpretation Act 1978.

Part 4 Amendments to education laws to implement interim arrangements

Division 1 Education Act 2015

36 Act amended

This Division amends the *Education Act 2015*.

37 Section 29 amended (Term of appointment)

Section 29(3)

omit, insert

(3) Despite subsections (1) and (2), the Minister may extend the term of appointment of a member for a period not exceeding 12 months.

Division 2 Teacher Registration (Northern Territory) Act 2004

38 Act amended

This Division amends the *Teacher Registration (Northern Territory) Act 2004*.

39 Section 7 amended (Composition of Board)

After section 7(3)

insert

(3A) If an organisation or body mentioned in subsection (1) fails to nominate a panel of persons as required under subsection (2):

(a) the Administrator may appoint a person to be a Board member; and

(b) the person appointed is taken to have been nominated by that organisation or body.

40 Section 8 amended (Term of appointment)

Section 8(3)

omit, insert

(3) Despite subsections (1) and (2), the Minister may extend the term of appointment of a Board member for a period not exceeding 12 months.

41 Section 24 amended (Filling of vacancies)

(1) Section 24, before 'If the'

insert

(1)

(2) Section 24, at the end

insert

(2) If the organisation or body referred to in the relevant paragraph of section 7(1) fails to nominate a person by the date specified by the Board for the nomination:

(a) the Minister may appoint a person as the Minister thinks suitable to fill the vacancy; and

(b) the person appointed is taken to have been nominated by the organisation or body.

Division 3 Repeal of Part

42 Repeal of Part

This Part is repealed on the day after it commences.

Part 5 Consequential and other amendments

Division 1 Amendment of education legislation

Subdivision 1 Education Act 2015

43 Act amended

This Subdivision amends the *Education Act 2015*.

44 Section 5 amended (Definitions)

(1) Section 5, definitions ***Board***, ***chairperson***, ***expert*** and ***member***

omit

(2) Section 5

insert

Board means the Northern Territory Education Standards and Registration Board established by section 5 of the *Education Standards and Registration Board Act 2026*.

45 Section 15 amended (Minister to provide services)

Section 15(5)(j)

omit

of any

insert

of the Board or any

46 Part 3 repealed (Northern Territory Board of Studies)

Part 3

repeal

47 Part 4 heading amended (Enrolment, attendance and participation)

Part 4, heading

omit

attendance and participation

insert

attendance, participation and certification

48 Part 4, Division 9 inserted

After section 72

insert

Division 9 Certification

72A Issue of certificates by Board

(1) The Board may determine the certificates to be issued to a person in respect of the person's educational achievements.

(2) The Board must issue certificates to a person whose educational achievements, as assessed or recognised under this section, qualify the person for the certificates.

(3) The Board must prepare and maintain records of assessments made under this section, or recognised by the Board, relating to a student or former student.

(4) The Board must provide, on request by a student or former student, a copy of a record mentioned in subsection (3) relating to the student or former student to:

(a) the student or former student; or

(b) any other person that the student or former student specifies in that request.

49 Section 85 amended (Responsibility of CEO for curricula)

Section 85(2)(a)

omit

under section 25(a)(ii) or (iii),

insert

by the Board,

50 Section 184 amended (Protection from liability)

Section 184(1)(b)

omit

51 Part 9, Division 4 inserted

After section 197

insert

Division 4 Transitional matters for Education Standards and Registration Board Act 2026

198 Definitions

In this Division:

Board of Studies means the Northern Territory Board of Studies, established under section 24 of this Act before the commencement.

commencement means the commencement of Part 2 of the *Education Standards and Registration Board Act 2026*.

new Board means the Northern Territory Education Standards and Registration Board established under section 5 of *Education Standards and Registration Board Act 2026.*

199 Abolition of Board of Studies

The Board of Studies is abolished.

200 Transfer of property, rights, liabilities and obligations and substitution of parties

(1) On and from the commencement, all property, rights, liabilities and obligations of the Board of Studies are taken to be the property, rights, liabilities and obligations of the new Board.

(2) If the Board of Studies is a party to any contract, agreement or arrangement immediately before the commencement, the new Board is substituted for the Board of Studies as a party to that contract, agreement or arrangement.

201 Superseded references

Without limiting section 200, on and from the commencement, in any instrument, contract or document of any other kind, a reference to the Board of Studies is taken to be a reference to the new Board.

202 Continuation of ongoing documents and actions

(1) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the new Board.

(2) On the commencement, an ongoing action continues with the same force and effect as if it had been done by, or in relation to, the new Board.

(3) In this section:

ongoing action means an action or thing that:

(a) was done by, or in relation to, the Board of Studies before the commencement in or for the exercise of a power or performance of a function under this Act; and

(b) immediately before the commencement, had ongoing effect.

ongoing document means a document that:

(a) was issued by, or given to, the Board of Studies before the commencement in or for the exercise of a power or performance of a function under this Act; and

(b) immediately before the commencement, had ongoing effect.

203 Information and records to be transferred

On the commencement, all information and records in the possession or control of the Board of Studies, are to be transferred to the new Board.

Subdivision 2 Education Regulations 2015

52 Regulations amended

This Subdivision amends the *Education Regulations 2015*.

53 Part 2 repealed (Northern Territory Board of Studies)

Part 2

repeal

Division 2 Amendment of teacher registration (Northern Territory) legislation

Subdivision 1 Teacher Registration (Northern Territory) Act 2004

54 Act amended

This Subdivision amends the *Teacher Registration (Northern Territory) Act 2004*.

55 Section 3 amended (Object of Act)

(1) Section 3(1)

omit

(1)

(2) Section 3(2)

omit

56 Section 4 amended (Definitions)

(1) Section 4, definitions ***alternate member***, ***Board***, ***Board member, committee*** and ***Director***

omit

(2) Section 4

insert

Board means the Northern Territory Education Standards and Registration Board established by section 5 of the *Education Standards and Registration Board Act 2026*.

Board member means a member of the Board, as defined in section 3 of the *Education Standards and Registration Board Act 2026*.

Director of the Board, see section 3 of the *Education Standards and Registration Board Act 2026.*

57 Parts 2 and 3 repealed

Parts 2 and 3

repeal

58 Section 55 replaced

Section 55

repeal, insert

55 Investigation panel

If the Board decides to hold a preliminary investigation, the Board must appoint one of the following (the ***investigator***) to conduct the investigation:

(a) a person whom the Board is satisfied:

(i) is qualified for appointment because the person has the necessary expertise or experience; and

(ii) is otherwise appropriate to be appointed;

(b) a panel of 2 or 3 persons, each of whom is eligible for appointment under paragraph (a).

59 Section 60 amended (Inquiry committee)

(1) Section 60(2)(a)

omit

chairperson

insert

person

(2) Section 60(2)(b) and (c)

omit, insert

(b) 2 or more other persons each of whom the Board is satisfied is:

(i) qualified for appointment because the person has relevant expertise or experience; and

(ii) otherwise appropriate to be appointed.

(3) Section 60(4)

omit, insert

(4) The Board must appoint a member of the inquiry committee to be the chairperson of the inquiry committee.

60 Section 64 amended (Decision of Board)

Section 64(5)

omit, insert

(5) If a Board member was a member of the inquiry committee in relation to the same matter, the Board member must not:

(a) be present during any deliberations of the Board in relation to the inquiry; or

(b) take part in a decision under subsection (1).

61 Section 76 amended (Protection from liability – Director, Board members and others)

(1) Section 76, heading

omit

liability – Director, Board members and others

insert

liability – investigator and others

(2) Section 76(1)

omit, insert

(1) A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise of a power or performance of a function as an investigator or a member of an investigation panel or inquiry committee.

(3) Section 76(2)

omit

Board or a committee,

(4) Section 76(3)

omit

or the Board

62 Section 79 replaced

Section 79

repeal, insert

79 Board may publish policies and guidelines

(1) The Board may publish, and make publicly available, policies or guidelines in relation to the performance by the Board of its functions under this Act.

(2) The Board may make the published material available to the public in any manner the Board considers appropriate.

(3) Without limiting subsection (2), the Board may publish the material on the Board's website.

63 Part 12 inserted

Before the Schedule

insert

Part 12 Transitional matters for Education Standards and Registration Board Act 2026

98 Definitions

In this Part:

commencement means the commencement of Part 2 of the *Education Standards and Registration Board Act 2026*.

former, in relation to a specified provision, means the provision as in force from time to time before the commencement.

new, in relation to a specified provision, means the provision as in force on the commencement.

new Board means the Northern Territory Education Standards and Registration Board established under section 5 of *Education Standards and Registration Board Act 2026.*

Teacher Registration Board means the Teacher Registration Board established under section 6 of this Act before the commencement.

99 Abolition of Teacher Registration Board

The Teacher Registration Board is abolished.

100 Transfer of property, rights, liabilities and obligations and substitution of parties

(1) On and from the commencement, all property, rights, liabilities and obligations of the Teacher Registration Board are taken to be the property, rights, liabilities and obligations of the new Board.

(2) If the Teacher Registration Board is a party to any contract, agreement or arrangement immediately before the commencement, the new Board is substituted for the Teacher Registration Board as a party to that contract, agreement or arrangement.

101 Superseded references

Without limiting section 100, on and from the commencement, in any instrument, contract or document of any other kind, a reference to the Teacher Registration Board is taken to be a reference to the new Board.

102 Continuation of ongoing documents and actions

(1) On the commencement, an ongoing document continues with the same force and effect as if it had been issued by, or given to, the new Board.

(2) On the commencement, an ongoing action continues with the same force and effect as if it had been done by, or in relation to, the new Board.

(3) In this section:

ongoing action means an action or thing that:

(a) was done by, or in relation to, the Teacher Registration Board before the commencement in or for the exercise of a power or performance of a function under this Act; and

(b) immediately before the commencement, had ongoing effect.

ongoing document means a document that:

(a) was issued by, or given to, the Teacher Registration Board before the commencement in or for the exercise of a power or performance of a function under this Act; and

(b) immediately before the commencement, had ongoing effect.

103 Ongoing preliminary investigation

(1) This section applies in relation to a preliminary investigation if, before the commencement, an investigator had been appointed under former section 55 to conduct the investigation but the investigator had not made recommendations to the Teacher Registration Board under section 58.

(2) On the commencement:

(a) the person or persons appointed as the investigator cease to be the investigator conducting the preliminary investigation; and

(b) all information in the possession or control of that person or those persons in relation to the investigation is to be transferred to the new Board.

(3) The new Board must, as soon as practicable after the commencement:

(a) appoint, under new section 55, a new investigator to continue to conduct the preliminary investigation; and

(b) transfer the information received under subsection (2)(b) to the new investigator; and

(c) give written notice stating the following to the teacher or authorised person to whom the investigation relates:

(i) that a new investigator has been appointed to continue to conduct the investigation;

(ii) the name of the investigator or the names of the members of the investigation panel, as the case requires.

(4) The new investigator may have regard to any evidence, submission, report, finding or other material obtained or prepared by the investigator appointed under former section 55 and adopt any finding or decision made by that investigator.

104 Ongoing inquiry

(1) This section applies in relation to an inquiry if, before the commencement, an inquiry committee had been appointed under former section 60 to conduct the inquiry but the inquiry committee had not made recommendations to the Teacher Registration Board under section 63.

(2) On the commencement:

(a) the person or persons appointed as the member of the inquiry committee cease to be the member of the inquiry committee conducting the inquiry; and

(b) all information in the possession or control of that person or those persons in relation to the inquiry is to be transferred to the new Board.

(3) The new Board must, as soon as practicable after the commencement:

(a) appoint, under new section 60, a new inquiry committee to continue to conduct the inquiry; and

(b) transfer the information received under subsection (2)(b) to the new inquiry committee; and

(c) give written notice stating the following to the teacher or authorised person to whom the inquiry relates:

(i) that a new inquiry committee has been appointed to continue to conduct the inquiry;

(ii) the names of the members of the inquiry committee.

(4) The new inquiry committee may have regard to any evidence, submission, report, finding or other material obtained or prepared by the inquiry committee appointed under former section 60 and adopt any finding or decision made by that investigator.

105 Information and records to be transferred

On the commencement, all information and records in possession or control of the Teacher Registration Board before the commencement are to be transferred to the new Board.

Subdivision 2 Teacher Registration (Northern Territory) Regulations 2004

64 Regulations amended

This Subdivision amends the *Teacher Registration (Northern Territory) Regulations 2004*.

65 Regulation 3 repealed (Attendance at meetings)

Regulation 3

repeal

Division 3 Education and Care Services (National Uniform Legislation) Act 2011

66 Act amended

This Division amends the *Education and Care Services (National Uniform Legislation) Act 2011*.

67 Section 9 amended (Meaning of other terms)

After section 9(1)(a)

insert

(ab) the *Education Standards and Registration Board Act 2026*;

Division 4 Repeal of Part

68 Repeal of Part

This Part is repealed on the day after it commences.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz* = *Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced
od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

Education Standards and Registration Board Act 2026 **(Act No. 25, 2026)**

Assent date	5 November 2026
Commenced	ss 3 and 4, pts 2, 3 and 5: nc; rem: 6 November 2026 (s 2(1))