

Serial 41

Teacher Registration (Northern Territory) Legislation Amendment Bill 2025

Ms Hersey

A Bill for an Act to amend the *Teacher Registration (Northern Territory) Act 2004* and the *Teacher Registration (Northern Territory) Regulations 2004*

NORTHERN TERRITORY OF AUSTRALIA

TEACHER REGISTRATION (NORTHERN TERRITORY) LEGISLATION AMENDMENT ACT 2025

Act No. [] of 2025

Table of provisions

Part 1 Preliminary matters

1	Short title	1
2	Commencement	1

Part 2 Amendments commencing on day after assent

Division 1 Amendment of Teacher Registration (Northern Territory) Act 2004

3	Act amended	2
4	Section 4 amended (Definitions).....	2
5	Section 12 amended (Powers of Board).....	2
6	Section 14 amended (Director).....	3
7	Section 14A inserted	3
	14A Staff and facilities of Board	
8	Section 25B inserted	4
	25B Ministerial directions to Board	
9	Section 30 amended (Eligibility for full registration).....	4
10	Section 33 amended (Application for registration).....	5
11	Section 36 amended (Decision of Board)	5
12	Section 39 amended (Decision of Board)	6
13	Section 41 amended (Employer may apply for authorisation)	6
14	Section 42 amended (Decision of Board)	7
15	Section 43 amended (Notice of decision)	7
16	Section 45 replaced	8
	45 No renewal of authorisation	
17	Sections 66F and 66G inserted	8
	66F Board may share information with corresponding registration authorities	
	66G Board may share information to prevent harm	
18	Section 74 amended (Accreditation of teacher education courses).....	9
19	Section 79 amended (Annual report).....	9

Division 2 Amendment of Teacher Registration (Northern Territory) Regulations 2004

20	Regulations amended.....	9
21	Regulation 2AA inserted	9
	2AA Definition	
22	Regulation 4 replaced.....	10
	4 Prescribed qualifications for registration	
23	Regulation 5 amended (Competence to teach)	11
24	Regulation 6 amended (Professional experience and currency of practice for full registration)	13
25	Regulation 7 replaced.....	13
	7 Prescribed periods for terms of registration	
26	Regulation 10 replaced.....	14
	9A Prescribed accreditation standards	
	10 Registration fees	
27	Schedule amended (Application fees)	15

Part 3 Amendments commencing by Gazette notice

Division 1 Amendment of Teacher Registration (Northern Territory) Act 2004

28	Act amended	15
29	Section 4 amended (Definitions).....	16
30	Section 4A inserted	16
	4A Meaning of <i>teach</i>	
31	Section 72 amended (Offence to employ certain persons).....	17
32	Section 73 amended (Penalty for teaching unregistered or without authorisation)	17
33	Part 11 inserted	17
	Part 11 Transitional matters for Teacher Registration (Northern Territory) Legislation Amendment Act 2025	
	97 Application of amendments to existing early childhood teachers and existing employers	
34	Act further amended	19

Division 2 Amendment of Teacher Registration (Northern Territory) Regulations 2004

35	Regulations amended.....	19
36	Regulation 2B inserted	19
	2B Meaning of <i>teach</i>	
37	Regulation 3 amended (Attendance at meetings).....	19

38	Regulation 6 amended (Professional experience and currency of practice for full registration)	20
----	---	----

Part 4 Repeal

39	Repeal of Act.....	20
----	--------------------	----

Schedule Act further amended



NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2025

5

An Act to amend the *Teacher Registration (Northern Territory) Act 2004* and the *Teacher Registration (Northern Territory) Regulations 2004*

[Assented to [] 2025]
[Introduced [] 2025]

10 The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Teacher Registration (Northern Territory) Legislation Amendment Act 2025*.

15

2 Commencement

- (1) This Act (except Part 3) commences on the day after the day on which the Administrator's assent to this Act is declared.
- (2) Subject to subsection (3), Part 3 commences on the day fixed by the Administrator by *Gazette* notice.
- (3) If a provision of Part 3 does not commence before 1 September 2026, it commences on that day.

20

Part 2 Amendments commencing on day after assent

Division 1 Amendment of Teacher Registration (Northern Territory) Act 2004

3 Act amended

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

4 Section 4 amended (Definitions)

(1) Section 4

insert

10 ***regulatory authority*** means:

(a) for the Territory – the person declared by section 9(5) of the *Education and Care Services (National Uniform Legislation) Act 2011* to be the Regulatory Authority for the *Education and Care Services National Law (NT)*; or

15 (b) for another participating jurisdiction under the *Education and Care Services National Law* – the person declared by a law of the participating jurisdiction to be the Regulatory Authority for the *Education and Care Services National Law* in that jurisdiction.

20 (2) Section 4, at the end

insert

Note for section 4

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

5 Section 12 amended (Powers of Board)

25 Section 12(2)(c)

omit

all words after "information"

insert

with:

(i) other registration authorities, whether in Australia, New Zealand or elsewhere; and

5 (ii) regulatory authorities;

6 Section 14 amended (Director)

(1) Section 14(1)

omit

person

10 *insert*

public sector employee employed in the Agency

(2) Section 14(2)

omit

all words after "in the"

15 *insert*

exercise of the Director's powers and performance of the Director's functions under this Act.

7 Section 14A inserted

After section 14

20 *insert*

14A Staff and facilities of Board

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

25

8 Section 25B inserted

After section 25A, in Part 3

insert

25B Ministerial directions to Board

- 5 (1) Subject to subsection (3), the Minister may give written directions to the Board in relation to:
- (a) the exercise of the Board's powers and the performance of its functions under this Act; and
 - (b) the administration of the Board.
- 10 (2) Without limiting subsection (1), the Minister may give directions to the Board relating to policies the Board should pursue or implement, or priorities it should follow, in the exercise of its powers and performance of its functions.
- 15 (3) 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; or
 - 20 (ii) an authorisation under Part 5; or
 - (c) a particular complaint, investigation or inquiry under Part 6 or disciplinary action taken against a particular person under that Part.
- 25 (4) The Board must give effect to the Minister's directions in exercising its powers and performing its functions under this Act.

9 Section 30 amended (Eligibility for full registration)

Section 30(a)

omit

the prescribed qualifications for registration

insert

a qualification prescribed by regulation

10 Section 33 amended (Application for registration)

Section 33(1)(a)

omit

the prescribed qualifications for registration

5 *insert*

a qualification prescribed for section 30(a)

11 Section 36 amended (Decision of Board)

Section 36(2)

omit, insert

10 (2) If the Board grants registration to the applicant, the term of the applicant's registration:

(a) starts on:

(i) the date on which registration is granted; or

(ii) a later date determined by the Board; and

15 (b) subject to subsection (2A), ends on the date determined by the Board.

(2A) In determining the date on which the term of the applicant's registration ends, the duration of the term must not exceed:

(a) for full registration – either:

20 (i) 5 years; or

(ii) if another period is prescribed by regulation – the prescribed period; or

(b) for provisional registration – either:

(i) 3 years; or

25 (ii) if another period is prescribed by regulation – the prescribed period.

12 Section 39 amended (Decision of Board)

Section 39(3)

omit, insert

5 (3) If the Board grants a renewal of registration to the applicant, the renewed term of registration:

(a) starts on:

(i) if the renewal is granted before the end of the applicant's current term of registration – the day after the date on which the current term ends; or

10 (ii) if the renewal is granted after the end of the applicant's previous term of registration ends – the date on which the renewal is granted; or

(iii) another date determined by the Board that is later than the date mentioned in subparagraph (i) or (ii); and

15 (b) subject to subsection (3A), ends on the date determined by the Board.

(3A) In determining the date on which the renewed term of the applicant's registration ends, the duration of the term must not exceed:

20 (a) for full registration – either:

(i) 5 years; or

(ii) if another period is prescribed by regulation – the prescribed period; or

(b) for provisional registration – either:

25 (i) 2 years; or

(ii) if another period is prescribed by regulation – the prescribed period.

13 Section 41 amended (Employer may apply for authorisation)

(1) Section 41(1)

30 *omit*

all words after "employ"

insert

or otherwise engage an unregistered person to work as a teacher.

(2) Section 41(3)(a)(i)

omit

5 applicant;

insert

unregistered person;

14 Section 42 amended (Decision of Board)

After section 42(3)

10 *insert*

(4) Subject to subsection (5), if the authorisation is granted, the Board must determine the period for which the authorisation of the unregistered person is to be in effect.

(5) The period of the authorisation must not exceed:

15 (a) 2 years; or

(b) if another period is prescribed by regulation – the prescribed period.

20 (6) For subsection (5)(b), the regulations may prescribe different periods for different classes of authorised person prescribed by regulation.

15 Section 43 amended (Notice of decision)

Section 43(1)(a)

omit, insert

(a) the period for which the authorisation is in effect;

16 Section 45 replaced

Section 45

repeal, insert

45 No renewal of authorisation

5 An authorisation granted under section 42 for an unregistered person cannot be renewed at the end of the period for which it is specified to be in effect, and a new application must be made under section 41 for an authorisation in respect of that unregistered person, if required, for any subsequent period.

10 17 Sections 66F and 66G inserted

After section 66E, in Part 6, Division 4A

insert

66F Board may share information with corresponding registration authorities

15 (1) The Board may share information recorded in the register in relation to a teacher with a registration authority in another jurisdiction for the purpose of assisting the registration authority with the regulation of teachers in that registration authority's jurisdiction.

20 (2) To avoid doubt, the Board may share the information mentioned in subsection (1) even if the information is not made available to the public under section 29.

25 (3) Subsection (1) does not affect any requirement imposed, or other power conferred on, the Board under a law of the Territory or the Commonwealth to provide the information mentioned in that subsection.

66G Board may share information to prevent harm

30 The Board may share information obtained by the Board about a teacher or an authorised person with a registration authority or regulatory authority if the Board reasonably believes that sharing the information with the registration authority or regulatory authority could:

- (a) prevent the teacher or authorised person from causing harm to a child; or
- 35 (b) mitigate a substantial risk that the teacher or authorised person may cause harm to a child.

18 Section 74 amended (Accreditation of teacher education courses)

After section 74(4)(a)

insert

- 5 (ab) the course meets the requirements of the prescribed accreditation standards; and

19 Section 79 amended (Annual report)

After section 79(1)

insert

- 10 (1A) The report must include:
- (a) any written directions given to the Board by the Minister under section 25B during the preceding financial year; and
 - (b) information regarding the Board's implementation of the Minister's directions during the preceding financial year.

15 **Division 2 Amendment of Teacher Registration (Northern Territory) Regulations 2004**

20 Regulations amended

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

20 **21 Regulation 2AA inserted**

After regulation 2, in Part 1

insert

2AA Definition

In these Regulations:

- 25 ***national regulations*** means the *Education and Care Services National Regulations* made under the *Education and Care Services National Law (NT)*.

22 Regulation 4 replaced

Regulation 4

repeal, insert

4 Prescribed qualifications for registration

- 5 (1) For section 30(a) of the Act, this regulation prescribes the qualifications a person is required to hold for registration as a teacher.
- (2) A person holds the qualifications required for registration if:
- (a) the person holds a qualification awarded on completion of:
- 10 (i) a teacher education course provided in the Territory that is accredited by the Board under section 74 of the Act; or
- (ii) a teacher education course provided in a recognised jurisdiction that is:
- 15 (A) accredited (however described) by the accreditation body of the recognised jurisdiction, using the accreditation standards mentioned in regulation 9A; or
- (B) otherwise approved by the registration authority of the recognised jurisdiction as qualifying persons for registration as a teacher in that jurisdiction; or
- 20 (b) the person holds an approved early childhood teaching qualification under the national regulations; or
- (c) the person holds one or more qualifications (an **equivalent qualification**) awarded by a higher education institution that the Board is satisfied is substantially equivalent to a qualification awarded on completion of an accredited teacher education course referred to in paragraph (a)(i); or
- 25 (d) the person:
- (i) holds a qualification (a **historic qualification**), other than a qualification referred to in paragraph (a) or (c), that was previously accepted or recognised under the Act or a corresponding law as qualifying the person for registration (however described) as a teacher; and
- 30

- 5
- (ii) was previously registered as a teacher under the Act or a corresponding law on the basis of holding that historic qualification; and
 - (iii) has prior teaching experience that the Board considers is sufficient to qualify the person for registration as a teacher.

10

(3) Without limiting subregulation (2)(c), an equivalent qualification held by the person may be one or more qualifications obtained by the person on completion of one or more courses of study provided by a higher education institution in a jurisdiction that is not a recognised jurisdiction.

15

(4) In making a decision under subregulation (2)(c), the Board must take into account whether the qualification has been accepted by a registration authority in a recognised jurisdiction as a qualification for registration as a teacher in the recognised jurisdiction.

(5) In this regulation:

20

accreditation body, for a recognised jurisdiction, means the registration authority or other statutory body that is responsible under the law of the jurisdiction for accrediting teacher education courses.

approved early childhood teaching qualification, see regulation 4(1) of the national regulations.

recognised jurisdiction means a State or another Territory of the Commonwealth or New Zealand.

25

23 Regulation 5 amended (Competence to teach)

(1) Regulation 5(2)

omit

42(1)(b)

insert

30

42(2)(b)

(2) Regulation 5(2)(b), before "is"

insert

subject to subregulation (3),

(3) Regulation 5(3)

omit, insert

5

- (3) The Board may decide that an unregistered person who is not proficient in English is competent to teach if the only subject the unregistered person will teach under the authorisation is the teaching of a language other than English.

(4) Regulation 5(4)

omit

all words from "To" to "account:"

10

insert

For subregulation (1)(b) or (2)(b), in considering whether a person is proficient in the English language, the Board must have regard to:

(5) Regulation 5(4)(a), before "whether the person's"

15

insert

for an application for registration –

(6) Regulation 5(4)(a)

omit

countries,

20

insert

countries (a **relevant country**)

(7) Regulation 5(4)(b)

omit

by *Gazette* notice.

25

insert

under subregulation (6); or

(8) After regulation 5(4)(b)

insert

(c) whether the person:

5

(i) holds any qualifications (other than a qualification referred to in paragraph (a)) awarded by a higher education institution in a relevant country; or

(ii) has prior work or academic experience in a relevant country.

(9) After regulation 5(4)

10

insert

(5) In addition to the matters specified in subregulation (4), the Board may have regard to any other matter or circumstance that the Board considers relevant to demonstrating the person is proficient in the English language.

15

(6) For subregulation (4)(b), the Board may, by written notice published on the Board's website, approve an English language test for assessing a person's proficiency in the English language.

24 Regulation 6 amended (Professional experience and currency of practice for full registration)

20

Regulation 6(1)(a) and (b)

omit

180

insert

100

25

25 Regulation 7 replaced

Regulation 7

repeal, insert

7 Prescribed periods for terms of registration

30

(1) For section 36(2A)(a)(ii) of the Act, the prescribed period for full registration is 6 years.

- (2) For section 36(2A)(b)(ii) of the Act, the prescribed period for provisional registration is 4 years.

26 Regulation 10 replaced

Regulation 10

5 *repeal, insert*

9A Prescribed accreditation standards

10 For section 74(4)(ab) of the Act, the document entitled *Accreditation of initial teacher education programs in Australia: Standards and Procedures*, as published from time to time by the Australian Institute for Teaching and School Leadership Limited, is prescribed as the accreditation standards.

10 Registration fees

15 (1) For section 40A of the Act, the registration fee is 75 revenue units for each registration year of the registered teacher's term of registration.

(2) The registration fee for the first registration year of the term of registration must be paid when the application for registration or renewal of registration is made.

20 (3) If the Board grants registration or a renewal of registration for a term of 2 or more registration years, the Board must:

(a) fix the due date for payment of the registration fee for each registration year after the first registration year (a ***subsequent registration year***); and

25 (b) give the registered teacher a written notice specifying those dates.

(4) The registration fee for each subsequent registration year of the term of registration must be paid by no later than the due date for payment specified for the registration year in the notice given to the registered teacher under subregulation (3).

30 (5) In this regulation:

registration year, of a term of registration, means:

(a) each year in the term of registration; and

(b) if the term of registration is for, or includes, a part of a year – the part of the year.

27

Schedule amended (Application fees)

- (1)
- Schedule, item 2(a)
- omit
- all words from "degree" to "Territory"
- 5
- insert
- qualification mentioned in regulation 4(2)(a)(i)
- (2)
- Schedule, item 2(b)
- omit
- all words from "a degree" to "Territory"
- 10
- insert
- any qualification other than a qualification mentioned in regulation 4(2)(a)(i)
- (3)
- Schedule, item 5(a)
- omit
- 15
- immediately preceding calendar year
- insert
- preceding year ending on the date of the application

Part 3

Amendments commencing by Gazette notice

20

Division 1

Amendment of Teacher Registration (Northern Territory) Act 2004

28

Act amended

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

29 Section 4 amended (Definitions)

(1) Section 4

insert

5 **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

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

teach, at a school or early childhood service, see section 4A.

(2) Section 4, definition **teacher**, paragraph (a)

omit, insert

15 (a) a person who is qualified to teach at a school or early childhood service; and

30 Section 4A inserted

After section 4

insert

4A Meaning of *teach*

20 (1) For this Act, to **teach** at a school or early childhood service:

(a) means to undertake duties that include the following:

(i) programming and delivering a course of instruction at the school or early childhood service;

25 (ii) in relation to a school – assessing the work of students in a course of instruction delivered at the school;

(iii) in relation to an early childhood service – assessing the learning and development of children at the early childhood service; and

30 (b) does not include to undertake duties of a kind prescribed by regulation.

- (2) Without limiting subsection (1)(b), the regulations may prescribe the duties by reference to the circumstances or capacity in which the duties are undertaken at a school or early childhood service.

31 Section 72 amended (Offence to employ certain persons)

- 5 Section 72(1), after "school"
insert
or early childhood service

32 Section 73 amended (Penalty for teaching unregistered or without authorisation)

- 10 (1) Section 73, heading
omit
Penalty for teaching
insert
Offence to teach
15 (2) Section 73(1), after "school"
insert
or early childhood service

33 Part 11 inserted

- After section 96
20 *insert*

Part 11 Transitional matters for Teacher Registration (Northern Territory) Legislation Amendment Act 2025

97 Application of amendments to existing early childhood teachers and existing employers

- 25 (1) An existing early childhood teacher does not commit an offence against section 73, as amended by the amending Act, for teaching in an early childhood service during the transitional exemption period that applies to the existing early childhood teacher under
30 subsection (2).

(2) For subsection (1), the **transitional exemption period** for an existing early childhood teacher is the period that:

(a) begins on the commencement; and

(b) ends on either:

5 (i) if, before the relevant day, the existing early childhood teacher makes an application for registration and the Board grants registration to the teacher – the day on which the teacher's term of registration starts; or

10 (ii) if, before the relevant day, the existing early childhood teacher makes an application for registration and the Board refuses the teacher's application – the day after the Board notifies the teacher of the refusal; or

(iii) otherwise – the relevant day.

15 (3) An existing employer of an existing early childhood teacher does not commit an offence against section 72, as amended by the amending Act, for employing or continuing to employ the existing early childhood teacher to teach in an early childhood service during the transitional exemption period that applies to that existing early childhood teacher.

20 (4) In this section:

amending Act means the *Teacher Registration (Northern Territory) Legislation Amendment Act 2025*.

commencement means the commencement of section 28 of the amending Act.

25 **existing early childhood teacher** means a person who, immediately before the commencement:

(a) was employed or otherwise engaged to teach in an early childhood service in the Territory; and

(b) was not registered as a teacher.

30 **existing employer**, of an existing early childhood teacher, means the person who, immediately before the commencement, was the employer of the existing early childhood teacher.

relevant day means the day that is 1 year after the date of the commencement.

34 Act further amended

The Schedule has effect.

Division 2 Amendment of Teacher Registration (Northern Territory) Regulations 2004

5 35 Regulations amended

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

36 Regulation 2B inserted

After regulation 2A

10 *insert*

2B Meaning of *teach*

(1) For section 4A(1)(b) of the Act, to ***teach*** at an early childhood service does not include to undertake duties that involve providing education and care to children at the early childhood service as an early childhood educator.

15

(2) In this regulation:

20

early childhood educator means a person who is an educator as defined in section 5 of the *Education and Care Services National Law (NT)*, other than an early childhood teacher as defined in regulation 4(1) of the national regulations.

37 Regulation 3 amended (Attendance at meetings)

Regulation 3

omit (all references)

school

25

insert

school or early childhood service

38 Regulation 6 amended (Professional experience and currency of practice for full registration)

Regulation 6(1)(a) and (b), after "school"

insert

5 or early childhood service

Part 4 Repeal

39 Repeal of Act

This Act is repealed on the day after it commences.

Schedule Act further amended

section 34

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
sections 18(2), 41(3)(a)(iii) and 43(1)(b)	school (<i>all references</i>)	school or early childhood service
section 46(3), definition employment details	the school (or schools)	each school or early childhood service
section 77(4)(f)	school	school or early childhood service
section 78(1)	employer's school	employer's school or early childhood service
section 79(3)(a)(vi)	school	school or early childhood service
