

Ref. (Bill)	Ref (ETA)	Wording	Comment	Clarification Required	Suggested Amendment
Section 2	N/A	<b>2 Commencement</b> <i>(1) This Act comes into force on 1 January 2026.</i>	The Act is not proposed to come into force until 1 January 2026 – however, if new business divisions are to be stood up and all WBL business divisions transferred on that date, the Act should come into force earlier to allow for the necessary actions and approvals to take place.		<i>(1) This Act comes into force on <del>1 January 2026</del> 1 October 2025</i>
Section 22	Section 314	<b>314 Characteristics of polytechnics</b> <i>Polytechnics are institutions that have the following characteristics:</i> <i>(a) they offer a wide diversity of continuing education that contributes to the maintenance, advancement, and dissemination of knowledge and expertise and promotes community learning; and</i> <i>(b) they are predominantly involved in providing continuing education that responds to the education and training needs of local communities and industries in their regions; and</i> <i>(c) they undertake research, particularly applied and technological research; and</i> <i>(d) they improve outcomes for Māori students and trainees and Māori communities in collaboration with Māori and iwi and other interested persons or bodies.</i>	This section limits the current obligations on Te Pūkenga to support underserved learners, including, but not limited to, Māori, Pacific and Disabled learners. Maintaining obligations on polytechnic Councils for improving the educational outcomes of underserved learners ensures that Government and its agencies can hold Council members directly responsible for not improving the outcomes of underserved learners.		We recommend including reference to Pacific and disabled learners in section 314 along with Māori learners.
Section 22	Section 315	<b>315 Establishment of polytechnics</b> <i>(1) The Governor-General may, by Order in Council made on the recommendation of the Minister, establish a polytechnic.</i> <i>(2) Before making a recommendation, the Minister must—</i> <i>(a) seek advice from NZQA on quality assurance matters and consider any advice given; and</i> <i>(b) consult other persons or bodies that the Minister thinks fit; and</i> <i>(c) take into account the characteristics of a polytechnic; and</i> <i>(d) be satisfied that the establishment of the polytechnic is in the interests of the tertiary education system and the nation as a whole.</i> <i>(3) An order may specify either or both of the following:</i> <i>(a) the region or regions served by the polytechnic;</i> <i>(b) whether the polytechnic is an anchor polytechnic.</i> <i>(4) Before recommending that a polytechnic be specified as an anchor polytechnic, the Minister must be satisfied that the polytechnic is able to perform the role of an anchor polytechnic specified in <b>section 337</b>.</i>	<p>A new polytechnic can be established as an ‘anchor polytechnic’ but not a federation polytechnic – meaning that any new polytechnics must be sufficiently financially viable to stand alone. If we want financially challenged business divisions to be absorbed by the proposed federation, we need to provide a mechanism for new polytechnics to be established as ‘federation polytechnics’ at the outset.</p> <p>This section uses the term “region or regions served by the polytechnic” (and this is also used elsewhere in the Bill).</p> <p>Section 317 provides that the constitution of the polytechnic will specify the number of council members, however, the ETA does not provide for the constitutions of polytechnics.</p>	What is the significance or the implications of the term “region or regions served by the polytechnic”?	<i>(3) An order may specify either or both of the following:</i> <i>(a) the region or regions served by the polytechnic;</i> <i>(b) whether the polytechnic is an anchor polytechnic <u>or a federation polytechnic</u>.</i>  <i>(5) An order in Council establishing a polytechnic must make <u>provision for determining the people who are to constitute the polytechnic</u>.</i>
Section 22	Section 323	<b>323 Requirement to work in federation</b> <i>(1) This section applies to—</i> <i>(a) each polytechnic specified under section 315(3)(c) as an anchor polytechnic; and</i> <i>(b) each polytechnic designated under section 339 as a federation polytechnic.</i> <i>(2) Each polytechnic to which this section applies must work together in a federation with the Federation Committee for the purposes set out in section 324.</i>	Suggest a minor amendment to clarify that federation polytechnics may be established as federation polytechnics at the outset, or existing polytechnics may join the federation.		<i>(1) This section applies to—</i> <i>(a) each polytechnic specified under section 315(3)(c) as an anchor polytechnic; and</i> <i>(b) each polytechnic designated under <u>section 315(3)(c) or section 339</u> as a federation polytechnic</i>

Ref. (Bill)	Ref (ETA)	Wording	Comment	Clarification Required	Suggested Amendment
Section 22	Section 326	<b>326 Membership of Federation Committee</b> (1) The Federation Committee consists of— (a) the chief executive of each federation polytechnic and each anchor polytechnic (or a staff member of the polytechnic that the chief executive has nominated); and (b) the chairperson of the council of each federation polytechnic and each anchor polytechnic (or a member of the council that the chairperson has nominated); and (c) 1 person whom the Minister has appointed to be the independent chairperson of the Federation Committee on terms the Minister has specified.	For certainty and accountability, we suggest that the terms of appointment be prescribed in a Schedule to the Act.		(c) 1 person whom the Minister has appointed to be the independent chairperson of the Federation Committee on terms <del>the Minister has specified</del> <u>prescribed in Schedule 11A</u> .
Section 22	Section 340	<b>340 Additional criteria for designating federation polytechnics</b> (1) The Minister may specify additional criteria for designating a polytechnic as a federation polytechnic	To ensure that there is some certainty for existing institutions, we suggest that any criteria are publicly notified.		(1) The Minister may, <u>by notice in the Gazette</u> , specify additional criteria for designating a polytechnic as a federation polytechnic
Section 23	Section 367	<b>367 Functions of industry skills boards</b> (1) The functions of an industry skills board, in relation to the specified industries it covers, are— Other functions (j) to perform any other functions that the Minister confers on the industry skills board in relation to the specified industries.	To ensure that there is some certainty for industry and other stakeholders, we suggest that any functions are publicly notified.		Other functions (j) to perform any other functions that the Minister confers, <u>by notice in the Gazette</u> , on the industry skills board in relation to the specified industries.
Schedule 1	Schedule 1, Part 7, Clause 127	<b>127 Definitions for this subpart</b> (1) In this subpart, unless the context otherwise requires,— <b>successor organisation</b> ,— (a) in relation to a programme or a micro-credential provided by NZIST on or before the transfer date, means a tertiary education provider that on and after the transfer date is responsible for continuing the programme or micro-credential (or any part of the programme or micro-credential) or exercising the consent to assess against standards: (b) in relation to a training activity provided by NZIST on or before the transfer date, means an industry skills board that on and after the transfer date is responsible for continuing the training activity or any part of the training activity	This definition is very restrictive and does not include all activities currently performed by Te Pūkenga.		Suggest either being broad and referencing the Business Divisions or ITPs' and WBLs' work and not getting specific to activities such as training activities. The current definition is also contradictory to other parts within this Schedule.
Schedule 1	Schedule 1, Part 7, Clause 128	<b>128 Continuation, and renaming, of Te Pūkenga during transition period</b> (1) Despite the amendments made by the amendment Act, Te Pūkenga continues in existence during the transition period and is renamed the New Zealand Institute of Skills and Technology (NZIST). (2) To avoid doubt, Te Pūkenga’s council continues in existence during the transition period as NZIST’s council.	The Bill does not expressly address whether the advisory committees are to continue during the transition period, nor does it provide for the council membership of any of the council members who have been elected by those committees to cease. Section 320 of the ETA describes these council members as “members of, and elected by” the respective committees, and if the committees were to no longer exist, they would no longer be members of those committees. Clause 129(1) provides for the ETA (as in force immediately before commencement) to continue to apply to NZIST during the transition period except as expressly modified and “with any other necessary modification”. While we consider that the better view on the Bill drafting is that, even if the relevant committees are no longer operating, all of the current council members continue until the earlier of disestablishment or the end of their current terms, but this is not without doubt.	If the advisory committees are no longer operating, do the Council members appointed by those committees cease to be Council members? This has implications for the minimum number of Council members we can operate with.	

Ref. (Bill)	Ref (ETA)	Wording	Comment	Clarification Required	Suggested Amendment
Schedule 1	Schedule 1, Part 7, Clause 129(1)	<b>129 Application of this Act to NZIST during transition period</b> (1) <i>This Act (as in force immediately before commencement) continues to apply to NZIST during the transition period—</i> (a) <i>as modified by this clause; and</i> (b) <i>with any other necessary modifications.</i>	While some provisions of the ETA are expressly revoked by the Bill, the reference to “any other necessary modification” lacks precision and means that there is a lack of clarity regarding which of the provisions of the ETA which are not expressly addressed in the Bill will continue to apply to NZIST following enactment of the amendment Act. While it is a fair assumption that, for example, sections 317 and 319 regarding administrative regions and the establishment of regional divisions will not continue to apply following the enactment of the amendment Act, the application to NZIST of provisions such as section 324 regarding the determination of policy (which includes reference to the academic board), section 325 regarding the advisory committees, section 318 regarding academic freedom and section 280 regarding the functions of councils is not clear.	Which provisions of the ETA are intended to continue to apply to NZIST during the transition period? In particular, please clarify the status of the current academic board and advisory committees.	
Schedule 1	Schedule 1, Part 7, Clause 129(4)	<b>129 Application of this Act to NZIST during transition period</b> <i>Duties of NZIST’s council</i> (4) <i>NZIST’s council has—</i> (a) <i>all the duties of a polytechnic’s council under section 281 (as amended by the amendment Act); and</i> (b) <i>the additional duties of a polytechnic set out in section 321 (as replaced by the amendment Act).</i>	The application to the council of section 280 of the ETA, which sets out the functions of councils, is not addressed expressly in the Bill. However, given the content of this provision (appointment of the chief executive, planning for the institution, and the determination of policies) it is reasonable to conclude that the provision is not intended to apply to NZIST, or is intended to apply only in part.	Is section 280 of the ETA intended to apply to NZIST's council and, if so, to what extent?	
Schedule 1	Schedule 1, Part 7, Clause 130	<b>130 Requirement to develop transition plan for programmes and micro-credentials</b> (1) <i>As soon as practicable after commencement, NZIST’s council must, in consultation with NZQA, develop a transition plan for approval by TEC that provides for the transfer of— (a) programmes and micro-credentials provided by NZIST to 1 or more tertiary education providers; and (b) any specified rights, assets, liabilities, or agreements of NZIST relating to those programmes and micro-credentials to 1 or more tertiary education providers. (2) The chief executive of TEC— (a) may issue guidance to NZIST on what must be contained in the transition plan; and (b) must consult NZIST when developing the guidance. (3) When approving a transition plan under this clause, TEC may, by giving written notice to NZIST, make any amendments to the plan that TEC considers reasonably necessary. (4) As soon as practicable after TEC has approved a transition plan, the NZIST’s council must do all things necessary to give effect to the plan. (5) If NZIST fails or refuses to develop a transition plan, TEC may develop the transition plan and NZIST must give effect to that plan.</i>	The development of transition plans (transferring programmes etc both to tertiary education providers and industry skills boards) is a key requirement for the council. The timing for preparing these is unclear from the Bill. Ideally, work on these plans would begin as soon as practicable after the legislation is enacted; however, the legislation is intended to come into force on 1 January 2026 and if work on the plans only started then, this would mean a delay in transferring activities to the tertiary education providers and ISBs until sometime in 2026. We presume that this means that, despite the legislation not yet being in force, the government anticipates work will commence on the transition plans as soon as possible.	When should the transition plans be prepared and submitted to TEC for approval?	

Ref. (Bill)	Ref (ETA)	Wording	Comment	Clarification Required	Suggested Amendment
Schedule 1	Schedule 1, Part 7, Clause 131	<p><b>131 Requirement to develop transition plan for training activities</b></p> <p>(1) As soon as practicable after commencement, NZIST’s council must, in consultation with NZQA, develop a transition plan for approval by TEC that provides for the transfer of—</p> <p>(a) programmes, micro-credentials, and training activities provided by NZIST to 1 or more industry skills boards; and</p> <p>(b) any specified rights, assets, liabilities, or agreements of NZIST relating to those programmes, micro-credentials, and training activities to 1 or more industry skills boards.</p> <p>(2) The chief executive of TEC—</p> <p>(a) may issue guidance to NZIST on what must be contained in the transition plan; and</p> <p>(b) must consult NZIST when developing the guidance.</p> <p>(3) When approving a transition plan under this clause, TEC may, by giving written notice to NZIST, make any amendments to the plan that TEC considers reasonably necessary.</p> <p>(4) As soon as practicable after TEC has approved a transition plan, NZIST’s council must do all things necessary to give effect to the plan.</p> <p>(5) If NZIST fails or refuses to develop a transition plan, TEC may develop the transition plan and NZIST’s council must give effect to that plan.</p>	As above.	When should the transition plans be prepared and submitted to TEC for approval?	
Schedule 1	Schedule 1, Part 7, Clause 137	<p><b>137 Existing proceedings and other matters</b> (1) This clause applies in relation to a programme, micro-credential, or training activity provided by NZIST or a consent to assess against standards held by NZIST that is transferred to a successor organisation. (2) On and after the transfer date,— (a) proceedings continued or enforced by or against NZIST in relation to a matter referred to in <b>subclause (1)</b> may instead be continued or enforced by or against the successor organisation without amendment to the proceedings; and (b) a matter or thing that would, but for this clause, have been completed by NZIST may instead be completed by the successor organisation concerned; and (c) anything done, or omitted to be done, or that is to be done, by or in relation to NZIST is to be treated as having been done, or having been omitted to be done, or having to be done, by or in relation to the successor organisation concerned. (3) In <b>subclause (2)(a), proceedings</b>— (a) means civil and criminal proceedings; and (b) includes any enforcement or compliance activities by TEC or NZQA.</p>	This clause only relates to academic delivery. Where a claim relates to something that is not expressly connected with academic delivery, liability would presumably remain with NZIST. We should include provision for these claims to be transferred to the new entities as well.		(2) On and after the transfer date, —(a) proceedings continued or enforced by or against NZIST in relation to a matter referred to in <b>subclause (1)</b> or as provided in a transition plan approved under <b>clause 130 or 131</b> may instead be continued or enforced by or against the successor organisation without amendment to the proceedings; and



Ref. (Bill)	Ref (ETA)	Wording	Comment	Clarification Required	Suggested Amendment
Schedule 1	Schedule 1, Part 7, Clause 139(2)	<p><b>139 Employment of NZIST employees by successor organisation</b></p> <p>(1) This clause applies if any programmes, micro-credentials, or training activities provided by NZIST are transferred to a successor organisation in accordance with a transition plan approved under <b>clause 130 or 131</b>.</p> <p>(2) The chief executive (or the chief executive’s designate) of the successor organisation concerned must identify the employees of NZIST—</p> <p>(a) whose duties overall are required by the successor organisation to carry out the organisation’s functions; and</p> <p>(b) whose positions will cease to exist as a result of the transfer of the programmes, micro-credentials, or training activities to the successor organisation.</p>	<p>The proposed clauses 139(2)(a) and (b) are either contradictory or omit other functions that would be required within a Successor Organisation and as such may lead to misinterpretation.</p>		<p>(b) whose positions will cease to exist as a result of the transfer of the <del>programmes, micro-credentials, or training activities</del> <u>functions</u> to the successor organisation.</p>
Schedule 1	Schedule 1, Part 7, Clause 139(3)	<p><b>139 Employment of NZIST employees by successor organisation</b></p> <p>(3) An employee who is identified under <b>subclause (2)</b> may be offered equivalent employment by the successor organisation ...</p>	<p>A successor organisation could not offer employment until the transition plan is approved (after 1 January 2026) which would delay the transfer of staff and mean that Successor Organisations may be stood up on 1 January 2026 with no employees. Offers can also not be offered until after transition plans are approved. If these are delayed past 1 January 2026, this will lead to further delay on offers being made to employees.</p>		<p>The Bill could be amended to say that the Successor Organisations can offer employment prior to the approval of a transition plan, provided such offers are conditional on the transition plan being approved by TEC and the appointment of a Chief Executive being made.</p> <p>Alternatively, the Bill could be amended to establish the Successor Organisations and appoint Chief Executives earlier than 1 January 2026.</p>
Schedule 1	Schedule 1, Part 7, Clause 139(3)	<p><b>139 Employment of NZIST employees by successor organisation</b></p> <p>(3) An employee who is identified under <b>subclause (2)</b> may be offered equivalent employment by the successor organisation, being employment that is—</p> <p>(a) in substantially the same position; and</p> <p>(b) in the same general locality; and</p> <p>(c) on terms and conditions (including, without limitation, in relation to the employee’s overall remuneration and any service-related, redundancy, or superannuation conditions) that are no less favourable than those applying to the employee immediately before the date on which the offer of employment is made to the employee; and</p> <p>(d) on terms that treat the period of service with NZIST (and every other period of service recognised by NZIST as continuous service) as if it were continuous service with the successor organisation.</p>	<p>A significant proportion of Te Pūkenga employees are currently union members and are covered by a collective agreement. It is unclear with the current wording in the Bill whether ‘no less favourable’ means the Successor Organisation must agree to enter into a collective agreement.</p>		<p>To bring clarity, we recommend one of two options:</p> <p>(a) Use wording to this effect: "A collective employment agreement that bound a transferring employee and Te Pūkenga immediately before the employee’s transfer continues to bind the successor organisation on and after the transfer date as if the successor organisation were an original party to the agreement”. ; or</p> <p>(b) The clause specifically notes that ‘no less favourable’ does not require the carrying over of a collective agreement.</p>

Ref. (Bill)	Ref (ETA)	Wording	Comment	Clarification Required	Suggested Amendment
Schedule 1	Schedule 1, Part 7, Clause 139(5)	<b>139 Employment of NZIST employees by successor organisation</b> (5) An employee of NZIST who is offered employment under <b>subclause (3)</b> by a successor organisation is not entitled to receive any contractual notice or any payment, benefit, or compensation from NZIST or the successor organisation on the grounds that— (a) the employee’s position in NZIST has ceased to exist, whether or not the employee accepts the offer; or (b) the person has ceased to be an employee of NZIST as a result of the person’s employment by the successor organisation.	This clause provides that where a NZIST employee does not accept an offer of ‘equivalent employment’, they are “not entitled to any contractual notice or any payment, benefit, or compensation from NZIST or the successor organisation on the grounds that the employee’s position in NZIST has ceased to exist, whether or not the employee accepts the offer; or... the person has ceased to be an employee of NZIST as a result of the person’s employment by the successor organisation”. However, as the legislation is currently drafted, the employee would remain employed with NZIST		For clarity and to enable NZIST to confirm an employee’s employment has ended, it would be helpful to include the following: (a) Whether or not an NZIST employee accepts an offer of equivalent employment, their employment with NZIST automatically terminates on the date the employment was intended to commence with the successor organisation, and no separate notice needs to be provided; and (b) Where a NZIST employee does not accept an offer of equivalent employment, NZIST has no obligation to explore redeployment opportunities or to consult with the employee further about the ending of their employment.
Schedule 1	Schedule 1, Part 7, Clause 143	<b>143 Existing training agreements</b> (1) This clause applies to a training agreement and an apprenticeship training agreement that was in force immediately before the date on which responsibility for delivery or co-ordination of training activities under the agreement is transferred to a successor organisation. (2) On and after the transfer date, — (a) the training agreement and apprenticeship training agreement continues in force; and (b) unless the context otherwise requires, every reference to NZIST in the training agreement and apprenticeship training agreement must be read as a reference to the successor organisation where the trainee is enrolled on and after that date. (3) <b>Subclause (4)</b> applies if the activities and responsibilities of the successor organisation in respect of the delivery or co-ordination of the training under the training agreement are to be changed. (4) As soon as is reasonably practicable after the transfer date, the successor organisation must consult the parties to the training agreement and, if the parties agree, amend the training agreement and apprenticeship training agreement.	Requiring the provider to consult with all affected trainees and employers AND obtain the agreement of each and every one to any proposed changes to delivery or training is not reasonable or practicable.		(4) As soon as is reasonably practicable after the transfer date, the successor organisation must consult the parties to the training agreement <del>prior to and, if the parties agree,</del> amending the training agreement and apprenticeship training agreement.
Schedule 1	Schedule 1, Part 7, Clause 144	<b>144 Visas granted under Immigration Act 2009</b> (1) This clause applies to a visa granted under the Immigration Act 2009 in respect of— (a) a student or trainee for the purposes of enrolment at NZIST; or (b) an employee of NZIST for the purposes of being employed by NZIST. (2) On and after the transfer date, any reference to NZIST in a condition imposed on the visa must be read as a reference to the successor organisation where the student or trainee is taken to be enrolled or where the employee’s employment is continued (as applicable).	While clause 44 applies to most employment visas, we do not see this as covering accredited employer visas. Under certain types of work visa, the holder of the visa must work for an accredited employer. Te Pūkenga is an accredited employer but the successor organisations will not have time to gain this status on or prior to 1 January, so the relevant kaimahi will not be able to transfer.		Where a kaimahi is on a work visa that requires that they work for an accredited employer, the successor organisation should be granted a grace period of three months from 1 Jan 2026 to complete their accreditation.

Ref. (Bill)	Ref (ETA)	Wording	Comment	Clarification Required	Suggested Amendment
Schedule 2	Schedule 1, Part 7, Clause 148	<b>148 Section 573 applies to NZIST</b> <i>Section 573 (which sets out the effects of disestablishment of an institution) applies, with any necessary modification, in relation to NZIST on its disestablishment date.</i>	Section 573(10) provides that the council of an institution continues in existence for the purpose of complying, or facilitating compliance with, Part 4 of the Crown Entities Act and section 306 of the ETA (i.e., reporting obligations) in relation to any academic year of the institution. Council members who are required to carry out work to meet these obligations will be entitled to the payment of remuneration and expenses from the Ministry of Education. The ETA does not specify how this payment will be determined.	How will Council members be remunerated for work undertaken following disestablishment? Would this be on a daily rate basis in accordance with the Fees Framework for members appointed to bodies in which the Crown has an interest (Cabinet Office Circular CO(22)2)?	
Schedule 1	Schedule 1, Part 7, Clause 157	<b>157 Transfer training activities and trainees</b> (1) During the period beginning on <b>1 July 2027</b> and ending with the close of <b>31 December 2027</b> , an industry skills board— (a) must endeavour to transfer the training activities provided by the industry skills board and all trainees enrolled in that training activity to a tertiary education provider; and (b) may transfer any specified rights, assets, liabilities, or agreements relating to that training activity to the tertiary education provider concerned. (2) However, an industry skills board may transfer the training activities and trainees referred to in <b>subclause (1)(a)</b> before <b>1 July 2027</b> with the written approval of TEC. (3) To the extent that any training activity provided by an industry skills board has not been transferred under <b>subclause (1)</b> by the close of <b>31 December 2027</b> , the industry skills board must cease to provide the training activity.	The WBL business divisions will want to transition to their eventual homes prior to 1 July 2027. The TEC will still need to approve any transition plan under clause 156, so they will retain approval rights over the transfer date.		<b>157 Transfer training activities and trainees</b> (1) <del>During the period beginning on 1 July 2027 and ending with</del> Before the close of <b>31 December 2027</b> , an industry skills board— (a) must endeavour to transfer the training activities provided by the industry skills board and all trainees enrolled in that training activity to a tertiary education provider; and (b) may transfer any specified rights, assets, liabilities, or agreements relating to that training activity to the tertiary education provider concerned. <del>(2) However, an industry skills board may transfer the training activities and trainees referred to in subclause (1)(a) before 1 July 2027 with the written approval of TEC. (3)</del> (2) To the extent that any training activity provided by an industry skills board has not been transferred under <b>subclause (1)</b> by the close of <b>31 December 2027</b> , the industry skills board must cease to provide the training activity.



Ref. (Bill)	Ref (ETA)	Wording	Comment	Clarification Required	Suggested Amendment
Schedule 2	Schedule 11A		We suggest adding a clause 14 to provide for the terms of appointment of a chairperson (also refer to comments on section 326). The suggested text is based on current provisions applying to Te Pūkenga council chairperson.		<p><b>14 Chairperson</b></p> <p><i>(1) The Minister may appoint a chairperson of the Federation Committee.</i></p> <p><i>(2) A person is not eligible for appointment under subclause (1) if—</i></p> <p><i>(a) the person is subject to a property order under the Protection of Personal and Property Rights Act 1988; or</i></p> <p><i>(b) a personal order has been made under that Act in respect of the person that reflects adversely on their—</i></p> <p><i>(i) competence to manage their own affairs in relation to their property; or</i></p> <p><i>(ii) capacity to make or to communicate decisions relating to any particular aspect or aspects of their personal care and welfare; or</i></p> <p><i>(c) the person has been adjudicated bankrupt and has not obtained an order of discharge, or whose order of discharge has been suspended for a term that has not yet expired or is subject to any conditions that have not yet been fulfilled.</i></p> <p><i>(3) The Minister may, by written notice to the member concerned, dismiss the chairperson from office as chairperson.</i></p> <p><i>(4) However, the Minister may not dismiss the chairperson without first consulting them about the proposed dismissal.</i></p> <p><i>(5) The chairperson —</i></p> <p><i>(a) may resign as chairperson by giving written notice to the Minister; and</i></p> <p><i>(b) ceases to hold office if they—</i></p> <p><i>(i) become the chief executive of a federation polytechnic or a member of the staff of a federation polytechnic; or</i></p> <p><i>(ii) become a student enrolled at a federation polytechnic.</i></p> <p><i>(6) A chairperson who resigns must give a copy of the notice of resignation to the Federation Committee.</i></p> <p><i>(7) The chairperson holds office as chairperson for the term for which they were appointed (but may be reappointed), unless the person earlier dies, is dismissed, resigns, or ceases to hold office under subclause (5)(b).</i></p> <p><i>(8) If the term of office of the chairperson expires before a successor is appointed, the chairperson continues in office until their successor is appointed.</i></p>