

Application to Amend the Service Provider Identity for a licensed Early Childhood Service

Education (Early Childhood Services) Regulations 2008

Form: EC9-HB&CB

(Office use only) Date Received:

When to use this application:

This application is to be used when the service provider licensed to operate an early childhood service under the Education (Early Childhood Services) Regulations 2008 wants to:

- Change the **legal name** of the entity that is the current service provider
- Change the service provider **ownership type** (e.g. moving from sole trader to company)
- Change the **ownership of the service by transfer to a new or existing legal entity** (this includes change through a sale and purchase of a licensed service)

If the change being applied for is a change to the **legal name** of the service provider or a change the service provider **ownership type**, the Applicant* completes **Part A** (only) and submits it along with required documentation.

If the change being applied for is a **change to the ownership of the service (to a new or existing legal entity)**, **Part A** and **Part B** must be completed.

- **Part A** – is completed by the Applicant*
- **Part B** and **Statutory Declaration** – is completed by someone with authority from the proposed service provider **

Submitting the Application

The Applicant is responsible for submitting all parts of the application along with required documentation to ERO via the ERO website www.ero.govt.nz or to info@ero.govt.nz. Incomplete applications will not be considered.

Timeframes

Applications will be considered and an outcome provided within 30 working days of receipt of the complete application. All required information must be received before the application can be considered.

Important Information

No change will be made to the identity of the service provider named on the licence before the Director has assessed the application and all requirements have been met.

Our website contains information about this process. If you have any questions, please refer to the Education Review Office (ERO) website for guidance.

When not to use this Application:

If you want to make any changes to the operating conditions of your service that are not related to change of the service provider identity, please use an EC/8 -CB or EC/8 – HB application form, which can be found on the ERO website.

Privacy Statement

Purpose

The purpose of this privacy statement is to inform you about the EC/9 application to amend the service provider identity assessment process and how the ERO will collect, store, use and share your personal information.

Why are we collecting your personal information?

Privacy Statement: ERO collects the information in this application to assess licence applications and carry out its regulatory functions under the Education and Training Act 2020 and associated regulations. ERO may use the information to make licensing decisions, monitor compliance, investigate complaints and incidents, and maintain regulatory records. ERO may verify information provided and may collect, use or disclose information where authorised or required by law. If you do not provide the requested information, ERO may be unable to process or determine your application. You have rights of access to and correction of your personal information under the Privacy Act 2020. Please refer to ERO's Privacy Notice at www.ero.govt.nz for further information.

Part A (to be completed by the current service provider)

1. Current service provider details

Information provided in this section may be included in online Education Review Office directories.

Current Details

To be completed by "The Applicant"

Note: The Service Provider is the name of the company, body, agency, or person who operates the service.

The service provider name and the service name can both be found on the licence.

If there is a proposed change of service provider for more than one licensed service a separate list, detailing the name and service number of each service, may be attached

Applicant Details

A person must be listed for the purposes of this application. This person must be from the current service provider and is the person who must complete this application, including the Application Declaration in section 6.

Note: Applicant details are not included in online directories.

Current Service Provider Name

Current Service Name(s)

Service Provider Number(s) (printed on current licence certificate)

Service Provider Number(s) (if known)

First Name

Middle Names

Family Name

Phone Number

Mobile Number

Email

2. Type of service

Please indicate the type of service(s) you are applying to change the identity of the service provider:

☐ Home Based Service

☐ Centre Based Education and Care

3. Reason for Application

The following section relates to the reason for the change. To be completed by the current service provider.

Tick the box(es) that indicate the nature of the amendment applied for.

Also review the documentation checklist for the documents that are required to be provided by the applicant and proposed service provider.

☐

Change in the legal name of the Service Provider

☐

Change of ownership of one or more licensed services to a new or existing legal entity (including through sale and purchase)

Proposed date for changes to be effective from.

Note: Please allow up to 30 working days for the application to be assessed

4. Change in the legal name or ownership type of the current service provider -

Information provided in this section may be included in online Education Review Office (ERO) directories.

Where there is a proposed change in the **legal name** or **ownership type** of the service provider, the following section must be completed by the current service provider (the Applicant).

A statutory declaration may be required for the purpose of determining whether the individual who is the applicant and each individual who is involved in the governance of the service is a fit and proper person to be involved in the governance of the service.

If a Statutory Declaration is required to support this application, you will be advised and provided with statutory declaration form and guidance on how to complete the form in the manner provided in the Oaths and Declaration Act 1957.

Note: If there is a proposed change to the ownership of the licensed service, please leave this section blank and go to **section 5**

Proposed new legal name of the Service Provider

This is the name of the body, agency or person who or that operates the service

New Zealand Business Number (NZBN)

The Companies Office administers the NZBN register which is responsible for the allocation of the NZBN for New Zealand businesses

9

4

If you do not have a NZBN enter **N/A**, or

If you are not sure if you have a NZBN look it up using your organisation's name at www.nzbn.govt.nz or

If you do not know your NZBN enter '?'

Note that if your organisation is an incorporated society, a trust board or a company then you will have a NZBN

Ownership Type

Tick one only

Owned Privately

☐ Sole Trader

☐ Company

☐ Partnership

	Owned by an Incorporated Society			
	☐	An Incorporated Society <i>(under the Incorporated Societies Act)</i>		
	Owned by a Trust			
	☐	Charitable Trust <i>(under the Charitable Trusts Act)</i>	☐	Statutory Trust <i>(e.g. a trust under the Anglican Church Trusts Act 1981)</i>
	☐		☐	Private Trust <i>(includes trusts declared to be charitable for tax purposes)</i>
	Owned by a Community Organisation			
	☐	Community Trust	☐	State Owned Enterprise
	☐		☐	City Council
	☐	Government Department	☐	Health Board
	☐		☐	Public Education Institution <i>(e.g. polytechnic, college of education, university, wananga)</i>
Service Provider Address <i>This address relates to the service provider and may be different from the service's address. (only complete this section if there is a change to the address or contact details of the service provider)</i>	Street Address			
	Suburb/District			
	Town/City		Postcode	
	Phone Number		Mobile Number	
	Email:		☐ Tick if this email can be made publicly available	
	Website:			
	<i>If different from Street Address</i>	Postal Address		
Suburb/District				
Town/City		Postcode		

5. Change of ownership of a licensed service to a new or existing legal entity (including through sale and purchase)

Where there are proposed changes to the ownership of a licensed service to a new or existing legal entity, (including through sale and purchase), the following section must be completed by the current service provider (the Applicant).

Note: If there is a change to the legal name of the current service provider, please leave this section blank and complete section 4

Name of proposed Service Provider

New Zealand Business Number (NZBN)

The Companies Office administers the NZBN register which is responsible for the allocation of the NZBN for New Zealand businesses

9

4

If you do not have a NZBN enter N/A, or

If you are not sure if you have a NZBN look it up using your organisation's name at www.nzbn.govt.nz or

If you do not know your NZBN enter '?'

Note that if your organisation is an incorporated society, a trust board or a company then you will have a NZBN

6. Application declaration

The Applicant (the person who completed Section 1) must complete the applicant declaration below.

Applicant Declaration

As the Applicant, I am applying under the Education (Early Childhood Services) Regulations 2008 to make a change to the identity of the service provider as identified in this application.

I confirm that to the best of my knowledge the information contained in this application is correct and accurate.

I understand that no change may be made to the identity of the service provider until the application has been assessed by the Director of Regulation.

I understand the privacy statement in this application.

Full Name of Applicant
Must be same person as Section 1

First Name

Family Name

Signature

Date

Service Provider Contact Person Declarations

This section must be completed if there is to be a change of service provider contact person.

As the current service provider contact person, I confirm that I will no longer be the service provider contact person for this service.

(If the current service provider contact person is unable to sign, a representative from the service provider (state full name and role) must provide a reason for this and a statement confirming the change)

Full Name of Current Service Provider Contact Person

First Name

Family Name

Signature	Date
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7. Documentation checklist

To assist you in preparing your application, the following checklist shows the documentation that must be provided to the Education Review Office (ERO) to support your application. If you have any questions, contact the Education Review Office (ERO) for assistance.

Changes to legal name of the service provider

1	☐	Certificate of incorporation as a company, charitable trust, or incorporated society if applicable.
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Changes of ownership including through sale and purchase (provide documents for section 2 to 3 only)

2	☐	Provide copies of completed safety checking records and results for all children's workers employed or engaged at the service as set out in licensing criterion <i>GMA106/GMA205</i> . <i>(current service provider)</i>
3	☐	Home-based services only: Provide copies of Police vetting records and results for all adults aged 17 years or over who have started living in a home where the service is being provided, as set out in the Education and Training Act 2020 Schedule 4. <i>(current service provider)</i>

Part B (to be completed by proposed service provider)

Part B and the Statutory Declaration

Is completed by the proposed service provider (the legal entity who is proposing to operate the service).

Submitting the application

The proposed service provider returns Part B and required documents, including the Statutory Declaration to the Applicant. The Applicant is responsible for submitting the full application and documents to ERO for consideration. Do not send Part B directly to ERO.

Important Information

No change may be made to the identity of the service provider before the Secretary has assessed the complete application and approved the proposed change to the identity of the service provider.

- Our website contains important information about this process. If you have any questions, please refer to our ERO website www.ero.govt.nz or contact ERO at info@ero.govt.nz.

1. Change of ownership of a licensed service to a new or existing legal entity (including through sale and purchase)

Information provided in this section may be included in online ERO directories.

Where there are proposed changes to the ownership of a licensed service to a new or existing legal entity, (including through sale and purchase), please complete the sections below

Name of proposed Service Provider																								
New Zealand Business Number (NZBN) <i>The Companies Office administers the NZBN register which is responsible for the allocation of the NZBN for New Zealand businesses</i>	9	4																						
	If you do not have a NZBN enter N/A, or If you are not sure if you have a NZBN look it up using your organisation's name at www.nzbn.govt.nz or If you do not know your NZBN enter '?' Note that if your organisation is an incorporated society, a trust board or a company then you will have a NZBN																							
Ownership Type <i>Tick one only</i>	Owned Privately ☐ Sole Trader ☐ Company ☐ Partnership																							
	Owned by an Incorporated Society ☐ An Incorporated Society (under the Incorporated Societies Act)																							
	Owned by a Trust <table border="1"> <tr> <td>☐</td> <td>Charitable Trust (under the Charitable Trusts Act)</td> <td>☐</td> <td>Statutory Trust (e.g. a trust under the Anglican Church Trusts Act 1981)</td> <td>☐</td> <td>Private Trust (includes trusts declared to be charitable for tax purposes)</td> </tr> </table>												☐	Charitable Trust (under the Charitable Trusts Act)	☐	Statutory Trust (e.g. a trust under the Anglican Church Trusts Act 1981)	☐	Private Trust (includes trusts declared to be charitable for tax purposes)						
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	Owned by a Community Organisation <table border="1"> <tr> <td>☐</td> <td>Government Department</td> <td>☐</td> <td>State Owned Enterprise</td> <td>☐</td> <td>City Council</td> </tr> <tr> <td>☐</td> <td>Health Board</td> <td>☐</td> <td>Public Education Institution (e.g. polytechnic, college of education, university, wananga)</td> <td>☐</td> <td>Community Trust</td> </tr> </table>												☐	Government Department	☐	State Owned Enterprise	☐	City Council	☐	Health Board	☐	Public Education Institution (e.g. polytechnic, college of education, university, wananga)	☐	Community Trust
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Sole trader declaration <i>(this declaration is only applicable to applicants operating as Sole traders, please see section 11, note 2 for clarification on this declaration)</i>	Sole Trader consent is required under section 548A(2)(a)(iii) of the Education and Training Act 2020, for the Ministry of Education (authorised under Part 5 of the Data and Statistics Act 2022) to disclose data held in Statistics New Zealand Integrated Data Infrastructure related to your service. This consent only applies to data disclosed at the level of an early childhood service and will solely be used for the purposes of developing or using tools																							

Address of the proposed Service Provider	relating to the provision of funding to early childhood services, i.e., an equity index, as provided for in section 548A (1) of the Education and Training Act 2020.		
	The privacy of the children and families is protected, as data in the IDI is governed by robust confidentiality rules and is de-identified.		
	You may withdraw your consent at any time by notifying the ERO in writing.		
	☐	I authorise consent	☐ I do not authorise consent
	Signature		
	Street Address		
	Suburb / District		
	Town / City		Postcode
	Phone Number		
	ELI Email The Early Learning Information (ELI) system		
If different from Street Address	Website		
	☐	Tick this box if the service's postal address is the same as above	
	Postal Address		
	Suburb / District		
	Town / City		Postcode

2. Change in Service name/Address/Contact Details/Type

Information provided in this section may be included in online ERO directories.

Where the proposed service provider wishes to make changes to the name, address, contact details and type of the service the following section must be completed. Leave this section blank if the service details will not change.

New Service Name			
<i>Note: Amendments to the address may only relate to changes occurring to the details of the service's address – for example, corrections/changes to street name, postcode or numbering. Services may not change the location of the premises from which they are licensed to operate using an amendment application.</i>	Street Address		
	Suburb / District		Postcode
	Town / City		Phone Number

If different from Street Address	Email		
	ELI Email	Website	
	Postal Address		
	Suburb / District	Postcode	
	Town / City		
Service Type <i>If applicable, tick one only</i> <i>Note: You only need to complete this section if you are applying to change your service type as part of the change of identity of the service provider. This will affect the service's funding rates. For example, if an education and care centre becomes affiliated to a Kindergarten association and can meet all requirements associated with operating as a kindergarten, the service provider can apply to change the service type to be funded at kindergarten rates.</i>	Select the service type you are applying to change to		
	☐ Education and Care centre	☐ Kindergarten (affiliated to a Kindergarten association)	☐ Kōhanga Reo (chartered to Te Kōhanga Reo National Trust)
By completing this section, the applicant confirms they understand the change of service type will affect the service's funding rates. If the application is subsequently found to be incorrect and has resulted in any overpayments, this will need to be paid back to the Ministry of Education.			

3. Change of Service Provider Contact Person

If there is a proposed change in the person nominated as the contact person, this section must be completed. Leave this section blank if the service provider contact person details will not change.

Name of Service Provider Contact Person <i>This is the person nominated by the service provider to represent it and whose name will appear on the amended certificate of licence.</i> <i>Note: Service provider contact, name, email and phone number may be included in the online directories.</i>	First Name	Middle Names
	Family Name	
	Address	
	Suburb / District	
	Town / City	Postcode
	Phone Number	☐ Tick if the phone number can be included in online directories.
	Mobile Number	☐ Tick if the phone number can be included in online directories.

Email

☐ Tick if the phone number can be included in online directories.

4. Change of Funding Contact Person

Where the proposed service provider wishes to change the person nominated as the funding contact person, this section must be completed. Leave this section blank if the funding contact person details will not change. If there is a change of bank account details, please complete and submit a RS2 form to the Ministry of Education.

Name of Funding Contact Person

This person will receive financial forms (e.g. RS7) from the Ministry of Education and be the contact for funding matters.

Funding contacts need access to Pourato and Secure Data Portal to view early learning funding information. To review and request access, please complete the Early Childhood Education (ECE) Pourato and Secure Data Portal User Request (ESL-39) form.

Note: Funding contact details will not be included in the online directories.

First Name

Middle Name

Family Name

Address

Suburb / City

Town / City

Postcode

Phone Number

Mobile Number

Email

5. Emergency Contact Person

The emergency contact person is an important link between the Early Childhood Education (ECE) service and the Ministry of Education (MoE) during emergencies. In situations such as bomb threat, earthquake, and other serious incidents, fast and accurate communication helps keep children, staff, and the community safe.

The MoE uses the Mataara Emergency system to communicate quickly. The emergency contact provides a contact for sharing urgent information and receiving guidance from the MoE or other agencies when assistance is needed onsite.

Accurate contact details are essential – delays or incorrect information can compromise safety and slow any response.

Emergency Contact Person

This is the person who the Ministry will contact in an emergency.

Note: Emergency contact details will not be included in the online directories.

First Name

Family Name

Phone Number

Mobile Number

Email

6. Confirmation of Curriculum Framework Pathway

Please identify the curriculum framework pathway chosen by the service. For more information, please visit [Te Whāriki Online \(education.govt.nz\)](https://www.education.govt.nz/whariki).

Curriculum framework pathway	☐	Te Ara Māori	☐	Te Ara Whānui
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7. He Pānui Kōhungahunga – the Early Learning Bulletin

The Ministry of Education (MoE) publishes a regular bulletin which is emailed to service providers. The bulletin is the MoE's way of communicating important information, changes and events happening in the early learning community.

Ensure that you read and engage with information in the bulletin to stay up to date and remain compliant.

If you would like the bulletin emailed to you (or others who are part of the proposed service provider), please add their information through the bulletin sign up page:

[Early Learning Bulletin \(list-manage.com\)](https://list-manage.com/EarlyLearningBulletin)

8. Declaration for Proposed Service Provider

The authorised person (or person completing the application on behalf of) from the proposed service provider must complete the declaration below.

Declaration

- I confirm that to the best of my knowledge the information I have provided for this application is correct and accurate
- I understand that no change may be made to the identity of the service provider until the application has been assessed by the Secretary
- I confirm that all educators in the service will receive gain or reward for their work as an educator (Home-Based services only) *See section 11, note 3.*
- I understand the privacy statement in this application.

Full name of authorised person	First Name	Family Name
Signature		Date

9. Service Provider Contact Person Declaration

This section must be completed if there is to be a change of service provider contact person.

The proposed service provider contact person must complete and sign this section.

As the proposed service provider contact person, I confirm that I meet, and will continue to meet, the requirements of a service provider contact person (*see section 11, note 1*)

Full Name of proposed Service Provider Contact Person (<i>if applicable</i>)	First Name	Family Name
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Signature

Date

10. Documentation Checklist

To assist you, the following checklist shows the documentation that you must provide to the Applicant for them to submit with the application. If you have any questions talk to the Applicant or visit ERO's website.

Change of ownership including through sale and purchase (provide documents for 1 to 6)

1	☐	Certificate of incorporation as a company, charitable trust, or incorporated society if applicable.
2	☐	IRD notification of charitable tax status if applicable.
3	☐	Completed and signed EC9 Statutory Declaration.
4	☐	A list of names and roles of all persons involved in the governance of the proposed service provider.
5	☐	If the service provider contact person is changing, please provide evidence they reside locally e.g. copy of a utility bill, tenancy agreement.
6	☐	Evidence of how educators will be proactively informed of who their person responsible is and how to contact them, in advance of children attending, including how educators will be proactively informed if their person responsible is unavailable (e.g. sick or on leave) as set out in Regulation 44.

11. Information to Assist Applicants

Note 1: Nominating a Service Provider Contact Person

The Education (Early Childhood Services) Regulations 2008 require a contact person to be nominated for each service for which a licence is sought, and this person's name is displayed on the certificate of licence. The service provider is legally responsible for meeting regulatory requirements, not the contact person. However, the contact person must:

- represent the service provider;
- be able to respond to the Education Review Office (ERO) as soon as practicable on any issue relating to licensing;
- have the authority to act on behalf of the service provider; and
- reside locally.

In relation to the last bullet point, a person will generally be considered to 'reside locally' if they live within the geographical boundaries serviced by an Education Review Office (ERO). Contact ERO at info@ero.govt.nz to discuss further if you are unsure whether the contact person would meet this requirement.

Note 2: Sole Trader Declaration

When the Data and Statistics Act 2022 came into force, the Ministry of Education was no longer able to calculate and then release the equity index number from the IDI for non-public organisations to input into the funding calculations. In late August 2023, Parliament passed a change to the Education and Training Act 2020 that allows

the Ministry of Education to release this data. The term used in the legislation for releasing the equity index data is disclose.

For sole traders the equity index number is considered personal information, as it is information about an identifiable person (the sole trader). Therefore, the legislation requires the Ministry of Education to obtain consent from sole traders to disclose the equity index number relating to the services they operate.

The information (i.e., your service's equity index number) the Ministry seeks to release does not contain other personal information and is calculated based on the children attending your service at a service level. The privacy of the children and families using services is protected, as data in the Integrated Data Infrastructure is governed by robust confidentiality rules and is de-identified.

The legislation also authorises the Ministry of Education to publish the equity index number for each service, which the Ministry of Education does for the school's equity index. While the Ministry intends to provide each service with their number once calculated, decisions have yet to be made on publishing equity index numbers. Should the Ministry of Education decide to publish equity index numbers, we will seek your permission separately.

In the event you do not agree to the index being released or withdraw your consent in the future, the Ministry of Education will develop a bespoke equity index number for your service. This number may not accurately reflect the current circumstances of the children attending your service, which may affect your service's entitlement to equity funding.

Your consent will remain valid for the duration of your licence to operate your early childhood service. Should there be a change in ownership of your service to someone who intends to operate as a sole trader, the Ministry of Education will seek a separate consent from the new owner when they apply for their licence.

Note 3: Gain or Reward Requirement (Home-based services)

Providing a quantifiable benefit to educators, that is some form of payment that directly benefits the educator and that relates to the amount of work they do, is required to meet the provision for gain or reward. There needs to be a clear link between the payment received and the work completed. For more information, please visit the Ministry of Education website: [How providers can meet the gain or reward requirement](#)