



Education Legislation (Registration of Early Childhood Teachers) Amendment Bill 2026



Queensland

Education Legislation (Registration of Early Childhood Teachers) Amendment Bill 2026

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2026

A Bill

for

An Act to amend the *Education (Queensland College of Teachers) Act 2005*, the *Education (Queensland College of Teachers) Regulation 2016* and the legislation mentioned in schedule 1 for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3
This Act may be cited as the *Education Legislation* 4
(Registration of Early Childhood Teachers) Amendment Act 5
2026. 6

Clause 2 Commencement 7
The following provisions commence on 1 July 2028— 8
(a) section 9; 9
(b) sections 22 to 25. 10

Part 2 Amendment of Education 11
(Queensland College of 12
Teachers) Act 2005 13

Clause 3 Act amended 14
This part amends the *Education (Queensland College of* 15
Teachers) Act 2005. 16

Clause 4 Amendment of s 3 (Main objects of Act) 17
Section 3(1)(c), after ‘schools’— 18
insert— 19
and education and care services 20

Clause 5	Insertion of new ss 6A and 6B	1
	After section 6—	2
	<i>insert—</i>	3
	6A Meaning of <i>teacher</i>	4
	(1) A person is a <i>teacher</i> if the person—	5
	(a) undertakes duties at a school or an education and care service that include 1 or more of the following duties—	6 7 8
	(i) delivering an educational program to children or students;	9 10
	(ii) assessing participation by children or students in the program;	11 12
	(iii) otherwise administering or providing consistent and substantial educational leadership of the program; or	13 14 15
	(b) undertakes duties at a place other than a school or education and care service that include 1 or more of the following duties—	16 17 18
	(i) delivering a prescribed educational program to children or students;	19 20
	(ii) assessing participation by children or students in the program;	21 22
	(iii) otherwise administering or providing consistent and substantial educational leadership of the program.	23 24 25
	(2) However, <i>teacher</i> does not include—	26
	(a) a teacher's aide or teacher's assistant; or	27
	(b) a student teacher; or	28
	(c) an early childhood educator; or	29
	(d) a person in another role prescribed by regulation.	30 31
	(3) In this section—	32

[s 6]

early childhood educator means an educator 1
under the Education and Care Services National 2
Law (Queensland) who is not an early childhood 3
teacher. 4

early childhood teacher see the Education and 5
Care Services National Regulations, section 4(1). 6

prescribed educational program means an 7
educational program prescribed by regulation. 8

6B Meaning of approved teacher 9

- (1) Generally, an *approved teacher* is a person 10
who— 11
- (a) is a registered teacher; or 12
- (b) holds a permission to teach. 13
- (2) However, a person is not an *approved teacher*, for 14
teaching at a school, if the person’s registration is 15
subject to an ECS condition. 16

Clause 6 Amendment of s 8 (Eligibility for full registration) 17

- (1) Section 8(1)(a)(ii), example, ‘in a school, whether or not the 18
school is’— 19
- omit, insert—* 20
- at a school or education and care service, whether or not 21
- (2) Section 8— 22
- insert—* 23
- (3A) Without limiting subsection (1)(a)(i), a regulation 24
under that subsection may prescribe requirements 25
about the qualifications for full registration 26
restricted to teaching only at an education and 27
care service (the *ECS qualification requirements* 28
for full registration). 29
- (3) Section 8(4), after ‘section 20’— 30

insert—

, including an ECS condition

(4) Section 8(3A) and (4)—

renumber as section 8(4) and (5).

Clause 7 Amendment of s 9 (Eligibility for provisional registration)

(1) Section 9(1)(a)(ii), example, after ‘such as’—

insert—

an education and care service,

(2) Section 9—

insert—

(3A) Without limiting subsection (1)(a)(i), a regulation under that subsection may prescribe requirements about the qualifications for provisional registration restricted to teaching only at an education and care service (the ***ECS qualification requirements*** for provisional registration).

(3) Section 9(4), after ‘section 20’—

insert—

, including an ECS condition

(4) Section 9(3A) and (4)—

renumber as section 9(4) and (5).

Clause 8 Amendment of s 10 (Eligibility for permission to teach)

(1) Section 10, heading, after ‘teach’—

insert—

at schools

(2) Section 10(1), after ‘eligible for permission to teach’—

insert—

[s 9]

	at a school	1
(3)	Section 10(1)(a), ‘a school’—	2
	<i>omit, insert—</i>	3
	the school	4
Clause 9	Amendment of s 12 (Suitability to teach—other considerations)	5
	Section 12(1)(a)(iii), after ‘a school’—	6
	<i>insert—</i>	7
	or education and care service	8
Clause 10	Amendment of s 12F (Decision on eligibility application)	9
	Section 12F(5)(c), after ‘for a school’—	10
	<i>insert—</i>	11
	or education and care service	12
Clause 11	Amendment of s 20 (How college may decide application)	13
	Section 20(2), after ‘However,’—	14
	<i>insert—</i>	15
	subject to section 20A,	16
Clause 12	Insertion of new s 20A	17
	After section 20—	18
	<i>insert—</i>	19
	20A Condition for teaching only at an education and care service	20
	(1) This section applies if the college—	21
	(a) intends to grant an applicant full or provisional registration; and	22
		23
		24
		25

	(b) is reasonably satisfied the applicant has met the ECS qualification requirements for the registration but does not otherwise meet the eligibility requirements about qualifications for the registration.	1 2 3 4 5
	(2) The college must—	6
	(a) impose a condition on the applicant's registration that restricts the applicant to teaching only at an education and care service; and	7 8 9 10
	(b) ensure the condition is stated in—	11
	(i) the approval notice given to the applicant under section 21(1)(a); and	12 13
	(ii) the certificate of registration issued to the applicant under section 21(1)(b).	14 15
	(3) A condition mentioned in subsection (2) is an ECS condition .	16 17
	(4) An ECS condition does not affect the applicant applying for, or obtaining, permission to teach at a school.	18 19 20
Clause 13	Amendment of s 24 (How college may decide application)	21
	(1) Section 24(2)(a), after 'more conditions'—	22
	<i>insert—</i>	23
	, other than an ECS condition	24
	(2) Section 24(3), after 'a condition'—	25
	<i>insert—</i>	26
	, other than an ECS condition,	27
Clause 14	Insertion of new s 24A	28
	After section 24—	29

[s 15]

<i>insert—</i>	1
24A Imposition of ECS condition	2
(1) This section applies if—	3
(a) the applicant’s provisional registration is subject to an ECS condition; and	4 5
(b) the college intends to grant the applicant full registration under this division.	6 7
(2) If the college is reasonably satisfied the applicant has met the ECS qualification requirements for full registration but does not otherwise meet the eligibility requirements about qualifications for the registration, the college must—	8 9 10 11 12
(a) impose a condition on the applicant’s full registration that restricts the applicant to teaching only at an education and care service (also an <i>ECS condition</i>); and	13 14 15 16
(b) ensure the ECS condition is stated in—	17
(i) the approval notice given to the applicant under section 25(1)(a)(i); and	18 19
(ii) the certificate of registration issued to the applicant under section 25(1)(a)(ii).	20 21
(3) If subsection (2) does not apply, the college must not impose an ECS condition on the applicant’s full registration.	22 23 24

Clause 15	Amendment of s 29 (Requirements for renewal—full registration)	25 26
(1)	Section 29(2)(c)(ii), after ‘school’—	27
	<i>insert—</i>	28
	or education and care service	29
(2)	Section 29(4)(a)(i), after ‘conditions’—	30
	<i>insert—</i>	31

	, other than an ECS condition	1
Clause 16	Amendment of s 32 (How college may decide application for renewal)	2
	(1) Section 32(3), from ‘, other than’—	3
	<i>omit, insert—</i>	4
	(each an <i>existing condition</i>).	5
	(2) Section 32—	6
	<i>insert—</i>	7
	(4) However, the college may decide to renew the registration or permission to teach without an existing condition if the college is reasonably satisfied—	8
	(a) the condition has been fulfilled; or	9
	(b) for an ECS condition—the applicant has met the eligibility requirements about qualifications for the registration, other than the ECS qualification requirements.	10
		11
		12
Clause 17	Amendment of s 38 (Application of pt 3, div 1 for restoring full registration)	13
	Section 38(3)—	14
	<i>omit, insert—</i>	15
	(3) For subsection (1), section 32(3) and (4) applies as if a reference to existing conditions of the person’s registration were a reference to the conditions to which the registration was subject immediately before it ended.	16
		17
Clause 18	Amendment of s 40 (Review of condition by college)	18
	Section 40—	19
	<i>insert—</i>	20
		21
		22
		23
		24
		25
		26
		27
		28
		29

[s 19]

- (3) However, sections 41 and 42 do not apply if the condition is an ECS condition.

Clause 19	Amendment of s 43 (Cancellation of conditions)	3
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- (1) Section 43(1), after ‘a condition’—

insert— 5

, other than an ECS condition, 6

- (2) Section 43— 7

insert— 8

- (2) The college may cancel an ECS condition imposed on a person's registration if the college is reasonably satisfied the person has met the eligibility requirements about qualifications for the registration, other than the ECS qualification requirements.

Clause 20	Amendment of s 67 (Effect of suspension on registration or permission to teach)	15 16
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Section 67(2), ‘in a prescribed school’— 17

omit, insert— 18

at a prescribed school or education and care service	19
	20

Clause 21	Amendment of s 73 (Definition for div 3)	21
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Section 73, definition *relevant teacher*— 22

omit, insert— 23

relevant teacher— 24

- (a) of a prescribed school, means a person who
is or was an approved teacher teaching at the
school; or

[s 22]

	(b) of an education and care service, means a person who is or was a registered teacher teaching at the service.	1 2 3
Clause 22	Amendment of s 76 (Requirement for employing authority to notify college about particular allegations)	4 5
	(1) Section 76(1), after ‘a prescribed school’— <i>insert</i> — or an education and care service	6 7 8
	(2) Section 76(1), ‘the prescribed school’— <i>omit, insert</i> — the school or service	9 10 11
	(3) Section 76(3)(a)— <i>omit, insert</i> — (a) the name of the employing authority; (aa) if the name of the employing authority is different to the name of the prescribed school or education and care service—the name of the school or service;	12 13 14 15 16 17 18
	(4) Section 76(3)(aa) to (e)— <i>renumber</i> as section 76(3)(b) to (f).	19 20
Clause 23	Amendment of s 77 (Requirement for employing authority to notify college about outcome of particular allegations)	21 22
	(1) Section 77(1), after ‘prescribed school’— <i>insert</i> — or an education and care service	23 24 25
	(2) Section 77(3)(a)— <i>omit, insert</i> — (a) the name of the employing authority;	26 27 28

[s 24]

	(aa) if the name of the employing authority is	1
	different to the name of the prescribed	2
	school or education and care service—the	3
	name of the school or service;	4
(3)	Section 77(3)(aa) to (g)—	5
	<i>renumber</i> as section 77(3)(b) to (h).	6

Clause 24	Amendment of s 78 (Requirement for employing authority to notify college about certain dismissals)	7
		8
(1)	Section 78(1)(a), after ‘a prescribed school’—	9
	<i>insert—</i>	10
	or an education and care service	11
(2)	Section 78(1)(a), ‘the prescribed school’—	12
	<i>omit, insert—</i>	13
	the school or service	14
(3)	Section 78(3)(a)—	15
	<i>omit, insert—</i>	16
	(a) the name of the employing authority;	17
	(aa) if the name of the employing authority is	18
	different to the name of the prescribed	19
	school or education and care service—the	20
	name of the school or service;	21
(4)	Section 78(3)(aa) to (d)—	22
	<i>renumber</i> as section 78(3)(b) to (e).	23

Clause 25	Replacement of s 79 (College may request information from principal)	24
		25
	Section 79—	26
	<i>omit, insert—</i>	27

79 College may request reports and returns from principal or employing authority	1
	2
(1) The college may, by notice—	3
(a) require the principal of a prescribed school to give the college stated reports and returns, in the approved form, about approved teachers teaching at the school; or	4
	5
	6
	7
(b) require the employing authority for an education and care service to give the college stated reports and returns, in the approved form, about registered teachers teaching at the service.	8
	9
	10
	11
	12
(2) The principal or employing authority must comply with the notice.	13
	14
Maximum penalty—20 penalty units.	15

Clause 26 Amendment of s 82 (Only approved teachers may be employed as teachers)	16
	17
(1) Section 82, heading, after ‘as teachers’—	18
<i>insert—</i>	19
at schools	20
(2) Section 82(1) and (2), ‘in the prescribed school’—	21
<i>omit, insert—</i>	22
at the school	23

Clause 27 Insertion of new s 82A	24
After section 82—	25
<i>insert—</i>	26
82A Only registered teachers may be employed as early childhood teachers at education and care services	27
	28
	29
(1) The employing authority for an education and	30

[s 27]

- care service must not employ a person as a teacher at the service to satisfy an early childhood teaching requirement unless the person is a registered teacher.
- Maximum penalty—200 penalty units.
- Note—*
- If a corporation commits an offence against this provision, each executive officer of the corporation may be taken, under section 228, to have also committed the offence.
- (2) Subsection (1) does not apply if—
- (a) a national law waiver applies to the education and care service; or
- (b) another exception from the early childhood teaching requirement applies to the education and care service under the Education and Care Services National Law (Queensland).
- (3) The employing authority for an education and care service must not allow a person who is a registered teacher to teach at the service if the person's registration is suspended by the college or QCAT.
- Maximum penalty—200 penalty units.
- Note—*
- If a corporation commits an offence against this provision, each executive officer of the corporation may be taken, under section 228, to have also committed the offence.
- (4) For subsections (1) and (3), it does not matter whether the person's registration is subject to an ECS condition.
- (5) In this section—
- early childhood teaching requirement*** means a requirement, under the Education and Care Services National Law (Queensland), for an early

	childhood teacher under that Law to attend, or be accessible to, an education and care service.	1 2
	<i>national law waiver</i> means a waiver granted under the Education and Care Services National Law (Queensland), section 91 or 98 of a requirement under section 169 of that Law.	3 4 5 6
Clause 28	Amendment of s 83 (Requirement to hold registration, or permission to teach, in schools)	7 8
	(1) Section 83, heading, ‘in schools’— <i>omit, insert—</i>	9 10
	for teaching at schools	11
	(2) Section 83(1) and (2), ‘in a’— <i>omit, insert—</i>	12 13
	at a	14
Clause 29	Insertion of new s 83A	15
	After section 83— <i>insert—</i>	16 17
	83A Requirement to hold registration for early childhood teaching at education and care services	18 19 20
	(1) A person who is not a registered teacher must not teach at an education and care service to satisfy an early childhood teaching requirement. Maximum penalty—100 penalty units.	21 22 23 24
	(2) Subsection (1) does not apply if—	25
	(a) a national law waiver applies to the education and care service; or	26 27
	(b) another exception from the early childhood teaching requirement applies to the education and care service under the	28 29 30

[s 30]

	Education and Care Services National Law (Queensland).	1 2
	(3) A person who is not a registered teacher must not supervise, or assess the work of, a teacher or student teacher at an education and care service.	3 4 5
	Maximum penalty—100 penalty units.	6
	(4) For subsections (1) and (3), it does not matter whether the person’s registration is subject to an ECS condition.	7 8 9
	(5) In this section—	10
	<i>early childhood teaching requirement</i> see section 82A.	11 12
	<i>national law waiver</i> see section 82A.	13
Clause 30	Amendment of s 124 (Constitution of QCAT for practice and conduct proceedings)	14 15
	Section 124(1)(a), after ‘school’—	16
	<i>insert—</i>	17
	or education and care service	18
Clause 31	Amendment of s 160 (Decision about disciplinary action against approved teacher)	19 20
	Section 160(2)(h), after ‘teach’—	21
	<i>insert—</i>	22
	, other than an ECS condition	23
Clause 32	Amendment of s 164 (College may notify other persons)	24
	Section 164(1)(b)(iii), after ‘school’—	25
	<i>insert—</i>	26
	or education and care service	27

Clause 33	Amendment of s 228 (Executive officer may be taken to have committed offence)	1 2
	Section 228(4), definition <i>deemed executive liability provision</i> —	3 4
	<i>insert</i> —	5
	• 82A(1)	6
	• 82A(3).	7
Clause 34	Amendment of s 287 (Other information sharing agreements)	8 9
	Section 287(5), definition <i>relevant agency</i> —	10
	<i>insert</i> —	11
	(e) the national EC authority.	12
Clause 35	Amendment of s 288 (Register of approved teachers to be kept)	13 14
	(1) Section 288(3)(j)—	15
	<i>omit, insert</i> —	16
	(j) if an ECS condition applies to the teacher’s registration—the words ‘ECS condition’;	17 18
	(ja) any other conditions of the teacher’s registration or permission to teach;	19 20
	(2) Section 288(3)(p)—	21
	<i>omit, insert</i> —	22
	(p) the following names, as applicable—	23
	(i) the name of the employing authority for each school or education and care service at which the teacher is employed;	24 25 26 27
	(ii) if the name of a school or service mentioned in subparagraph (i) is	28 29

[s 36]

	different to the name of the employing authority—the name of the school or service;	1
		2
		3
(3)	Section 288(3)(ja) to (q)—	4
	<i>renumber</i> as section 288(3)(k) to (r).	5
(4)	Section 288(4), after ‘subsection (3)(j)’—	6
	<i>insert</i> —	7
	and (k)	8

Clause 36	Amendment of s 289 (Inspection of register)	9
(1)	Section 289(2), after ‘school’—	10
	<i>insert</i> —	11
	or education and care service	12
(2)	Section 289(3), definition <i>publicly available part</i> , paragraph (a), ‘(k) and (l)’—	13
	<i>omit, insert</i> —	14
	(j), (l) and (m)	15
		16

Clause 37	Insertion of new ch 12, pt 19	17
	Chapter 12—	18
	<i>insert</i> —	19

Part 19	Transitional provisions	20
	for Education	21
	Legislation	22
	(Registration of Early	23
	Childhood Teachers)	24
	Amendment Act 2026	25

375 No prosecution for new offences during transitional period	1
	2
(1) This section applies to the following persons	3
(each a <i>regulated person</i>)—	4
(a) an employing authority, or an executive	5
officer of the employing authority, for an	6
education and care service who employs a	7
person as a teacher at the service at any time	8
during the transitional period;	9
(b) a person teaching at an education and care	10
service at any time during the transitional	11
period;	12
(c) a person supervising, or assessing the work	13
of, a teacher or student teacher at an	14
education and care service at any time	15
during the transitional period.	16
(2) The regulated person is not liable to be prosecuted	17
for a failure to comply with section 82A or 83A	18
during the transitional period.	19
(3) In this section—	20
<i>transitional period</i> means the period—	21
(a) starting on the commencement; and	22
(b) ending at the end of the day on 30 June	23
2028.	24
376 Existing registration or review applications	25
(1) This section applies if—	26
(a) before the commencement, a person applied	27
for registration or a review of a condition on	28
the person's registration under former	29
chapter 2; and	30
(b) immediately before the commencement, the	31
application had not been decided.	32

[s 38]

- (2) The application is taken to be an application under new chapter 2. 1 2
- (3) Anything done in relation to the application under former chapter 2 is taken to have been done in relation to the application under new chapter 2. 3 4 5
- (4) In this section— 6
 - former chapter 2* means chapter 2 as in force from time to time before the commencement. 7 8
 - new chapter 2* means chapter 2 as in force from the commencement. 9 10

- Clause 38 Amendment of sch 3 (Dictionary)** 11
- (1) Schedule 3, definitions *approved teacher*, *employing authority*, *executive officer*, *permission to teach* and *teacher*— 12 13 14
 - omit.* 15
 - (2) Schedule 3— 16
 - insert*— 17
 - approved teacher* see section 6B. 18
 - ECS condition* see sections 20A(3) and 24A(2)(a). 19 20
 - ECS qualification requirements*— 21
 - (a) for full registration—see section 8(4); or 22
 - (b) for provisional registration—see section 9(4). 23 24
 - education and care service* means an education and care service approved under the Education and Care Services National Law (Queensland). 25 26 27
 - employing authority*— 28
 - (a) for a school—means the person or entity responsible for the appointment of teachers to the educational staff of the school; or 29 30 31

-
- (b) for an education and care service—means 1
the approved provider of the service under 2
the Education and Care Services National 3
Law (Queensland). 4
- executive officer***, of a corporation, means— 5
- (a) if the corporation is the employing authority 6
for an education and care service—a person 7
with management or control of the 8
corporation; or 9
- (b) otherwise—a person who is concerned with, 10
or takes part in, the corporation’s 11
management, whether or not the person is a 12
director or the person’s position is given the 13
name of executive officer. 14
- national EC authority*** means the entity 15
responsible under the Education and Care 16
Services National Law (Queensland) for guiding 17
the administration of the National Quality 18
Framework. 19
- Note—* 20
- See the Education and Care Services National Law 21
(Queensland), section 225. 22
- National Quality Framework*** see the Education 23
and Care Services National Law (Queensland), 24
section 5. 25
- permission to teach*** means permission to teach at 26
a school under chapter 2. 27
- teacher*** see section 6A. 28

[s 39]

Part 3	Amendment of Education (Queensland College of Teachers) Regulation 2016	1 2 3
Clause 39	Regulation amended	4
	This part amends the <i>Education (Queensland College of Teachers) Regulation 2016</i> .	5 6
Clause 40	Amendment of s 5 (Qualifications)	7
	Section 5—	8
	<i>insert—</i>	9
	(2) For section 8(1)(a)(i) and (4) of the Act, the prescribed qualification for full registration restricted to teaching only at an education and care service is successful completion of—	10 11 12 13
	(a) a course of teacher education, approved by the national EC authority, to be recognised as an early childhood teacher under the National Quality Framework; or	14 15 16 17
	(b) another course of teacher education that the national EC authority is satisfied is the equivalent of a course mentioned in paragraph (a).	18 19 20 21
Clause 41	Amendment of s 6 (Experience)	22
	(1) Section 6(1)(a) and (b), after ‘school’—	23
	<i>insert—</i>	24
	or education and care service	25
	(2) Section 6(2)(a), after ‘principal of the school’—	26
	<i>insert—</i>	27
	or the employing authority for the education and	28

	care service	1
Clause 42	Amendment of s 8 (Qualifications)	2
	Section 8—	3
	<i>insert—</i>	4
	(2) For section 9(1)(a)(i) and (4) of the Act, the prescribed qualification for provisional registration restricted to teaching only at an education and care service is successful completion of—	5 6 7 8 9
	(a) a course of teacher education, approved by the national EC authority, to be recognised as an early childhood teacher under the National Quality Framework; or	10 11 12 13
	(b) another course of teacher education that the national EC authority is satisfied is the equivalent of a course mentioned in paragraph (a).	14 15 16 17
Clause 43	Amendment of s 12 (Prescribed educational programs)	18
	Section 12(1), from ‘the Act,’ to ‘paragraph (a)(ii)’—	19
	<i>omit, insert—</i>	20
	section 6A(3) of the Act, definition <i>prescribed educational program</i>	21 22
Clause 44	Amendment of s 32 (Changes in approved teacher’s circumstances to be notified to college)	23 24
	(1) Section 32(c), after ‘a school’—	25
	<i>insert—</i>	26
	or education and care service	27
	(2) Section 32(c), after ‘the school’—	28
	<i>insert—</i>	29

[s 45]

or service 1

Part 4 Other amendments 2

Clause 45 Legislation amended 3

Schedule 1 amends the legislation it mentions. 4

Schedule 1	Other amendments	1
	section 45	2
	Child Safe Organisations Regulation 2025	3
1	Schedule 1, section 3—	4
	<i>insert—</i>	5
	(d) the Queensland College of Teachers established under the <i>Education</i> <i>(Queensland College of Teachers) Act 2005</i> , section 229.	6 7 8 9
2	Schedule 2, section 3—	10
	<i>insert—</i>	11
	(d) the Queensland College of Teachers established under the <i>Education</i> <i>(Queensland College of Teachers) Act 2005</i> , section 229.	12 13 14 15