



29 January 2020

James Lohead-Macmillan  
[fyi-request-12029-db539232@requests.fyi.org.nz](mailto:fyi-request-12029-db539232@requests.fyi.org.nz)

Dear Mr Lohead-Macmillan

**Official Information Act Request**  
**Our Ref: SSCOIA 2020-0005**

I refer to your Official Information Act request dated 14 January 2020 where you asked:

*"that despite Kindergarten not being run by the Ministry of education and I can't find any trace of Kindergarten on your list of State sector employees " Central Government Agencies as at 12 December 2019:*

- *Can I please request all documents held that are associated with the claim Kindergarten teachers, can be classified as State sector Employees?"*

On 15 January 2020 we wrote to you to clarify your request and on 16 January 2020 you confirmed that the information you were asking for was:

*"how are Kindergartens classed as a State sector Employer given the acts don't appear to line up.*

- *Part 10 - Teacher registration [Repealed]*
- *Part 10: repealed, on 1 July 2015, by section 6 of the Education Amendment Act 2015 (2015 No 1).*
- *120 Interpretation [Repealed]*
- *Section 120: repealed, on 1 July 2015, by section 6 of the Education Amendment Act 2015 (2015 No 1).*

*Could I also ask if you have a definition of what a "Free Kindergarten Association" is?*

*Also given the different funding to Kindergarten associations, what would be required to set up a new Free Kindergarten Association?"*

Following clarification, we have transferred the following parts of your request listed below, to the Ministry of Education as this information is not held by us but is believed to be more closely connected to the functions of the Ministry of Education.

- *Could I also ask if you have a definition of what a "Free Kindergarten Association" is?*
- *Also given the different funding to Kindergarten associations, what would be required to set up a new Free Kindergarten Association?*

In these circumstances, we are required by section 14 of the Official Information Act 1982 to transfer your request. You will hear further from the Ministry of Education concerning those parts of your request.

The first part of your response remains with the State Services Commission for reply.

Yours sincerely



Nicky Dirks  
**Managing Principal – Ministerial Services**  
**State Services Commission**