

# NZQF Programme Approval and Accreditation Amendment Rules 2015

## 1. Authority

1.1 These Rules are made under section 253 of the Education Act 1989 (**the Act**).

## 2. Commencement

2.1 These Rules commence on the day after the date of approval by the Minister under section 253(5) of the Act.

## 3. Amendment to the Principal Rules

3.1 These Rules amend the NZQF Programme Approval and Accreditation Amendment Rules 2013 (**the Principal Rules**).

## 4. Rule 18 of the Principal Rules replaced

4.1 Replace Rule 18 of the Principal Rules with:

### **“18 English language requirements for international students**

18.1 Without limiting Rule 18.2, prior to an institution (*other than a university*) enrolling an international student in a programme (*other than an English language programme*) at a level listed in the first column of the Table in Appendix 2 (“the Table”), the institution must ensure the student:

- (a) has gained NCEA level 3 and has met New Zealand university entrance requirements; or
- (b) unless Rule 18.5 below applies, has supplied to the institution clear evidence that the student satisfies one of the criteria for existing English proficiency listed on NZQA’s website; or
- (c) has achieved, within the preceding two years, at least one of the internationally recognised English proficiency outcomes listed in the relevant row of the Table for the programme level in which the student is being enrolled; or
- (d) unless Rule 18.5 below applies, has achieved a score in an English proficiency assessment that is equivalent to or better than the English proficiency outcomes listed in the relevant row of the Table for the programme level in which the student is being enrolled, where:
  - (i) the methodologies and process for that English proficiency assessment have been approved by NZQA through clauses 18.3 and 18.4; and
  - (ii) the assessment was carried out by the holder of the approval; and
  - (iii) the approval referred to in subparagraph (i) has been listed on NZQA’s website; or
- (e) unless Rule 18.5 below applies, in respect of enrolment in a Category 1 institution, has achieved a score in that Category 1 institution’s English

proficiency assessment that is equivalent to or better than the English proficiency outcomes listed in the relevant row of the Table for the programme level in which the student is being enrolled.

- 18.2 Where the requirements of a programme are for a higher English proficiency outcome than is listed in the relevant row of the Table for the programme level in which the student is being enrolled, the student must meet that higher level.
- 18.3 For the purposes of Rule 18.1(d), a Category 1 or Category 2 institution may apply to NZQA for approval of the institution's English proficiency assessment methodologies and the process used for those assessment methodologies.
- 18.4 Following an application under Rule 18.3, NZQA may approve the institution's internal English proficiency assessment methodologies and process where NZQA is satisfied:
  - (a) the assessment methodologies and process have been benchmarked to establish the equivalency or better to the outcomes for the appropriate levels of the NZQF; and
  - (b) the institution possesses expertise in English language delivery and assessment, as evidenced through appropriate staff qualifications and relevant programme approvals, accreditations to provide approved programmes, or training scheme approvals; and
  - (c) the institution's English proficiency assessment methodologies and process have been designed by a person with appropriate and relevant experience and expertise; and
  - (d) the institution has appropriate safeguards in place to prevent cheating or bias during the conduct of internal English proficiency assessments; and
  - (e) as to the level of confidence NZQA can have in the institution's enrolment and assessment practices; and
  - (f) there are no current concerns over the quality of the institution's provision of education, or over non-compliance issues relating to the institution, that NZQA considers detrimentally affect the institution's ability to conduct English proficiency assessment and testing.
- 18.5 From the date referred to in Rule 18.7, the English language proficiency options in paragraphs (b), (d), and (e) of Rule 18.1 must not be used for students who:
  - (a) hold passports from a country with a student visa decline rate of the kind described in Rule 18.6; and
  - (b) apply to Immigration New Zealand for their first New Zealand student visa.
- 18.6 For the purposes of Rule 18.5(a), the student visa decline rate for a country is more than 20 percent of total student visa applications in that country, where
  - (a) the decline rate has been measured by Immigration New Zealand;
  - (b) the decline rate is based on statistics generated over a period of time set by Immigration New Zealand from data held by Immigration New Zealand; and
  - (c) the decline rate and the name of the country has been published on the website of Immigration New Zealand.

18.7 The date for the purposes of Rule 18.5 is:

(a) 1 October 2015 for countries whose decline rates and names, as at 1 September 2015, have been published under Rule 18.6(c):

(b) one month after the date of publication under Rule 18.6(c), for countries whose decline rates and names are published after 1 September 2015.”

**5. Appendix 2 of the Principal Rules replaced**

5.1 Replace Appendix 2 of the Principal Rules with Appendix 2 in the Schedule.

**6 Consequential revocation**

6.1 The NZQF Programme Approval and Accreditation Amendment Rules 2013 are consequentially revoked.

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## SCHEDULE – replacement Appendix 2

### Appendix 2

#### Internationally recognised English Proficiency Outcomes for International Students

##### **Acronyms used in the Table below**

CAE – the examination of the University of Cambridge English Examinations called Cambridge English Advanced, also known as the Certificate in Advanced English, found at <http://www.cambridgeesol.org/exams/cae/index.html>.

IESOL – Internal English for Speakers of Other Languages qualifications by City & Guilds, found at <http://www.cityandguildsenglish.com/>.

CPE – the examination of the University of Cambridge English Examinations called Certificate of Proficiency in English, found at <http://www.cambridgeesol.org/exams/cpe/index.html>.

FCE, or FCE for Schools – the examination of the University of Cambridge English Examinations called Cambridge English: First, also known as the First Certificate in English, found at <http://www.cambridgeesol.org/exams/fce/index.html>.

IELTS – the International English Language Testing System, jointly owned by the British Council, IDP-IELTS Australia, and the University of Cambridge ESOL Examinations, found at <http://www.ielts.org>.

NZCEL – the New Zealand Certificate in English Language listed on the NZQF (*NZQA being the qualification developer*).

PToE – the Pearson Test of English (Academic), found at <http://www.pearsonpte.com/Pages/Home.aspx>.

TOEFL – the English Language proficiency test of the Educational Testing Service, whose headquarters are in Princeton, United States, found at <http://www.ets.org/toefl>.

TWE – in relation to TOEFL is the Test of Written English.

**TABLE**  
**for Internationally recognised English Proficiency Outcomes for**  
**International Students**

Programme Level	English Proficiency Outcomes <sup>1</sup>						
	IELTS test <sup>2</sup>	TOEFL Paper-based test (pBT)	TOEFL Internet-based test (iBT)	University of Cambridge English Examinations	NZCEL	Pearson Test of English (Academic)	City & Guilds IESOL
<b>Certificate at Level 3</b>	General or Academic score of 5 with no band score lower than 5	Score of 500 (with an essay score of 4 TWE)	Score of 35 (with a writing score of 20)	FCE or FCE for Schools with a score of 154. No less than 154 in each skill	Level 3 with an endorsement of either General, Workplace, or Academic	PToE (Academic) score of 36	B1 Achiever with a score of 43
<b>Certificate at Level 4</b>	General or Academic score of 5.5 with no band score lower than 5	Score of 530 (with an essay score of 4.5 TWE)	Score of 46 (with a writing score of 20)	FCE or FCE for schools with a score of 162. No less than 154 in each skill	Level 3 with an endorsement of either General, Workplace, or Academic	PToE (Academic) score of 42	B2 Communicator with a score of 42
<b>Certificate or Diploma at Level 5</b>	Academic score of 5.5 with no band score lower than 5	Score of 550 (with an essay score of 5 TWE)	Score of 46 (with a writing score of 20)	FCE or FCE for schools with a score of 162. No less than 154 in each skill	Level 4 with the Academic endorsement	PToE (Academic) score of 42	B2 Communicator with a score of 42

<sup>1</sup> The listed outcomes represent the minimum scores or grades for each test or qualification that qualify a student for enrolment at each programme level. Students with higher scores or grades than required for a particular programme level may still enrol at that level.

<sup>2</sup> IELTS scores used must be taken from a single IELTS Test Report Form (i.e. combining scores from more than one test is not permissible).

Programme Level	English Proficiency Outcomes <sup>1</sup>						
	IELTS test <sup>2</sup>	TOEFL Paper-based test (pBT)	TOEFL Internet-based test (iBT)	University of Cambridge English Examinations	NZCEL	Pearson Test of English (Academic)	City & Guilds IESOL
<b>Certificate or Diploma at level 6 or 7</b>  <b>Degree at Level 7</b>  <b>Graduate Certificate or Diploma at Level 7</b>	Academic score of 6 with no band score lower than 5.5	Score of 550 (with an essay score of 5 TWE)	Score of 60 (with a writing score of 20)	FCE, or FCE for schools, or CAE, or CPE with a score of 169. No less than 162 in each skill	Level - 4 with the Academic endorsement	PToE (Academic) score of 50	B2 Communicator with a score of 66
<b>Post-graduate Diploma or Post-graduate Certificate at Level 8</b>  <b>Bachelor Honours Degree at Level 8</b>  <b>Master's Degree at Level 9</b>  <b>Doctoral Degree at Level 10</b>	Academic score of 6.5 with no band score lower than 6	Score of 590 (with an essay score 5.5 TWE)	Score of 79 (with a writing score of 21)	CAE or CPE with a score of 176. No less than 169 in each skill	Level 5 with the Academic endorsement	PToE (Academic) score of 58	C1 Expert with a score of 42

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## Explanatory note

This note is not part of the Rules, but is intended to indicate their general effect.

This amendment to the Principal Rules, which commences on the day after the date of approval by the Minister under section 253(5) of the Act, restricts the use of English proficiency testing in respect of prospective students holding passports from countries which have student visa decline rates of more than 20%.

Prospective student passport holders from those countries who are seeking to enrol in a programme (*other than an English language programme*) at an institution other than a university, will need to have met the relevant English proficiency outcome in the Table in Appendix 2 of the Principal Rules, or have gained NCEA level 3 and met New Zealand university entrance requirements. Provider tests will no longer be able to be used for those students, and nor will the criteria for existing English proficiency listed on NZQA's website (*which relate to at least 5 years schooling with English as a medium of instruction*).

The Table in Appendix 2 has also been replaced. Corrections were made to some content in the University of Cambridge English Examinations column, and in the NZCEL column.

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*These Rules are administered by the New Zealand Qualifications Authority*

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