

State and Territory Regulatory Authorities and Administrative Units

Introduction

Early childhood education and care services across Australia are regulated under a national, uniform regulatory and quality assurance system through the *Education and Care Services National Law*.

The system is referred to as the National Quality Framework for Early Childhood Education and Care (the NQF). It applies to most long day care, family day care, outside school hours care, and preschool/kindergarten services in Australia.

Victoria passed the *Education and Care Services National Law Act 2010* and each state and territory has passed legislation applying the national law to their jurisdiction, or enacted corresponding legislation, with some variations to accommodate their local requirements. The *Education and Care Services National Regulations 2011* amplify the Act.

The *Education and Care Services National Law* established the Australian Children's Education and Care Quality Authority (ACECQA) and early childhood education and care Regulatory Authorities in each of the eight Australian states and territories to implement and manage the national system.

ACECQA oversees the implementation of the National Quality Framework and works with all governments to provide guidance, resources, and services to improve outcomes for children in education and care services. Further details about ACECQA are available on their website at www.acecqa.gov.au

State and territory Regulatory Authorities are responsible for granting education and care provider and service approvals, undertaking quality assessment and rating of services, and ensuring services meet their obligations under the National Law and National Regulations.

The eight state and territory Regulatory Authorities are identified in their respective jurisdiction's legislation. In most cases the Regulatory Authority is defined as the person heading the government department that has responsibility for early childhood education and care. Administrative units within the relevant departments carry out the day to day

functions of the Regulatory Authorities. Details are set out in **Table 1** below. Contact details for the Regulatory Authorities can be found on the NECSOPIC website at www.necsopic.edu.au/useful-links/

Jurisdiction	State/territory National Law/Application Acts	Section of state/territory legislation defining the Regulatory Authority for the purposes of the National Law	Regulatory Authority administrative units
ACT	Education and Care Services National Law (ACT) Act 2011	Section 10 - the Director-General [of the Education Directorate]	Children’s Education and Care Assurance, Early Childhood Policy and Regulation, Education Directorate
NSW	Children Education & Care Services National Law (Application) Act 2010	Section 9 - the Secretary of the Department of Education	Early Childhood Education Directorate, Department of Education
NT	Education and Care Services (National Uniform Legislation) Act 2011	Section 9 - the Chief Executive Officer [of the Department of Education]	Quality Education and Care, Northern Territory
QLD	Education and Care Services National Law (Queensland) Act 2011	Section 14 - the chief executive [Department of Education]	Regulation, Assessment and Service Quality, Early Childhood and Education Improvement, Department of Education
SA	Education and Early Childhood Services (Registration and Standards) Act 2011	Section 13 (9) - the Education and Early Childhood Services Registration and Standards Board	Education Standards Board of South Australia
TAS	Education and Care Services National Law (Application) Act 2011	Section 9 the Secretary of the department responsible for the administration of the <i>Education Act 1994</i>	Education and Care Unit, Department of Education
VIC	Education and Care Services National Law Act 2010	Section 8 the Secretary of the Department of Education	Quality Assessment & Regulation Division, Department of Education and Training
WA	Education and Care Services National (WA) Act 2012	Section 8 - the chief executive officer of the department principally assisting in the administration of the <i>Child Care Services Act 2007</i>	Education and Care Regulatory Unit, Department of Communities

Document Currency

This version	Current from October 2021
--------------	---------------------------