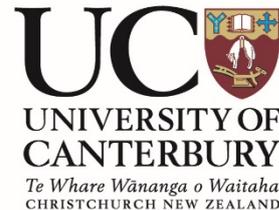


Office of the Registrar

Information and Records Management
Tel: +64 3 366 7001
Email: records@canterbury.ac.nz
Web: www.canterbury.ac.nz/irm



15 February 2021

K H Ross

By email: fyi-request-14447-4a2eae4a@requests.fyi.org.nz

Dear K H Ross

OFFICIAL INFORMATION ACT REQUEST 21.01 Memorandums of Understanding or Agreement with PRC Universities

I refer to the Official Information Act request dated 13 January 2021 for information relating to Memoranda of Understanding (MOU)/ Agreement (MOA) for Chinese Universities. You have specifically requested:

- A list of PRC (People's Republic of China) universities with which the University of Canterbury has a MOU or MOA
- A copy of the MOU/MOA agreements for each of these universities.

Please see attached a list of PRC Universities that the University of Canterbury has a current MOU or MOA with as at 15 February 2021.

Please note that some information has been withheld. This includes:

The contents of the MOU and MOA documents. Whilst the fact of a MOU or MOA being signed with another institution might be in the public domain, the contents of them are not publically available and are confidential. MOU or MOAs are often drafted with express confidentiality clauses, with all of them being treated with the expectation of confidence. The contents of the documents are only known to a select group of people, such as the Pro-Vice-Chancellor of the relevant College/School and senior staff within the College who negotiated the MOU or MOA. The details of the MOU/MOA are not publically released, although the overall intent of the document might be – for example to collaborate on teaching and research. MOUs and MOAs are stored in a secure electronic environment that is not open to all University staff. This information is therefore withheld under s 9(2)(ba)(i), to protect information which is subject to an obligation of confidence, as it would prejudice the supply of similar information and it is in the public interest that the information is supplied.

Releasing the contents of MOU/ MOAs would prejudice the University's negotiating position in the future, the information is therefore also withheld under s 9(2)(j). MOU and MOAs are not valid in perpetuity, often with a term between three – five years. Terms must be renegotiated and a new MOU or MOA drafted and signed, with such negotiations occurring every year as and when different memoranda expire. Releasing the details of MOU or MOA documents would undermine the University of Canterbury's negotiating position relative to

other Universities. Other institutions would then be aware of UC's terms which would erode competitive advantage when the University of Canterbury (re)negotiates future MOU's or MOAs. The release of the details of the MOUs/MOAs would also detrimentally affect the relationships between the University and those institutions with existing arrangements, as it may deter them from sharing information at the next round of negotiations.

Where any grounds in S 9(2) are relied upon, s 9(1) requires that the public interest be considered. MOUs or MOAs are an important link in facilitating collaboration between the University of Canterbury and institutions all over the world. This could be for matters such as shared programmes and student exchanges. The academic and cultural benefits in having international ideas and perspectives cemented in formal relationships is important to the University. The University is of the view that the wider benefits the University and surrounding community derive from having strong international relationships outweighs the public interest in knowing the detail of every MOU /MOA document it has established with partner institutions. Releasing the names of the Chinese institutions that the University partners with allows the public to know which institutions it has MOUs/ MOAs with, whilst protecting the confidentiality of the detail of those memoranda.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely



Claire O'Connell
Information Advisor