



## Office of Hon Paul Goldsmith

Minister for Tertiary Education, Skills and Employment  
Minister of Science and Innovation  
Minister for Regulatory Reform

14 AUG 2017

Brendan White  
[fyi-request-5999-631ae29f@requests.fyi.org.nz](mailto:fyi-request-5999-631ae29f@requests.fyi.org.nz)

Dear Brendan

I refer to your e-mail of 15 July 2017 to Hon Nikki Kaye requesting, under the Official Information Act 1982 (the Act), the following information:

*“Has consent been granted under 253C of the Education Act for Oracle University and/or its training subcontractors to use the protected name “University” in association with offering online and or in classroom training in New Zealand? If no consent has been granted, does the minister consider that Oracle University and/or its training subcontractors are committing an offence under the act by using the protected name “university” in association with training provided in New Zealand?”*

Your request was transferred to me for response as the information you have requested is more closely connected with my functions as Minister for Tertiary Education, Skills and Employment.

Oracle Corporation offers training programmes under the Oracle University brand through an international network of business partners. Its New Zealand training programmes are run by Asparona, part of the Deloitte group of companies. I can advise that neither Oracle nor Asparona have sought or been granted consent to use the name “university”.

The term “university” is legally protected under section 292 of the Education Act 1989. It is an offence for a person to use the term “university” to “describe an educational establishment or facility”, unless it is a university (as defined in the Act), or is a registered establishment that has the Minister's consent to use the term.

While the law restricts use of protected terms to “describe an establishment or facility”, there is no express prohibition on providers referring to partnerships with, or courses offered in association with, offshore organisations that use protected terms in their name.

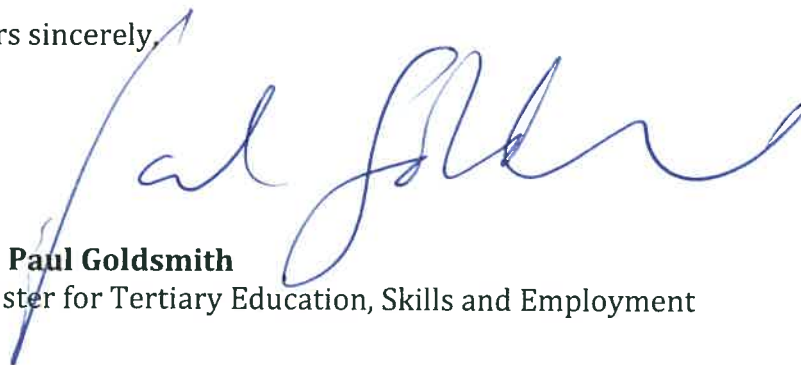
The Ministry of Education administers the relevant part of the Education Act, and is responsible for taking any decisions concerning enforcement. The Ministry has

previously communicated with Asparona to ensure they are aware of the law in regards to the use of the term “university”.

If you have information or concerns about the potential legality of Oracle and Asparona’s use of the Oracle University brand in New Zealand, you can contact John MacCormick, Chief Policy Analyst at [John.MacCormick@education.govt.nz](mailto:John.MacCormick@education.govt.nz).

You have the right, under section 28(3) of the Act, to seek a review of this response by the Ombudsman.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Paul Goldsmith". The signature is fluid and cursive, with a long, sweeping underline that extends to the left and then curves back under the name.

**Hon Paul Goldsmith**  
Minister for Tertiary Education, Skills and Employment