

ARRANGEMENT RELATING TO RESEARCH, SCIENCE AND INNOVATION COOPERATION BETWEEN THE GOVERNMENT OF NEW ZEALAND AND THE GOVERNMENT OF GREAT BRITAIN AND NORTHERN IRELAND

The Government of New Zealand and the Government of Great Britain and Northern Ireland (the “United Kingdom”) hereinafter referred to individually as “the Government”, or together as “the Governments”:

Noting their longstanding, warm, and strong partnership based on common principles and values, and the significant collaboration between the two countries across a broad range of areas

noting their desire to establish a framework for bilateral research, science and innovation cooperation in order to encourage closer collaboration between United Kingdom and New Zealand agencies and institutions, and private sectors, that have an interest in research, science and innovation, for the mutual benefit of both countries;

noting that the Governments acknowledge that Te Tiriti o Waitangi/ The Treaty of Waitangi is a foundational document of constitutional importance to New Zealand;

noting that the Governments may facilitate, where appropriate and practicable, support for science, research, and innovation links as appropriate between the United Kingdom and Māori communities;

have reached an understanding on the following Arrangement:

PARAGRAPH 1

Definitions

For the purposes of this Arrangement:

1. “Cooperative Activity” means any activity carried out or supported by the Governments pursuant to this Arrangement;
2. “Executive Agent” has the meaning in Paragraph 4;
3. "Information" means policy, scientific or technical data, results, or methods of research and development, including software, stemming from Joint Research, science and innovation, and any other data and reporting relating to Cooperative Activities;
4. "Intellectual Property" refers to all categories of intellectual property that are the subject of Sections 1 through 7 of Part II of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS);

5. "Joint Research" means research, science, innovation or related activities that are encouraged or supported by one or both Governments and that involve collaboration by Participants from both countries under this Arrangement;
6. "Participant" means any individual or entity, including the employees of an individual or entity, engaged in a Cooperative Activity under this Arrangement; and
7. "Representative" means any individual or entity, including the employees of an individual or entity, authorised by one or both Governments to enter into a Cooperative Activity under this Arrangement.

PARAGRAPH 2

Objectives

1. The objectives of this Arrangement are to:
 - (a) establish a framework for enhancing the overall research, science and innovation relationship between the United Kingdom and New Zealand;
 - (b) enhance and grow Cooperative Activity under this Arrangement for the mutual benefit of both countries;
 - (c) solve shared challenges through research, science and innovation cooperation, in particular responding to climate change;
 - (d) promote appropriate international norms and practices for secure and trusted international cooperation on research, science and innovation, for the economic, social and environmental benefit of both countries; and
 - (e) encourage institutional links and accelerate the exchange of ideas across the respective research, science and innovation systems, to take advantage of complementarities in those systems.

PARAGRAPH 3

Principles

1. Subject to the applicable policies and laws of both countries, the Governments will work to strengthen research, science and innovation cooperation on the basis of the following principles:
 - (a) shared responsibilities, and mutual and equitable contributions and benefits, taking into account respective risks and benefits;

- (b) where appropriate and practicable, mutually beneficial access to government-sponsored or government supported programmes and facilities, and mutually beneficial access to and exchange of information on research, science and innovation activities;
- (c) consistent with each country's international obligations under the international Intellectual Property agreements to which it is a party, effective and balanced protection for, and equitable distribution of, any Intellectual Property created in, or as a direct result of, Cooperative Activity, and effective and balanced protection of Intellectual Property furnished in the course of Cooperative Activity;
- (d) cooperation in the promotion of research, science and innovation results and outcomes, with the purpose of enhancing economic, environmental and social benefits for both countries;
- (e) commitment to open research, science and innovation, where appropriate; and
- (f) encourage policies and programmes which promote the translation and application of results of research, science and innovation activities, conducted by researchers and organisations from all sectors, towards achieving economic, environmental and social benefits in each country.

PARAGRAPH 4

Coordination of Cooperative Activities

1. The Governments each will designate as Executive Agents the Ministry of Business, Innovation and Employment (for New Zealand) and the Department for Business, Energy & Industrial Strategy (for the United Kingdom). These Executive Agents will be responsible for executive oversight of progress towards the objectives of this Arrangement through Cooperative Activities.
2. The Executive Agents will endeavour to meet regularly to discuss and review the progress and implementation of this Arrangement, matters of importance in the fields of research, science and innovation, policy issues related to the overall research, science and innovation relationship between the countries, and to decide on Cooperative Activities. The manner of these meetings will be mutually decided by the Executive Agents.

PARAGRAPH 5

Areas of Cooperative Activity

1. The Governments will explore opportunities to carry out and support mutually beneficial Cooperative Activity. The Governments will encourage the participation in relevant Cooperative Activities of researchers and organisations from all sectors, including universities, national research, development and innovation organisations and the private sector. The Governments may include government-sponsored or government-supported research programmes as part of Cooperative Activities.
2. In appropriate cases, when determined by the Governments or their Representatives, scientists, experts, agencies, or institutions of third countries may be encouraged to participate in particular Cooperative Activities.
3. All areas of research, science and innovation may be the subject of Cooperative Activity under this Arrangement.
4. Areas of Cooperative Activity the Governments may explore opportunities to support include, but are not limited to:
 - (a) cooperation on mutually beneficial research, science and innovation projects, including collaboration on large-scale projects and major research and development initiatives;
 - (b) cooperation on shared research infrastructure planning and access to that infrastructure, to achieve economies of scale and efficient use of resources to effectively meet the research infrastructure needs of the countries' respective research, science and innovation systems;
 - (c) cooperation on research, science and innovation policy and evaluation to draw on officials' expertise to solve shared challenges, and to promote knowledge transfer between the two countries;
 - (d) cooperation across the United Kingdom and New Zealand research, science and innovation systems on science assessment and research protocols, standards, processes and regulations to share expertise, create complementarity, and consider shared efficiencies;
 - (e) exchange of experts, expertise, policy, research and information to support the transfer of knowledge between the United Kingdom and New Zealand and to promote research, science and innovation policy settings conducive to Cooperative Activity;
 - (f) coordination between the Governments in respect of international norms and fora relating to research, science and innovation;
 - (g) enhanced cooperation amongst researchers and organisations from all sectors, including universities, national laboratories, and the private sector, providing

opportunities for scientists, engineers, and other appropriate personnel from the other country to engage in research and study in their respective facilities and government-sponsored or government-supported research programmes;

- (h) cooperation with other countries on mutually decided international opportunities in research, science and innovation to create an offering of scale and depth that is not achievable by New Zealand or the United Kingdom alone;
 - (i) encouraging and facilitating the development of business and institutional research, science and innovation links.
5. Further Cooperative Activity in other areas of research, science and innovation may be mutually determined by the Executive Agents.

PARAGRAPH 6

Forms of Cooperative Activity

Cooperative Activity may take a variety of forms, including, but not limited to:

- (a) joint research, working groups and studies;
- (b) joint policy initiatives in research, science and innovation;
- (c) business-to-business innovation activities;
- (d) coordinated research, science and innovation seminars, conferences, symposia, meetings and workshops;
- (e) where appropriate and practicable, shared use of research facilities and the development of new facilities;
- (f) training of scientists, researchers and technical experts;
- (g) visits and exchanges of scientists and researchers, technical personnel, government representatives or other experts in the fields of research, science and innovation; and
- (h) exchanges of information and documentation on activities, policies, practices, and laws concerning research, science and innovation.

PARAGRAPH 7

Implementing Arrangements

Implementing arrangements for Cooperative Activities may be negotiated and concluded between the Executive Agents, in order to establish the specific provisions of cooperation. An implementing arrangement may specify the area of cooperation, the agencies involved, the procedures to be followed, including financial arrangements, and other appropriate matters. These arrangements will take into account applicable laws of the countries and any other jurisdiction in which the particular Cooperative Activities are to be carried out.

PARAGRAPH 8

Dissemination of Non-proprietary Information

Research, science and innovation Information of a Non-proprietary nature arising from Cooperative Activities under this Arrangement will be made available, unless it is otherwise jointly decided, to the world's scientific community through customary channels, in accordance with the laws, regulations and procedures of each country and its agency for the particular activity.

PARAGRAPH 9

Treatment of Intellectual Property

Matters relating to the protection and ownership of Intellectual Property rights which are created and dealt with by Participants under this Arrangement will be the responsibility of, and jointly decided by, the affected Participants.

PARAGRAPH 10

Legal Basis and Funding

1. This Arrangement is not legally binding and does not create legal obligations under international law on the part of either Government, nor does it necessitate any financial commitments by either Government.
2. Cooperative Activities under this Arrangement will be subject to the availability of funds and to the applicable policies and laws of each country.
3. Each Government will bear the costs of discharging their own responsibilities under this Arrangement. In specific cases, the costs may be borne jointly, where decided between the Executive Agents.

PARAGRAPH 11

Other Agreements or Arrangements

This Arrangement is without prejudice to cooperation that may be carried out pursuant to other agreements or arrangements between the Governments.

PARAGRAPH 12

Resolution of Differences

Any difference between the Governments arising out of the interpretation or implementation of this Arrangement will be settled amicably through consultation or negotiation between the Governments.

PARAGRAPH 13

Commencement and Amendment

1. This Arrangement will take effect from the date of its signature by both Governments and will continue in effect, unless terminated in accordance with sub-paragraph 3 for 5 (five) years.
2. This Arrangement may be amended by mutual written arrangement between the Governments.
3. Either Government may terminate this Arrangement by giving a written notice of termination to the other Government through diplomatic channels, at least 3 (three) months before the intended date of termination.
4. Any Cooperative Activities under this Arrangement that have commenced but have not been completed at the date of receipt of the notification will be managed in a manner to be jointly determined by the Governments.

Signed in duplicate at on this day of two thousand and in the English language.

FOR THE GOVERNMENT OF
THE UNITED KINGDOM

FOR THE GOVERNMENT OF
NEW ZEALAND

[signature]
[name]
[position]

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