

**Memorandum of Arrangement Relating to Science and Research  
Cooperation  
between the  
Ministry of Business, Innovation and Employment  
and the  
Chinese Academy of Sciences**

The Ministry of Business, Innovation and Employment of New Zealand (MBIE), on behalf of New Zealand's science and research organisations, and the Chinese Academy of Sciences of the People's Republic of China (CAS);

RECOGNISING the importance of science and research for the future prosperity and wellbeing of the people of New Zealand and China, and elsewhere, and the potential for these benefits to be enhanced through sharing, movement and promotion of ideas, knowledge, and scientific resources between New Zealand's science and research organisations and the Chinese Academy of Sciences;

ACKNOWLEDGING New Zealand's science and research organisations' and the Chinese Academy of Sciences' established researcher-to-researcher and institution-to-institution science and research relationships;

RECOGNISING that this science and research relationship can be further developed by the development of an enduring cooperation framework between MBIE and CAS;

CONSIDERING the desirability, in areas of common interest, of promoting collaboration between scientific and research-focused organisations for the purpose of using science and research to develop economic, environmental and social benefits in New Zealand and China;

MBIE AND CAS (COLLECTIVELY REFERRED TO AS THE “PARTICIPANTS”) HEREBY ENTER INTO THIS ARRANGEMENT AS FOLLOWS:

#### PARAGRAPH 1

##### Definitions

For the purposes of this Arrangement:

1. “Cooperative Activity” means any activity carried on or supported by MBIE and CAS pursuant to this Arrangement;
2. “Intellectual property” means the subject matter listed in Article 2 of the *Convention Establishing the World Intellectual Property Organization*, done at Stockholm on 14 July 1967 (as amended on 28 September 1979), and may include other subject matter decided by MBIE and CAS;
3. “Joint research” means research, development, science and innovation that is implemented with financial support from one or both participants and that involves collaboration by researchers from organisations supported by this Arrangement.

## PARAGRAPH 2

### Objective

The objectives of this Arrangement are to:

- a. set in place the conditions to increase the excellence, depth and impact of scientific research through closer cooperation between New Zealand scientific and research organisations and the Chinese Academy of Sciences;
- b. grow institutional links and accelerate the exchange of ideas between New Zealand's science and research organisations and CAS, and to build scale through enduring partnerships.

## PARAGRAPH 3

### Principles

1. This Arrangement establishes the framework for the overall science and research relationship between MBIE (on behalf of New Zealand's science and research organisations) and CAS;
2. Subject to the applicable policies of both New Zealand and China, MBIE and CAS will strengthen and conduct their science and research relationship on the basis of the following principles:
  - a. Shared responsibility and joint benefit;
  - b. Jointly beneficial access to scientific resources, programmes and activities;
  - c. Consistent with MBIE and CAS' obligations to international Intellectual Property agreements;
  - d. Cooperation in the promotion of science and research results and outcomes, with the purpose of maximising

environmental, social and economic benefits to both New Zealand and China;

- e. Commitment to open science and research, where appropriate; and
- f. Commitment to the translation and application of the results of science and research activities, conducted by researchers from New Zealand's scientific and research organisations and the Chinese Academy of Sciences.

#### PARAGRAPH 4

##### Coordination of Cooperative Activities and Joint Research

1. MBIE and CAS will be responsible for executive oversight of progress towards the Objective of this Arrangement.
2. MBIE and CAS will meet at least annually to discuss and review the progress and implementation of this Arrangement, matters of importance in the field of science and research and any associated issues between Participants.
3. MBIE and CAS will each designate a Coordinator responsible for the coordination and facilitation of Cooperative Activities under this Arrangement and as outlined in any associated joint research activities or exchanges. Arrangement Coordinators will discuss and coordinate on a regular basis implementation of any resulting joint research activity or exchange, meeting at such times as they consider necessary.

## PARAGRAPH 5

### Areas of Cooperative Activity

1. Under this Arrangement, MBIE and CAS will support jointly beneficial research cooperation. MBIE and CAS will encourage the participation in relevant Cooperative Activities of researchers from across New Zealand's science and research organisations and the Chinese Academy of Sciences.
2. All areas of science and research may be the subject of Cooperative Activity under this Arrangement.
3. Areas of Cooperative Activity the Participants will endeavor to support include, but are not limited to:
  - a. Cooperation to draw more effectively on expertise offered across New Zealand science and research institutions and the Chinese Academy of Sciences to solve shared science-based challenges, and to promote knowledge transfer between New Zealand's science and research institutions and the Chinese Academy of Sciences;
  - b. Cooperation on research infrastructure access, to achieve efficient use of resources to effectively meet the research infrastructure needs of the Participants' respective science and research aims;
  - c. Enhanced cooperation amongst researchers and organisations from across New Zealand's science and research institutions and the Chinese Academy of Sciences, providing comparable opportunities for scientists, engineers and other appropriate personnel to engage in research and study in their respective facilities and research programmes in basic, and applied research and commercialisation;

- d. Encouraging and facilitating the development of jointly beneficial science and research projects, including collaboration on large-scale projects and major research and development initiatives.
4. Cooperative Activity amongst researchers and organisations from across New Zealand's science and research institutions and the Chinese Academy of Sciences may take a variety of forms, including, but not limited to:
- a. Joint research and studies;
  - b. Science and research seminars, conferences, symposia, meetings and workshops;
  - c. Shared use of research facilities and the development of new facilities when jointly convenient;
  - d. Training of scientists, researchers and technical experts; and
  - e. Visits and exchanges of scientists and researchers, technical personnel or other experts in the fields of science and research;
  - f. Exchanges of information and documentation on activities, and practices concerning science and research.
5. Cooperative Activity may also include any other activities mutually accepted by MBIE and CAS.

## PARAGRAPH 6

### Treatment of Intellectual Property

MBIE and CAS accept that matters relating to the protection and ownership of Intellectual Property rights which are created and dealt with by researchers and organisations from across New Zealand's science and research institutions and the Chinese Academy of Sciences under this

Arrangement will be the responsibility of, and jointly decided by the affected researchers or organisations.

#### PARAGRAPH 7

##### Funding

1. Cooperative Activities under this Arrangement will be subject to the availability of funds and to the applicable policies of MBIE and CAS.
2. Participants covered under this Arrangement will bear the costs of discharging their own responsibilities under particular projects or programmes. In specific cases the costs will be borne as jointly decided between MBIE and CAS.

#### PARAGRAPH 8

##### Other Arrangements

This Arrangement is without prejudice to cooperation that may be carried out pursuant to other arrangements between New Zealand and China.

#### PARAGRAPH 9

##### Commencement and Termination

1. This Arrangement:
  - a. will commence on the date of signing and remain in effect for five years;
  - b. may be amended or extended with consent in writing from the Participants;

- c. can be terminated by either Participant in writing with six months' notice; and
- d. will not create a legal relationship between the Participants.

2. In the event of termination, 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 mutually determined by MBIE and CAS.

3. This Memorandum of Arrangement is signed at Beijing on the first day of April 2019, in duplicate in English and Chinese, both are acknowledged as equally valid.

**For the Ministry of Business,  
Innovation and Employment of  
New Zealand**

**For the Chinese Academy of  
Sciences,  
the People's Republic of China**

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*Clare Fearnley*  
*New Zealand Ambassador to China*

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*Zhang Yaping*  
*Vice President*

