



MEMORANDUM OF COOPERATION

Between

Academic Quality Agency for New Zealand Universities

and

**Hong Kong Council for Accreditation of Academic
and Vocational Qualifications**

2021

This Memorandum of Cooperation is made between the **ACADEMIC QUALITY AGENCY FOR NEW ZEALAND UNIVERSITIES (AQA)** and the **HONG KONG COUNCIL FOR ACCREDITATION OF ACADEMIC AND VOCATIONAL QUALIFICATIONS (HKCAAVQ)**, hereinafter referred to as "The Parties".

1. PURPOSE

AQA and HKCAAVQ agree to enter into a Memorandum of Cooperation (MoC) for the benefit of both Parties and to cooperate on issues related to the improvement and development of the quality assurance and quality enhancement of tertiary education and other services delivered by AQA and by HKCAAVQ in New Zealand and Hong Kong and the broader Asia-Pacific region.

This memorandum sets out the parameters for the relationship between AQA and HKCAAVQ.

2. NO INTENTION TO CREATE CONTRACTUAL OBLIGATIONS

AQA and HKCAAVQ intend to work together in good faith to further the aims and objectives of this MoC, however this MoC is intended to serve only as a record of the Parties' intentions and does not constitute or create legally binding obligations between the Parties. Nothing contained in this MoC will be construed as creating any agency, partnership, joint enterprise or other similar relationship between the Parties. Neither Party will have authority to contract for or bind the other in any manner whatsoever.

3. AGREEMENT TERM

This MoC will come into force on the date of both the signatures of the Parties. The MoC is for a period of three years, and may be extended on mutual agreement of both Parties.

4. GENERAL PRINCIPLES

The two Parties acknowledge in principle that they:

- are committed to the promotion of quality in tertiary education in the Asia-Pacific region;
- hold consistent objectives for enhancing tertiary education, to develop quality assurance and quality enhancement processes, and to identify and endorse good practices;
- recognise the possibility for collaboration and cooperation;
- intend that this collaboration should foster continuously improving quality of tertiary education for the people and communities of New Zealand and Hong Kong and the broader Asia-Pacific region.

5. GENERAL AREAS OF COOPERATION AND COLLABORATION

In order to obtain the objectives referred to in this MoC the Parties agree to support cooperation in the fields of quality assurance and enhancement, in accordance with the provisions of this MoC and the respective laws and regulations of New Zealand and Hong Kong.

Cooperation and collaboration may include:

- joint or cooperative programmes and projects of mutual benefit, including visits of staff and other experts and technical personnel;
- organisation of, and/or participation in, conferences, symposia, courses, workshops and other joint meetings of mutual benefit and interest;
- exchange of data, ideas and information relating to quality assurance and quality enhancement;
- participation in external quality audits conducted by either Party as appropriate and within the parameters adopted by each Party for the appointment of auditors and/or supporting staff;
- other forms of cooperation as agreed between the Parties, including annual meetings between the two Parties. Wherever possible such meetings will take place in conjunction with other events at which both Parties are present.

6. RESOURCES

Unless alternative arrangements are specifically agreed to meet particular project requirements (and as detailed in an Annex to this MoC), the Parties will normally cover their own costs of implementing the terms of this MoC. Participation in cooperative and collaborative activities shall be subject to the availability of funds and personnel of each of the Parties. The terms of financing shall be agreed upon in writing by the Parties before the commencement of activities.

7. SPECIFIC AREAS OF ACTIVITY

Whenever activities other than exchange of general ideas and information are intended, such activity shall be described in an Annex to this MoC which shall set forth an appropriate work plan for the activity. The Annex should also identify any specific terms related to: duration, resourcing, insurance, confidentiality, intellectual property rights, resolution of disputes, termination, decision making and implementation, and authorised contacts.

8. CONFIDENTIALITY AND INTELLECTUAL PROPERTY RIGHTS

If intellectual property is created as part of this arrangement the Parties will decide arrangements to their mutual satisfaction and incorporate the arrangements agreed as an Annex to this MoC.

Each Party will retain the intellectual property rights to any documents or other material it shares with the other Party in the course of activities under this MoC.

The intellectual property of reports emanating from any external audit which involves both Parties will normally be owned by the Party commissioned to undertake the audit.

Neither Party will share information about the other which is gained through activities related to this MoC and which is not already in the public domain with any third party without prior written approval of the other Party.

9. REVIEW

This MoC is signed by the Parties in a spirit of amicable cooperation. Any Party may initiate a review of the operation of this MoC by that Party's authorised contact giving written notice to the other Party specifying the intent of the review. The mechanism of review will be agreed by the Parties. The outcomes of the review will be jointly discussed between the Parties and any suggested substantive change(s) to the MoC resulting from the review may be altered with the consent of both Parties.

10. TERMINATION

The Parties may terminate this MoC by mutual determination in writing, providing a minimum of 180 days' notice is given. Termination of specific activities will be as provided for in the relevant Annex.

11. DECISION MAKING AND IMPLEMENTATION

The Executive Director of AQA (at the time of signing Emeritus Professor Sheelagh Matear) and the Executive Director of HKCAAVQ (at the time of signing Mr Chow Hing Pong Albert) will have responsibility for managing the implementation of the terms of the MoC and taking stock of progress against the objectives of the MoC on an annual basis. This may be achieved as part of an annual meeting between the two Parties, where practicable, or by other forms of communication. This responsibility may be delegated to relevant members of the agencies' staff in relation to particular areas of cooperation.

12. AUTHORISED CONTACTS

The authorised contacts of each of the Parties are detailed in the following table:


Name and Position	Party	Details
Emeritus Professor Sheelagh Matear Executive Director	AQA	AQA Level 9, 142 Lambton Quay, Wellington 6011 PO Box 5787, Lambton Quay, Wellington 6145, New Zealand Tel: +64 4 801 7925 Fax: +64 4 381 8501 Email: director@aqa.ac.nz
Mr Chow Hing Pong Albert Executive Director	HKCAAVQ	HKCAAVQ 10 Siu Sai Wan Road, Chai Wan, Hong Kong Tel: +852 3658 0000 Fax: +852 2845 9910 Email: communications@hkcaavq.edu.hk

13. SIGNATORIES

Signed in *Wellington* on *15 July* 2021



Emeritus Professor Sheelagh Matear
Executive Director
Academic Quality Agency for
New Zealand Universities



Mr Chow Hing Pong Albert
Executive Director
Hong Kong Council for Accreditation of
Academic and Vocational Qualifications