



SUBCONTRACTING OF TEACHING ACTIVITY POLICY

Purpose:

To ensure that Massey University manages the risk associated with the subcontracting of teaching activity to other tertiary providers.

Policy:

1. Massey University is responsible for all subcontracted provision as if it delivered the provision itself.
2. If the subcontracted provision is intended to attract Student Achievement Component funding, it must be for
3. All subcontracting of teaching activity to an external agency must be covered by an appropriate written contract. Staff should be aware that the absence of a written contract does not protect the University from liability and indeed may increase its potential liability since, under these circumstances no agreement exists as to limitations on liability.
4. Subcontracting must comply with the *Approval Pathways and Quality Assurance Guidelines for Domestic and International Subcontracting of Teaching Activity*.
5. The appropriate University subcontracting template92 reWB/T/F2 9.96 Tf1 0 0 1 54 437.11 Tm0 g0 G -0.0178 Tc(1.)JTJ



Audience:

All staff (with contract management responsibilities).

Relevant Legislation:

Nil

Legal Compliance:

Contracts must comply with all relevant legislation including:

- Fair Trading Act 1986
- Commerce Act 1986
- Sale of Goods Act 1908
- Consumer Guarantees Act 1993
- Health and Safety in Employment Act 1992
- Privacy Act 1993
- Copyright Act 1994
- Resource Management Act 1991

Related procedures / documents:

- [Approval Pathways and Quality Assurance Guidelines for Domestic and International Subcontracting of Teaching Activity](#)
- [Creation of Contract Policy](#)
- [Delegations of Authority Document](#)
- [TEC Funding Rules for Subcontracting on-Plan delivery \(Condition SAC356\)](#)
- [TEC Funding Rules for Subcontracting off-Plan delivery \(Condition SAC357\)](#)
- [Law Guide \(available on Massey Staffroom\)](#)
- [Teaching and Learning Policy](#)

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