

## NMIT CONTRACT AND AGREEMENT MANAGEMENT POLICY

### MOKAMOKA WHAKAAETANGA | APPROVAL DETAILS

<b>Section</b>	Executive		
<b>Date Approved</b>	24.02.2026	<b>Sponsor</b>	Director Digital, Finance and Risk
<b>Next Review</b>	01.01.2029	<b>Approved by</b>	SLT

### NGĀ WHAKATIKATIKA | AMENDMENT HISTORY

Version	Effective Date	Created/ Reviewed by	Reason for review / comment
1	01.01.2026	Transition Lead	New

## Mō wai me te whānuitanga | Audience and scope

This policy applies to:

- All employees of NMIT, including contracted staff and secondees providing services for NMIT; and those on fixed term contracts (may be collectively referred to as kaimahi in this policy); and
- All governors of NMIT including members and advisors of NMIT Council and governance committees or boards (collectively referred to as governors in this policy).

The term “agreement” is used as an over-arching term to refer to agreements that commit NMIT in financial or legal terms (deeds, contracts, sub-contracts, leases, licences etc.) as well as those not intended to be legally binding such as letters of intent, memorandum of understanding or similar documents.

**Exclusion:** This policy does not apply to enrolments of individual learners, individual or collective employment agreements, fixed term employment agreements or teaching service by independent contractors, or contracts for the supply of commodified products or consumables on normal commercial terms.

## Te Pūtaki | Purpose

The purpose of this policy is to provide guidance and expectations for negotiating, executing and managing agreements on behalf of NMIT in ways that benefit the institution and minimise any financial, operational and reputational risk to NMIT associated with entering into the agreement.

## Ngā Mātāpono | Principles

NMIT enters into and manages agreements to achieve financial and strategic benefits for the institute.

NMIT values relationships and arrangements with external parties, recognising them as essential to meeting our strategic and organisational objectives.

NMIT holds deep respect (mana) for its relationship with the iwi of Te Taihū o te Waka a Māui. Agreements and memoranda of understanding with iwi are developed with a strong cultural foundation, ensuring that relationship management and partnership are approached with the appropriate tikanga and intent.

NMIT ensures agreements are managed, monitored, and reported to achieve quality performance, positive outcomes, risk minimisation and value for money.

All negotiation, execution and management of contracts and agreements is underpinned by:

### **Compliance**

Agreements and contracts must comply with NMIT policies, procedures, New Zealand laws and regulations.

### **Fair, ethical decision-making**

Where applicable, agreements will align with NMIT's objective of making fair, ethical and defensible purchasing and procurement decisions.

### **Transparency and Consistency**

All parties involved will have clear visibility into the agreement's terms, conditions, and status.

## **Kaupapa Here | Policy Statements**

All agreements will be recorded formally in writing, will be clear, concise, and easily understandable, will accurately reflect the terms agreed upon by all parties involved, and will use pre-approved agreement templates where available.

### **Risk Management**

An agreement will not be entered into if it is inconsistent with the objectives of NMIT and/or could put NMIT at undue risk.

Kaimahi involved are collectively responsible for identifying and assessing potential risks with an agreement, seeking advice, and implementing strategies to minimise their impact.

The [NMIT Conflict of Interest Policy](#) and [NMIT Delegations Policy](#) and applicable procedures apply, as appropriate, to all aspects of negotiating, signing and managing agreements on behalf of NMIT.

### **Relationship Management**

Every agreement that NMIT enters will be assigned an Agreement Owner who shall usually also be the person responsible for the relationship management of the agreement. The Agreement owner is responsible for all aspects of negotiating, executing and managing agreements in accordance with their delegations.

Effective communication between all stakeholders by undertaking regular updates and discussions to address any issues or changes that may arise during the agreement's lifecycle.

### **Contracts Register**

All contracts, agreements and related documents are held in NMIT's Contracts Register, and made accessible to parties, as appropriate.

### **Monitoring, Evaluation and Improvement:**

Agreements will be monitored, managed, evaluated and updated as required throughout their life cycle to address any issues or changes agreed, to ensure they are fit for purpose and all parties are fulfilling their contractual obligations.

## Ngā Haepapa | Responsibilities

Role	Responsibilities
Contract or Agreement Owner	<ul style="list-style-type: none"><li>• Usually a Director, Curriculum Area Manager or Business Support Manager to whose budget and/or area of responsibility the agreement relates.</li><li>• Ensure compliance and monitor agreement performance.</li><li>• Ensure revenue is invoiced and/or payments are made in accordance with agreement terms.</li><li>• Regularly review the agreement for renewal or expiry, and renegotiate as required.</li><li>• Ensure the Contracts register is kept up to date.</li></ul>
Relationship Manager	<ul style="list-style-type: none"><li>• Acts as a single point of contact with the other parties to the agreement. This person is usually (but not always) the Agreement Owner and should be noted in the Agreement as the key contact point (or similarly described).</li><li>• Ensure issues are identified and resolved quickly and effectively and escalated as necessary.</li></ul>

## Ngā Tikanga | Definitions

Term	Definition
Agreement	Any agreement which commits NMIT in financial or legal terms (deeds, contracts, sub-contracts, leases, licences etc.) and extends to agreements not intended to be legally binding such as letters of intent, memorandums of understanding or similar documents.
Contract	A specific type of agreement that is legally binding and enforceable, creating obligations between parties.
Contracts Register	The centralised database contains details of all NMIT contracts, agreements and related documents.

## Ngā Hononga ki Tuhinga kē | Links to other documents

### NGĀ KAUPAPA-HERE E HANGAI ANA | RELATED POLICIES

NMIT Conflict of Interest Policy  
NMIT Procurement Policy  
NMIT Delegations Policy  
NMIT Information and Records Management Policy

### NGĀ TUKANGA ME NGĀ HĀTEPE | RELATED PROCESSES, PROCEDURES

NMIT Contract and Agreement Management Procedure

### TURE WHAI TAKE | RELEVANT LEGISLATION AND GUIDANCE

[Commerce Act 1986](#)  
[Companies Act 1993](#)  
[Consumer Guarantees Act 1993](#)  
[Construction Contracts Act 2002](#)  
[Contract and Commercial Law Act 2017](#)  
[Copyright Act 1994](#)

[Crown Entities Act 2004](#)

[Education and Training Act 2020](#)

[Employment Relations Act 2000](#)

[Fair Trading Act 1986](#)

[Health and Safety at Work Act 2015](#)

[Official Information Act 1982](#)

[Public Records Act 2005](#)

[Public Service Act 2020](#)

[Resource Management Act 1991](#)

NZ Government [Guide to Procurement](#)