

**Agreement
between
the Government Of New Zealand
and
the Government Of Japan
on Cooperation in Science and Technology**

The Government of New Zealand and the Government of Japan (hereinafter referred to as “the Parties”);

Desiring to further promote the close and friendly relations existing between their two countries, and being aware of the rapid expansion of scientific knowledge and of its positive contribution in promoting bilateral and international cooperation;

Wishing to broaden the scope of scientific and technological cooperation through the creation of a productive partnership for peaceful purposes and for their mutual benefits; and

Affirming their commitment to further strengthen cooperation in science and technology;

Have agreed as follows:

Article 1

The Parties shall develop cooperative activities in such areas of science and technology as may be mutually determined for peaceful purposes on the basis of mutual and equitable contributions and benefits.

Article 2

Forms of cooperative activities under this Agreement may include:

- (a) meetings of various forms, including those of experts, to discuss and exchange information on science and technology and to identify research and development projects and programmes that may be usefully undertaken

on a cooperative basis;

- (b) exchange of information on activities, policies, practices, and laws and regulations concerning scientific and technological research and development;
- (c) visits and exchanges of scientists, technical personnel, or other experts on general or specific subjects; and
- (d) other forms of cooperative activities as may be mutually determined.

Article 3

1. Implementing arrangements setting forth the details of and procedures for the specific cooperative activities mutually determined under this Agreement may be concluded between the Parties or their agencies, as appropriate.

2. Cooperative activities between the Parties in the field of science and technology which have been commenced and not completed by the date of entry into force of this Agreement shall be incorporated under this Agreement as of that date.

Article 4

The Parties may allow the participation of researchers and research organisations in both public and private sectors in the cooperative activities under this Agreement.

Article 5

1. For the purpose of effective implementation of this Agreement, the Parties shall establish a Joint Committee, the functions of which shall be to:

- (a) exchange information and views on scientific and technological policy issues;
- (b) review and discuss the cooperative activities and accomplishments under this Agreement; and
- (c) make recommendations to the Parties with regard to the implementation of this Agreement, which may include recommendations on further cooperative activities hereunder.

2. The Joint Committee shall meet alternately in Japan and New Zealand at mutually determined times, preferably at least once every three years.

Article 6

1. Scientific and technological information of a non-proprietary nature arising from the cooperative activities under this Agreement may be made available to the public by either Party through customary channels and in accordance with the normal procedures of the participating agencies.

2. The Parties shall give due consideration to the protection and the distribution of intellectual property rights or other rights of a proprietary nature resulting from the cooperative activities under this Agreement and

shall consult with each other for this purpose as necessary.

Article 7

1. Implementation of this Agreement by the Parties shall be subject to the availability of their respective appropriated funds and to their respective laws and regulations as applicable.

2. Costs for the cooperative activities under this Agreement shall be borne as may be mutually determined.

Article 8

Nothing in this Agreement shall be construed to prejudice other agreements between the Parties, existing at the date of signature of this Agreement or concluded thereafter.

Article 9

Any dispute between the Parties arising out of the interpretation or implementation of this Agreement shall be settled amicably through consultation between them.

Article 10

1. This Agreement shall enter into force on the date on which the Parties exchange diplomatic notes informing each other that their respective internal procedures necessary for the entry into force of this Agreement have been completed. This Agreement shall remain in force for three years and shall continue in force thereafter unless terminated by either Party at the end of the initial three-year period or at any time

thereafter by giving to the other Party at least six months' written advance notice of its intention to terminate this Agreement.

2. The termination of this Agreement shall be without prejudice to any cooperative activities being carried out under this Agreement and not fully executed at the time of the termination of this Agreement.

Article 11

This Agreement may be amended by mutual consent of the Parties through an exchange of diplomatic notes. Except as otherwise agreed by the Parties, an amendment shall enter into force on the date mutually determined by the Parties in the exchange of diplomatic notes.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

DONE in duplicate at Tokyo, on this _____ day of October, 2009, in the Japanese and English languages, both texts being equally authentic.

For the Government of New Zealand:

For the Government of Japan:
