

Register of Compliance Obligations - 2012

REGISTER OF COMPLIANCE OBLIGATIONS - 2012						
Compliance Issue or Regulatory requirement	Level 3 oversight	Office responsible for ensuring compliance	Compliance achieved by:	Assurance is obtained by:	Training/resources available	Compliance Risk Rating
STAFF, WORKPLACE RELATIONS AND SAFETY						
Employment Relations Act 2000	AVC People and Organisational Development	Employment Relations Manager	Equal Employment Opportunities Policy HR Policies and procedures (various) HR Delegations Documented processes (restructuring/redundancy, Recruitment, disciplinary etc) Employment Agreements (various) PRP Policy and Process	Monthly ER report to ER Manager HR reporting to Council (6 monthly) Report extent of compliance to EEO in Annual Report	HR Helpdesk HR website Termination checklist for Managers Induction checklist for Managers HR Advisory Services	
Equal Pay Act 1972	AVC People and Organisational Development	Manager Payroll	Payroll processes	HR reporting to Council (6 monthly)	HR website	
Human Rights Act 1993	AVC People and Organisational Development (staff)	Employment Relations Manager (staff)	Policy on staff Conduct Retirement Policy	Hr Reporting to Council (6 monthly)	HR website	
	AVC Research (Staff research)	Director, Research Ethics	Code of Practice for research involving human participants	Regional Human Ethics Committee process and reporting	Research Ethics training	
Health and Safety in Employment Act 1992	AVC People and Organisational Development	Health and Safety Manager	Health and Safety Policy and procedures Contractors Health and Safety Policy Maintaining Hazard Registers Health and Safety Induction Emergency Management Strategic Framework and Policy	Serious Harm incidents to Dept of Labour Annual Health and Safety self review Health and Safety Regional Committee reporting Internal reporting of Accidents/Incidents Annual H&S Report to	Health and Safety Training H&S website Comprehensive First Aid Training Provision of personal protective equipment Emergency Management Training	

Compliance risk rating = **high**, **medium**, **low**, in accordance with the University

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				VC/Council Monitoring of Staff Health External Health and Safety Audit by ACC (every 2 yrs) Sector benchmarking		
Holidays Act 2003	AVC People and Organisational Development	AVC People and Organisational Development	Leave Policy Leave Regulations Employment Agreements Maintenance of Holiday and Leave record for each employee	Leave and Ancillary Appointment Committee process Leave Management System reports	HR Website – leave information MyMassey Leave module	
Income Tax Act 2004/Income Tax Act 2007/Tax Administration Act 1994	AVC People and Organisational Development	Payroll Manager	Accurate payment to IRD Maintenance of wages, time and Income Tax records for each employee	External Audit Monthly schedule to IRD (IR348) Internal Audit	Tax Manual Tax Advisory Services	
Injury Prevention, Rehabilitation and Compensation Act 2001	AVC People and Organisational Development	Health and Safety Manager, ACC coordinator	Injury Prevention and Rehabilitation Policy ACC Accreditation Agreement Accurate processing of ACC claims	Reporting to ACC Health and Safety Regional Committee processes Annual H&S Report to VC/Council	H&S website	
Minimum Wage Act 1983 & Regulations	AVC People and Organisational Development	Payroll Manager	HR Remuneration strategy HR recruitment processes Employment Agreements Payroll processes	Payroll reporting and management review	Employment Agreements	
Parental Leave and Employment Protection Act 1987	AVC People and Organisational Development	Employment Relations Manager	Leave Policy Employment Agreements Approved Leave processes	HR reporting to Council (6 monthly)	HR Website	
Smoke-Free Environments Act 1990	AVC People and Organisational Development	Health and Safety Manager	Smoke Free Policy	Health and Safety Regional Committee process H&S annual report to VC/Council	H&S Website	
Wages Protection Act 1983	AVC People and Organisational Development	Payroll Manager	Correct authorisation of deductions for staff salaries	Payroll reporting and internal review	Payroll procedures	

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ACADEMIA, TEACHING & LEARNING, RESEARCH						
Compliance Issue or Regulatory requirement	Level 3 oversight	Office responsible for ensuring compliance	Compliance achieved by:	Assurance is obtained by:	Training/resources available	Compliance Risk Rating
Animal Welfare Act 1999	AVC Research and Enterprise	Ethics Office	Code of Ethical Conduct for the Use of Live Animals for Teaching and Research Ethical farm practices	Animal Ethics Committee University Research Committee oversight	-	
Hazardous Substances and New Organisms Act 1996	AVC People & Organisational Development	Health and Safety Manager	Code of Practice for ss 33 Exempt Labs Compliance Radiation Safety Plan ERMA regulations	Self review and management reporting Radiation Safety Committee oversight External audit (ERMA/MAF) Genetic Technology Committee oversight and reporting	H&S website Laboratory Safety training	
Patents Act 1993	AVC Research and Enterprise	Director Commercialisation	Intellectual Property Policy Research and Consultancy Contracts	Commercial Office processes and reporting Contract management and review processes	-	
Trade Marks Act 2002	AVC Research and Enterprise	Director-Commercialisation	Intellectual Property Policy Research and Consultancy Contracts	Commercial Office processes and reporting Contract management and review processes	-	
Veterinarians Act 1994 / Veterinarians Act 2005	PVC College of Sciences	HOD, Institute of Veterinary, Animal and Biomedical Sciences	Departmental procedures	unknown	-	
Agricultural Compounds and Veterinary Medicines Act 1997	PVC College of Sciences	HOD, Institute of Veterinary, Animal and Biomedical Sciences	Departmental procedures	unknown	-	
Designs Act 1953	AVC Research and Enterprise	Director Commercialisation	Intellectual Property Policy Research and Consultancy Contracts	Commercial Office processes and reporting Contract management and review processes	-	

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NZVCC Agreements	Vice-Chancellor	AVC Academic and International	Academic Audit every 5 yrs CUAP Process Graduating year Review	NZ Qualifications Register Graduate Destinations / Outcomes survey Self review prior to Academic Audit Progress report for Academic Audit (1 year post audit) Academic Audit report	-	
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STUDENT WELFARE						
Compliance Issue or Regulatory requirement	Level 3 oversight	Office responsible for ensuring compliance	Compliance achieved by:	Assurance is obtained by:	Training/resources available	Compliance Risk Rating
New Zealand Code of Practice for the Pastoral Care of International Students	AVC Academic & International	Director, International	Code of Practice for Pastoral Care of International Students annually NZUAA external audit against Code	Annual self assessment against code External Audit report NZUAA	-	
Health Information Privacy Code 1994	AVC and University Registrar	Campus Registrars	Privacy Policy and Procedures, to protect the privacy of student health records, and staff health records	Management self-review	-	
Human Rights Act 1993	AVC People and Organisational Development AVC and University Registrar	Employment Relations Manager Campus Registrars	Policy on Staff Conduct Code of student Conduct	-	-	
Federal Aid Regulations	AVC Academic & International	Director, International	Recertification of Programme Participation Agreement (PPA) (every 6 yrs) Annual FSA Compliance Audit and financial statement audit	Compliance Audit report compiled by Grant Thornton	-	

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GOVERNANCE AND CENTRAL SERVICES						
Compliance Issue or Regulatory requirement	Level 3 oversight	Office responsible for ensuring compliance	Compliance achieved by:	Assurance is obtained by:	Training/resources available	Compliance Risk Rating
Building Act 2004	AVC Finance, Strategy and IT	Facilities Director(s)	Meeting all obligations of the Building Act, and associated Code and regulations (multiple obligations). Asset Management Plans, and Campus redevelopment plans	-Campus Management business processes, and reporting.	-	
Commerce Act 1986	AVC Finance, Strategy and IT Commercial	Director, Finance and Asset Management	Fee Committee processes	External Audit (Audit NZ)	-	
Companies Act 1993	AVC Finance, Strategy and IT	Director, Finance and Asset Management	Commercial Office processes and reporting	External Audit (Audit NZ)	-	
Crown Entities Act 2004	AVC Finance, Strategy and IT	Director, Finance and Asset Management	Senior management oversight	External Audit (Audit NZ)	-	
Education Act 1989	Vice Chancellor	Various Managers	Provision of information to TEC (SDR etc) External Audit on TEC requirements Internal self-review against TEC Learner Enrolment Requirements Affixing University Seal Conflicts of Commitment and Interest Policy	External Audit (Audit NZ) SDR produced by OSM Report from self-review Learner Enrolment Processes to Registrar annually Annual report to Council on documents signed under Seal Conflicts of Interest Reporting Written Charter of Goals and purposes Contract Management and Review processes for academic programmes and/or outsourcing	Delegation Statute and Delegations Document	
Electronic Transactions Act 2002	AVC & University Registrar	Director - NSR	Enrolment regulations and procedures	Management self review	-	
Estate and Gift Duties Act 1968	AVC Finance, Strategy and IT	Director -MU Foundation	Finance policies and procedures	External Audit (audit NZ)	-	

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Financial Reporting Act 1993	AVC Finance, Strategy and IT	Director, Finance and Asset Management	Financial Policies and procedures	External Audit (Audit NZ)	-	
Fire Safety and Evacuation of Building Regulations 1992	AVC and University Registrar	Facilities Director(s)	Fire evacuation and testing of fire prevention and suppression controls	Campus Management business processes and reporting	Building warden training Training in use of breathing apparatus	
Local Authorities Act 1968	AVC & University Registrar	Council Secretariat	Conflict of Commitment and Interest Policy	Disclosure processes External Audit (Audit NZ)	-	
Personal Property Securities Act 1999	AVC Finance, Strategy and IT	Director, Finance and Asset Management	-	-	-	
Protected Disclosures Act 2000	AVC and University Registrar	Risk Manager	Protected Disclosure Policy and Procedure, and mechanisms for disclosure Fraud and Corruption Control Plan	External Audit (Audit NZ)	Fraud Awareness Training Risk Management website Annual advisory to all staff	
Public Finance Act 1989	AVC Finance, Strategy and IT	Director, Finance and Asset Management	Annual Report	External Audit (Audit NZ)	-	
Public Records Act 2005	AVC & University Registrar	Records Manager	Records Management Policy and Procedures	Self-review of records management against best practice Archives NZ audit (from 2012)	Records Management training Records Management website	
Resource Management Act 1991	AVC Finance, Strategy and IT	Facilities Director(s)	-	Campus compliance management	-	
State Sector Act 1989	AVC & University Registrar	People and Org Development	Council Manual	Self review	Council induction	

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APPLICABLE ALL AREAS						
Compliance Issue or Regulatory requirement	Level 3 oversight	Office responsible for ensuring compliance	Compliance achieved by:	Assurance is obtained by:	Training/resources available	Compliance Risk Rating
Fair Trading Act 1986	AVC & University Registrar	All SLT	Publications Policy Publication Processes and Procedures	Management self review	-	
Privacy Act 1993	AVC & University Registrar	Risk Manager	Privacy Policy and Procedures Control access to Massey networks Active Directory Domain Policy Password auditing Electronic Password Policy Data Network policy and Procedures	Monitoring of wireless networks Activity monitoring Privacy Incident reporting	Managers Privacy Guidelines and resources Privacy training	
Consumer Guarantees Act 1993	AVC & University Registrar	All SLT	-	-	-	
Copyright Act 1994 (and Amendments)	AVC Academic and International AVC Finance, Strategy and IT	CADeL ITS	Copyright Expert Group membership (NZVCC) Use of Copyright Material for Educational Purposes Policy Periodic assessments and audits of software use to identify piracy Hardware and Software Policy Peer to Peer Policy	Screen rights Survey NZVCC Copyright Expert Group oversight Annual review of ITS Contracts and software licences Sampling Surveys	Copyright website Copyright Advisory services	
Contracts (Privity) Act 1982 / Contracts Enforcement Act 1956 / Illegal Contracts Act 1970	AVC Research and Enterprise	Research Management Services Contract Team Leader	Creation of Contracts Policy Delegations Document	Research and Consultancy Contracts Policy Contract management and review processes	Contract management training	

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Notes to Appendix Four

1. Legislation not included in the obligations register:

Chartered Professional Engineers of New Zealand Act 2002:

This is specific to one programme offered at Massey. Accreditation of the Engineering programme will ensure continued compliance with this legislation. Monitoring compliance is a departmental responsibility.

Civil Aviation Act 1990 and Civil Aviation Rules :

This is specific to one programme offered at Massey. Accreditation of the Aviation programme will ensure continued compliance with this legislation. Monitoring compliance is a departmental responsibility

Health Practitioners Competence Assurance Act 2004:

This is specific to several Health related programmes offered at Massey. Accreditation of these individual programmes will ensure continued compliance with this legislation. Compliance to be managed through individual Schools (psychology etc).

Criminal Records (Clean Slate) Act 2004: This risk associated with a compliance failure under this legislation is deemed to be very low. Any compliance activity undertaken with this legislation is considered 'business as usual' process with People and Organisational Development.

KiwiSaver Act 2006: This risk associated with a compliance failure under this legislation is deemed to be very low. Any compliance activity undertaken with this legislation is considered 'business as usual' process with People and Organisational Development.

Sale of Liquor Act 1989: Compliance is responsibility of Campus Registrars.

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2. List of legislation Contained in the Legal Compliance Application used by Massey University, and supplied and maintained by RussellMcVeagh

Animal Welfare Act 1999
Building Act 2004
Charities Act 2005
Chartered Professional Engineers of New Zealand Act 2002
Civil Aviation Act 1990 and Civil Aviation Rules
Commerce Act 1986
Companies Act 1993
Consumer Guarantees Act 1993
Copyright Act 1994
Criminal Records (Clean Slate) Act 2004
Crown Entities Act 2004
Designs Act 1953
Education Act 1989
Electronic Transactions Act 2002
Employment Relations Act 2000
Equal Pay Act 1972
Estate and Gift Duties Act 1968
Fair Trading Act 1986
Financial Reporting Act 1993
Fire Safety and Evacuation of Building Regulations 1992
Hazardous Substances and New Organisms Act 1996
Health & Safety in Employment Act 1992
Health Information Privacy Code 1994
Health Practitioners Competence Assurance Act 2004
Holidays Act 2003
Human Rights Act 1993
Income Tax Act 2004/Income Tax Act 2007/Tax Administration Act 1994
Injury Prevention, Rehabilitation and Compensation Act 2001
KiwiSaver Act 2006

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Local Authorities Act 1968
Minimum Wage Act 1983 & Regulations
New Zealand Code of Practice for the Pastoral Care of International Students
Official Information Act 1982
Parental Leave and Employment Protection Act 1987
Patents Act 1953
Personal Property Securities Act 1999
Privacy Act 1993
Protected Disclosures Act 2000
Public Finance Act 1989
Public Records Act 2005
Resource Management Act 1991
Sale of Liquor Act 1989
Smoke-Free Environments Act 1990
State Sector Act 1988
Trade Marks Act 2002
Veterinarians Act 1994
Veterinarians Act 2005
Wages Protection Act 1983