INTELLECTUAL PROPERTY

Introduction

Te Hautū Kahurangi | Tertiary Education Union (TEU) affirms that intellectual property (IP) within Aotearoa New Zealand's tertiary education sector must serve the public good.[1] Knowledge created within our tertiary education institutions should advance education, research, and community wellbeing rather than being treated primarily as a private commodity.

Consistent with TEU's Equity Policy, this policy recognises the intersecting inequities experienced by women, Māori, Pacific, disabled persons, queer, migrant, and other marginalised kaimahi (staff) and ākonga (students). These inequities influence both the creation of intellectual property and the distribution of its benefits.

Whare — Our aspiration

We envisage a tertiary education system where intellectual property is managed transparently, fairly, and in ways that strengthen the public role of tertiary education. In this vision, scholarly and teaching outputs remain accessible for educational purposes, and research conducted with public funding is openly available for public use.

Mātauranga Māori is respected as a taonga tuku iho, protected under Te Tiriti o Waitangi, with decisions and consent regarding its use and commercialisation resting with mana whenua and the authors. Intellectual property frameworks across the sector are consistent, easily understood, and promote trust between kaimahi, ākonga, institutions, and the wider community.

In this vision, intellectual property supports collaboration, innovation, and sustainability, contributing not only to institutional success but also to wider social and environmental wellbeing.

Pou — Why this policy is needed

At present, intellectual property policies across tertiary institutions are inconsistent and often unclear, leaving kaimahi and ākonga uncertain about their rights. Some universities claim ownership over a wide range of outputs, while others allow greater kaimahi control,

[1] Within the context of TEU policies, 'tertiary education sector' is the umbrella term used to infer the following sub-sectors: polytechnic; PRRISM (private; REAP; research institutes; statutory; miscellaneous); university; and Wānanga.

creating inequities and confusion. This fragmentation undermines confidence and can discourage innovation, collaboration, and open sharing.

For tangata Māori, inadequate safeguards continue to place mātauranga Māori at risk of misappropriation or commercial exploitation without proper consent. A clear and consistent framework is required to uphold Te Tiriti o Waitangi and protect tino rangatiratanga over taonga tuku iho, including tikanga and te reo Māori.

There is also limited sector-wide commitment to open access, despite strong international evidence that open publication maximises the social and economic value of research. Without stronger national expectations, the benefits of publicly funded knowledge are not being fully realised.

Finally, kaimahi are often left without adequate support to understand or assert their rights, particularly when negotiating complex IP and commercialisation agreements.

Waka — Our actions

To achieve our aspirations, TEU will implement a range of the following actions.

Advocacy

- Lobby for national standards ensuring publicly funded research outputs are made openly available wherever possible.
- Advocate for consistent institutional policies that allow kaimahi and ākonga to retain rights to their scholarly and teaching materials.
- Press for explicit recognition of mātauranga Māori as taonga, requiring Māori consent and benefit-sharing in any use or commercialisation.

Campaigning

- Campaign for sector-wide adoption of open access and open educational resources.

Organising

- Provide guidance to members on their intellectual property rights, licensing options (such as Creative Commons), and negotiating fair agreements.
- Offer training and workshops on IP issues, with particular attention to Te Tiriti o Waitangi obligations and equity considerations.
- Monitor member experiences and identify cases where inequitable practices occur, using these to inform campaigning and bargaining.

Partnership

- Work with Māori research collectives and appropriate Māori authorities, such as iwi and hapū, to support the protection of mātauranga Māori.
- Collaborate with open access networks and allied unions to strengthen collective influence on IP policy.
- Engage with environmental and open-source organisations to ensure intellectual property frameworks support sustainability and intergenerational wellbeing.

Policy sign-off and ownership details

Document name	Intellectual Property
Classification	Professional
Version number	1.0
Sponsor	Te Pou Ahurei | National Secretary
Policy Owner	Te Pou Tuhura | Research and Policy Officer
Date approved	29 April 2026
Date for review	31 December 2027
Document location	G:\TEU\Constitution & Policies\Policies\PROFESSIONAL_Intellectual Property.pdf
Related policies	Professional policies
Equity assessment and policy whakapapa	This policy was developed in late 2025. Input from TEU's committees and networks informed the content of this policy. Minor amendments were suggested by TEU Council in early 2026 – a working group was formed to coordinate these amendments.

Revision history

Version	Date	Revision description	Owner
v1.0			
v1.1			
v1.2			
v2.0			