



26 January 2024

Adam Irish

By email: [fyi-request-23472-1acdeca3@requests.fyi.org.nz](mailto:fyi-request-23472-1acdeca3@requests.fyi.org.nz)

Tēnā koe Adam

I refer to your follow up request for information dated 30 November 2023 made under the Official Information Act 1982 (the Act) for the following information:

*You mentioned legal requirements. Can you please provide the reference to the legislation your alluding to and how the University interpreted this with regards to the stakeholders it did consider University stakeholders. Or is this just saying there is an absence of legislation in general so the decision makers took it upon themselves to determine who are and aren't regarded as stakeholder communities?*

*I would imagine the logos on the University's heritage buildings would be protected under Heritage New Zealand Pouhere Taonga Act 2014. So the logos and buildings can't be destroyed or modified. Is this considered by the University?*

<https://apc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.legislation.govt.nz%2Ffact%2Fpublic%2F2014%2F0026%2Flatest%2FDLM4005613.html&data=05%7C01%7Coia%40otago.ac.nz%7C143752f48a464b0c149d08dbf129c5bc%7C0225efc578fe4928b1579ef24809e9ba%7C0%7C0%7C638368933970364450%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sd=02Bipdz7al3IWG%2BTh6EokwWNGN1YaXKupnTD%2FBA9VCio%3D&reserved=0>

*And that the legal name of the University is protected, as it is used in the University of Otago Amendment Act 1961. Is this also considered or the University doesn't care about advertising and trading under its non-legal name?*

<https://apc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.legislation.govt.nz%2Ffact%2Fpublic%2F1961%2F0048%2F1.0%2Fwhole.html%23DLM334225&data=05%7C01%7Coia%40otago.ac.nz%7C143752f48a464b0c149d08dbf129c5bc%7C0225efc578fe4928b1579ef24809e9ba%7C0%7C0%7C638368933970371768%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sd=0KsMTqPmLetAj1lrJp%2BhHTP2z6huqxJsipQntxmhrfQA%3D&reserved=0>

*Lastly who determined who are stakeholder communities for the project or wider consultation process.*

Please see the University of Otago's response to the following queries mentioned in your request:

**1. Can you please provide the reference to the legislation you're alluding to and how the University interpreted this with regards to the stakeholders it did consider University stakeholders?**

The University received legal advice throughout all processes relating to the [Tuakiritaka](#) project and was aware of its legal obligations. While there is no specific legislation (e.g., in the [Education and Training Act 2020](#)) that requires universities to consult when considering changes to its brand, the University chose to. In addition, there is no specific legislation which details who the University must consult with if it chooses to do so. Given the importance and extent of the proposed changes, the University Council wanted to consult with close stakeholder communities, namely current students, staff, mana whenua, and alumni.

**2. Consideration of logos on the University's heritage buildings.**

With regards to the adoption of a new tohu (brand symbol) and ikoa Māori (te reo name) for the University, there is no specific legislation which governs this. However, the new tohu and ikoa Māori have been registered with the Intellectual Property Office (IPONZ) as a trademark of the University of Otago.

The University recognises the contribution of the coat of arms to our heritage and made the decision at the time of consultation to retain the coat of arms as a visible decorative feature on heritage buildings. Our current coat of arms will also remain in alumni publications, graduation certificates and ceremonies. The University will comply and any relevant regulations and statutes in this regard when the phased roll-out of physical signage and other assets with the new brand begins in 2025. Changes to marketing, communications and digital changes will occur from May 2024.

**3. Consideration of the University's legal name.**

The University's legal name is not changing, and remains the University of Otago, as enacted in various legislation (the [University of Otago Ordinance 1869](#) and the [University of Otago Amendment Act 1961](#)). The University's motto will also remain *Sapere Aude*. While [section 268](#) of the Education and Training Act 2020 outlines the procedure for universities to change their legal names, this procedure was not used given that we are not changing our legal name.

**4. Who determined the stakeholder communities for the project or wider consultation?**

The University engaged thoroughly with key stakeholders throughout the process, as determined by the University Council. It was important to the University Council that the decision was not taken without hearing from its key stakeholders.

If you are not satisfied with our response to your information request, section 28(3) of the Act provides you with the right to ask an Ombudsman to investigate and review this response. However, we would welcome the opportunity to discuss any concerns with you first.

Ngā mihi



Kelsey Kennard  
Official Information and Compliance Coordinator  
Office of the Registrar