

Confidentiality Agreement Process

STEP 1: Fill in the template

- A confidentiality agreement is usually used where UNE and a third party wish to share confidential information or documents prior to entering into a written contract or agreement (which contain confidentiality clauses).
- Complete UNE's Template One Way Confidentiality Agreement (where only one party will be sharing their confidential information) or Template Two Way Confidentiality Agreement (where both UNE and the third party will be sharing their confidential information with each other) which can be found on the UNE Legal Services webpage <https://www.une.edu.au/about-une/governance/legal-office>
- Contact UNE Legal Services if you need assistance in determining whether a confidentiality agreement is needed for your particular situation or if you need assistance in filling out the template legal@une.edu.au

STEP 2: Overseas organisation?

- If the third party is an overseas organisation you will need to complete the Foreign Interference Checklist (available from Office of DVCR dvcr@une.edu.au) and return it to Office of DVCR

STEP 3: Submit documents to the Faculty or Business Area Manager

- When you have completed the details in the confidentiality agreement, fill out and submit the following documents to your Faculty office or business area manager:
 - Contract Approval Form (available on the UNE Legal Services website)
 - The completed Confidentiality Agreement
 - Foreign Interference Checklist
 - Business case (if a commercial activity under the *UNE Commercial Activity Rule*)
- The Faculty office will arrange for the Dean's signature, or for operational areas the business manager will arrange for the Director's signature on the Contract Approval Form.

STEP 4: Submit documents to UNE Legal Services

- Put the documentation from Step 3 into UNE's Contract Management System (CMS) or if you do not have access to CMS, email the documentation together in 1 email to UNE Legal Services legal@une.edu.au
- UNE Legal Services will:
 - Put the Confidentiality Agreement into UNE's Contract Management System (CMS) if received via email and UNE's record management system (TRIM)
 - Review the Confidentiality Agreement and provide advice, which may include a requirement for rework of the Confidentiality Agreement
 - If appropriate, approve the Confidentiality Agreement for execution by UNE's Vice Chancellor (please note that only the Vice Chancellor has delegation to execute Confidentiality Agreements on behalf of UNE)
 - Arrange for execution of the Confidentiality Agreement by the third party and the Vice Chancellor
 - Provide a copy of the fully executed Confidentiality Agreement to you and the third party

STEP 5: Agreement management

- You are responsible for managing the Confidentiality Agreement
- If the Confidentiality Agreement needs to be varied or extended, contact UNE Legal Services for assistance. Confidentiality Agreements cannot be extended or varied by you. The relevant UNE delegate will need to approve any variation.