



DIRECTORATE OF INTERNATIONAL LINKAGES

GOVERNMENT COLLEGE UNIVERSITY FAISALABAD

Allama Iqbal Road Faisalabad-38000, Pakistan



Phone +92-0300-7640194

Email: diril@gcuf.edu.pk

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MOU POLICY

1. Practice Statement

The purpose of this Practice Statement is to provide guidance on the development/maintenance, review, termination, and information management of non-legally binding arrangement to which Government College University Faisalabad is to be a party. Such arrangements pertain to Memorandum of Understanding (MOU).

1.1. Main Points

When Government College University Faisalabad may enter into an international MOU or other non-legally binding arrangements (referred to in this Practice Statement as MOU), this Practice Statement will provide the guidelines regarding:

- a. The legislative requirements for an MOU
- b. Who should be consulted while preparing an MOU?
- c. What should be included in an MOU?
- d. When MOU should be reviewed?
- e. Who can sign an MOU?
- f. The arrangements for the MOU register
- g. Internal procedures

This Practice Statement will ensure that an effective framework and mechanisms are in place so that the MOU to which Government College University Faisalabad is to be a party:

- a. are managed centrally
- b. comply with internal, external, and better practice requirements
- c. include review and termination clauses
- d. are current, consistent, relevant, and appropriate
- e. are not duplicated by Regions and Divisions.

For information management purpose, the Practice Statement also includes guidance on the naming standards for MOU and associated registry files.



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1.2. Context and Scope

This practice statement covers MOU and other types of arrangements with other international agencies, state agencies, government or private universities, government or administrations of other countries, government business enterprises, non-government organizations and companies.

This Practice Statement is not intended to require the re-negotiation of MOU already in place between Government College University Faisalabad and other parties.

2. Policy Statement

2.1. Definition of an MOU

An MOU is a written, non-contractual, non-legally binding arrangement between two or more parties, setting out the understanding of the parties but does not create enforceable rights or obligations. Government College University Faisalabad MOU are arrangements between Government College University Faisalabad and another party to cooperate in activities including projects, programs, services, training, student and faculty exchange and research and information exchange.

2.2. Purpose of MOU

In performing its role as Pakistan's relatively young but fast-growing University, Government College University Faisalabad works closely for and with a range of agencies. The formalization of these working arrangements through MOU assists Government College University Faisalabad and its partner agencies to achieve their educational and professional objectives. MOU may also set out cooperative arrangements between Government College University Faisalabad and non-government organizations and companies.

MOU should include sound summary of each party's responsibilities and benefits which should cover the respective roles that form the basis for the relationship. MOU should clearly articulate the mechanisms which will be used to maintain contact between the parties (through regular meetings or regular correspondence) and to evaluate the outcome of the MOU periodically.

2.3. Entering of Government College University Faisalabad into an MOU

An MOU cannot be enforced under the law and is, therefore, generally not an appropriate mechanism for commercial arrangements where goods or services are being provided for payment. An MOU is appropriate where Government College University Faisalabad enters into a cooperative arrangement with another university or agency, non-government organization or company. For example, arrangements in relation to data collection and processing, research, student exchange, information sharing and, joint law enforcement exercises. The MOU allows



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the parties to set out their mutual understanding of the arrangements and their respective responsibilities, clearly. The MOU is not legally enforceable as legal action to be taken against a party who fails to observe the terms of the MOU.

MOUs are appropriate mechanisms in the following circumstances:

- a. to set out arrangements between Government College University Faisalabad and an administration agency, university of a foreign country, or an international organization;
- b. where Government College University Faisalabad wants to set out arrangements with a state agency or government university for mutual cooperation;
- c. non-commercial arrangements between Government College University Faisalabad and State Governments or their instrumentalities; and,
- d. to set out cooperative arrangements between non-government organizations, universities, or companies.

If an agency wishes to use an agreement with Government College University Faisalabad to establish a non-legally binding contract, the Vice-Chancellor, Government College University Faisalabad must be consulted.

3. Procedural Statement

3.1. Legislative requirements of an MOU

MOU must always operate subject to the law. An MOU cannot override an act, regulation or a statutory instrument. Any term of an MOU which is inconsistent with an act, or any other applicable law, will be invalid.

3.2. MOU contents

Each MOU is different and is tailored to a different situation. The purpose of an MOU with a local or foreign, government or private institution is that it will bring a minimum of 50% benefit to Government College University Faisalabad, although a greater benefit is desirable.

Care must be taken to ensure that clauses inserted are appropriate and properly tailored to the particular MOU in question. Material not directly relevant to an MOU should be kept to a minimum.



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3.3. Consulting and negotiating MOU

A range of internal and external people may need to be consulted when negotiating an MOU as set out below:

Vice Chancellor

The Vice Chancellor is the only competent authority to approve MOU or MOU proposals. The Vice Chancellor must be notified when a department starts negotiating an MOU.

Directorate of International Linkages (DIL)

The Directorate of External Linkages is the record holder of all MOUs signed at Government College University Faisalabad. The Directorate of International Linkages must be notified when a department starts negotiating an MOU. This information will be recorded on the MOU Register. This means that if any department signs an MOU, the DIL will keep the original copy whereas the additional copies can be kept at the concerned department.

Central MOU Register

To avoid conflict and duplication of effort and to ensure that current MOUs are maintained and reviewed, a Central MOU Register listing all anticipated, current, expired and terminated MOUs has been established and will be managed and maintained by the DIL. The department developing an MOU should, therefore, consult with the DIL at the early stages of development to ensure that there is no existing MOU in place which may conflict with existing MOU or duplicate effort.

MOU may take some time to be finalized and signed. The responsible departments should provide notice to the DIL for inclusion in the Central MOU Register when Government College University Faisalabad starts negotiating an MOU.

When a new MOU has been finalized, the responsible party should provide the original of the signed MOU for inclusion in The Central MOU Register and a copy for their files. The Central MOL Register is available at the DIL website and is accessible to all Government College University Faisalabad staff and students.

3.4. Reviewing an MOU

An MOU should be reviewed where changes are proposed to an arrangement between Government College University Faisalabad and the other party. Depending on the nature of the MOU, regular meetings may be held between the parties to ensure that possible amendments are



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identified or in their absence or impossibility, regular correspondence between the parties should be established. An MOU that refers to information technology systems should also be reviewed when there are any changes to those systems.

3.5. Signing the MOU

Once an MOU has been established, the responsible Department Head, Dean, Principal or Director should arrange with the other party for the appropriate senior agency officer to sign the document. For Government College University Faisalabad, this would be the Vice Chancellor. The Department Head, Dean, Principal or Director may sign international MOU always with the prior approval of the Vice Chancellor, Government College University Faisalabad. The signing may be formalized at a special ceremony or simply signed by each party separately or even sent by certified mail or courier service to the other party for signature.

3.6. Internal procedure

In case a Department Head, Professor or any other University representative is interested in signing an MOU locally or in a foreign country, he/she should present the original letter of invitation from the Institution and a copy of the proposed MOU. When the Department Head, Professor or any other University representative of Government College University Faisalabad is interested in pursuing a collaboration with any other institution, a proposal should be sent to the Vice Chancellor or to the DIL (which in turn will present it to the Vice Chancellor) explaining the reasons, responsibilities and benefits that signing this proposal will bring to the University. The initiating Department's name can be included in the MOU.

APPROVAL

Approved on by:

Prof. Dr. Shahid Kamal

Vice Chancellor

Government College University Faisalabad