

Memorandum of Understanding (MOU) Procedure

Document data:

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1. MOUs are non-legally binding agreements between UNE and other organisations. MOUs are not to be used between UNE Faculties, Schools, Centres, Directorates or other areas. A memo is the most appropriate way to document agreements between UNE Faculties, Schools, Centres, Directorates or other areas.
2. MOUs are used most frequently as a preliminary document between parties who are negotiating a legally-binding agreement. For example, the MOU will set out the details of the parties, the intention of the negotiation, the prerequisites necessary to be met before the legally-binding agreement can be executed and how the negotiations will be progressed.
3. MOUs are also useful to UNE for reporting on our relationships with collaborators to obtain the necessary approvals and professional accreditation from National and State authorities and AUQA audits.
4. MOUs must never contain items which a party will rely on. For example, it should not contain clauses relating to fees, intellectual property ownership or confidentiality requirements.
5. MOUs take as much time and resources to draft and process for UNE signature as legally-binding agreements and so should be used sparingly. Please contact the Legal Office in the first instance to discuss whether or not a MOU is the most appropriate document for your project.
6. Once it is established that a MOU is the most appropriate document for your project, the Legal Office will open an official UNE Corporate file within TRIM, receive your instructions about the project, draft the MOU using the approved UNE template and liaise with you about any amendments to the MOU.

7. Once the MOU is approved by UNE and the other party the Legal Office will arrange for the MOU to be executed by UNE. It must be executed by the Vice-Chancellor or by the authorized delegate of the Vice-Chancellor pursuant to an Appointment of Delegate form. The Legal Office will then organise the MOU to be executed by the other party.
8. After the MOU is fully executed the Legal Office will scan and register the MOU within TRIM, the UNE corporate records system.

For further advice or information please contact the Legal Office on legal@une.edu.au