



JAMES COOK UNIVERSITY
ABN 46 253 211 955

and

WALAILAK UNIVERSITY
WU ACT 1992



มหาวิทยาลัยวลัยลักษณ์
WALAILAK UNIVERSITY

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is made on the 6th day of December 2023

BETWEEN

JAMES COOK UNIVERSITY ABN 46 253 211 955 a body corporate established under the *James Cook University Act 1997* of Townsville in the State of Queensland
(“JCU”)

AND

WALAILAK UNIVERSITY established under the WU Act 1992 at 222 Thaiburi District, Nakhon Si Thammarat 80160 Thailand
(“WU”)

1. STATUS OF THIS MEMORANDUM OF UNDERSTANDING

- 1.1 The parties do not intend that this Memorandum of Understanding (“MOU”) will be in any way binding. This MOU serves only as a record of the separate intentions of the parties.
- 1.2 This MOU may form the basis for the preparation of formal contracts between the parties, however the parties do not intend to enter into any legal relationship unless and until such formal contracts are executed.

2. CO-ORDINATION AND MANAGEMENT

- 2.1 There is opportunity for flexibility in the actual nature and direction of the relationship, which will be agreed during future regular meetings between relevant representatives of JCU and WU.
- 2.2 At least 2 representatives, one from each of JCU and WU shall meet within one month of the commencement of this MOU and thereafter no less frequently than every 6 months. The purpose of such meetings shall be to discuss areas of opportunity, agree areas of interest to be taken forward in the next period, and formalise suitable mechanisms and term of agreements.
- 2.3 The parties shall use best endeavours to:
 - (a) Provide complete, accurate and meaningful information in a timely manner;
 - (b) Give reasonable time to make key decisions; and
 - (c) Alert the other to potential risks and issues as those issues arise.

3. TERM AND TERMINATION

- 3.1 This MOU shall commence on the date this document is executed by the parties and shall remain in force for a period of 3 years. The MOU may be extended by mutual agreement in writing signed by each party.

3.2 Either party may terminate the MOU by the giving of 30 days written notice to the other party.

4. PROMOTIONAL MATERIAL

4.1 All promotional material used by either party relating to this MOU must be submitted to the authorised representative of the other party for approval in writing prior to publication or use.

4.2 The authorised representatives for approval are set out below:

(a) For Walailak University:

Clinical Professor Dr.Suvichai Rojanasathien
Dean, Akkhraratchakumari Veterinary College
E-mail:suvichairo@wu.ac.th

(b) For James Cook University:

Dr.David Craig
Director Marketing, Future Students & Admissions
E-mail:david.craig@jcu.edu.au

4.3 Each party recognises that the proposed use of each other's logo, trademark or other intellectual property will be subject to and conditional upon a separate formal contract containing the terms and conditions governing such use being executed by the parties.

5. RELATIONSHIP BETWEEN THE PARTIES

Nothing contained in this MOU shall be construed as constituting a joint venture, partnership or formal business arrangement of any kind between the parties or of appointing either party as an agent of the other.

6. NOTICES

Any notices, or any form of communication between the parties shall be in writing and shall be considered to have been served:

- (a) in the case of delivery by hand, on the day of delivery;
- (b) in the case of delivery by post, on the 7th business day after posting;
- (c) in the case of communication by facsimile, upon the sender receiving a transmission report confirming the successful transmission of that facsimile; and
- (d) in the case of communication by email, at midday on the day following the successful despatch of the message.

Executed by the parties on the date set out above.

SIGNED on behalf of **JAMES COOK UNIVERSITY ABN 46 253 211 955** by its duly authorised officer:



.....

Dr. David Craig
Director Marketing, Future Students & Admissions

Date: 5/12/2023.....

In the presence of witness:



.....

Witness signature

SIGNED on behalf of **WALAILAK UNIVERSITY** by its duly authorised officer:



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Clinical Professor Dr.Suvichai Rojanasathien
Dean, Akkhraratchakumari Veterinary College

Date: 6/12/2023.....

In the presence of witness:



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Witness signature