

## MoU Constructions in Culture-Specific Contexts

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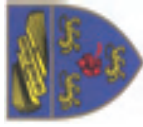
Kuala Lumpur

Malaysia

### ABSTRACT

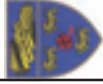
University of Malaya signed its first Memorandum of Understanding (MoU) with the Japan Society for the Promotions of Science (JSPS) on 16 July 1984. This is not necessarily an indication of her maiden collaborative endeavor with an international institution. It simply marks an inception of the collaboration in the form of an official document known as an MoU. A Memorandum of understanding (MoU) may be defined as “a legal document describing a bilateral agreement between parties. It expresses a convergence of will between the parties, indicating an intended common line of action, rather than a legal commitment. It is a more formal alternative to a gentlemen’s agreement, but generally lacks the binding power of a contract” ([http://en.wikipedia.org/wiki/Memorandum\\_of\\_understanding](http://en.wikipedia.org/wiki/Memorandum_of_understanding), 22 January 2007). Therefore, it can be said that the MoU functions as a formality when two parties are interested in working together towards a common aim.

Since then, the number of MoUs signed between UM and various organizations around the world has increased tremendously. UM currently has ninety such agreements signed with countries ranging from Argentina, Germany, Australia, Sudan, Syria, China, and Japan to name a few. The interest of this paper is to provide a cursory view of the some of the differences that can be found in the constructions of these MoUs. It is surmised that the differences that exist are the direct result of the cultural context within which these MoUs originate.



## MOU CONSTRUCTIONS IN CULTURE-SPECIFIC CONTEXTS

UNIVERSITI MALAYA  
KUALA LUMPUR



## OBJECTIVE

To provide a cursory view of some of the differences that can be found in the constructions of MOUs.



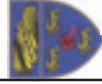
## MISSION AND VISION

### Mission:

To advance knowledge and learning through quality research and education for the nation and for humanity.

### Vision:

To be an internationally renowned institution of higher learning in research, innovation, publication and teaching.



## SOME OF OUR FRIENDS



## MOU at UM

- Universiti Malaya signed its first MOU with the Japan Society for the Promotions of Science (JSPS) on 16 July 1984
- Currently – 90 MOUs signed with various countries

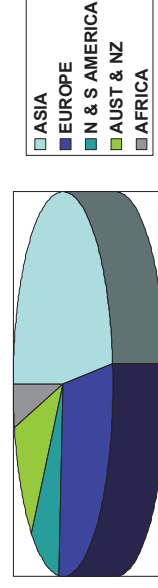
## Some of UM partner countries

Argentina	1
Australia	5
China	5
Chile	1
Germany	2
Japan	11
Korea	11
United Kingdom	14
USA	6
Vietnam	2
Others	5

## MOUs IN REGIONS

REGION	TOTAL	%
ASIA	41	48.2%
EUROPE	24	28.2%
N & S. AMERICA	8	9.4%
AUSTRALIA & NZ	9	10.6%
AFRICA	3	3.6%
TOTAL	85	100%

## MOUs IN REGIONS





## MOU DEFINED

“A legal document describing a bilateral agreement between parties. It expresses a convergence of will between the parties, indicating an intended common line of action, rather than a legal commitment. It is a more formal alternative to a gentlemen’s agreement, but generally lacks the binding power of contract”  
<http://en.wikipedia.org>



## CONSIDERATIONS

- Is there a ‘one shoe fits all’ concept in MoU constructions?
- ‘Culture’ as defined by the socio-cultural institution in which it is situated
- Each formulation is the ‘accent’ of the discourse
- Target audience of the MoU as determining factors of construction



## Financial agreements

- Some specify
- Flight, accommodation, etc
- Some do not
- Terms and financial agreements will be negotiated separately (most MoUs)
  - Subject to the availability of funds
  - ... each party look for a sponsor to finance the student



## Administration

- Some specify
- Named / designated liaison officer eg. International office / dean of faculty
- Others do not



## Visa / entry requirements

Some specify

- The universities acknowledge that all visits by staff and admission of students will be subject to compliance with the entry and visa regulations of ...

Some do not

## Status

Some specify

- Both universities on the foundation of equal status, based on the principles of fairness and mutual benefit, shall work together ...

Some do not

- Within fields that are mutually acceptable



## Confidentiality

- Agree to keep confidential any information or data



## THANK YOU