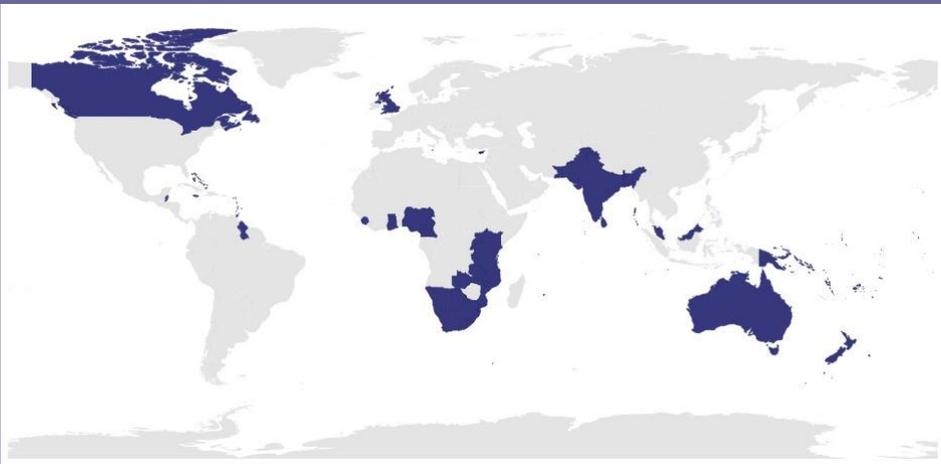


# COMMONWEALTH TRIBUTE TO LIFE

**Memorandum of Understanding**  
July 2022



**Commonwealth Tribute to Life  
Memorandum of Understanding  
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**MEMORANDUM OF UNDERSTANDING**

**BETWEEN the parties listed at the end of this Memorandum of Understanding**

**In relation to the Commonwealth Tribute to Life project (“Project”)**

**The parties shall individually and collectively be referred to as “Signatory Party” and  
“Signatory Parties”**

## **1.0 Statement of Purpose**

No	
1.1	<p>Through the sharing of knowledge and expertise we will increase ethical organ and tissue donation and transplantation, regardless of transplant infra-structure, for the benefit of all Commonwealth citizens (“Commonwealth Citizens”).</p> <p>This voluntary ‘Tribute to Life’ Memorandum of Understanding (“MoU”) is an agreed framework for the sharing of knowledge and expertise in organ and tissue donation and transplantation between Commonwealth nations (“Commonwealth Nations”).</p>

## **2.0 Background**

No	
2.1	<p>The World Health Organisation <u>Global Observatory on Donation and Transplantation</u> estimates that there were over 146,000 organs transplanted in 2018. This gift of life came from the generosity of over 40,000 living donors (most commonly through the donation of a kidney) and from nearly 39,000 deceased organ donors.</p> <p>Yet organ failure and the need for transplantation remains high in all nations. Such unmet need can lead to the death of those on the transplant waiting list or commercially driven transplantation to the detriment of both organ donors and recipients. The <u>Declaration of Istanbul</u> and the resolutions of the <u>World Health Organisation's Guiding Principles on Organ Transplantation</u> call on every nation to strive toward self-sufficiency in clinically safe and ethically sound organ and tissue donation and transplantation.</p> <p>No nation has yet to achieve this ambition of self-sufficiency. The rate of donation varies from zero donors in some Commonwealth Nations to over 20 per million population in countries like Australia, Canada, Malta and the UK. We face common challenges to increase rates of donation across all social groups, ethnicities and religions.</p> <p>Using the historical ties and established relationships of our Commonwealth Citizens and governments, we believe more can be done through Commonwealth Nations working together to share knowledge and expertise.</p>

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### **3.0 Obligations of Signatory Parties**

<b>No</b>	
3.1	This voluntary MoU is designed to provide a collaborative framework through which the Signatory Parties may share their knowledge and expertise for the purpose of increasing ethical organ and tissue donation and transplantation to the benefit of all Commonwealth Citizens.
3.2	The Signatory Parties have expertise associated with providing clinical services, some of which include organ donation and transplantation, in their respective Commonwealth Nations.
3.3	The Signatory Parties will collaborate to share: <ul style="list-style-type: none"><li>• best ethical clinical practice</li><li>• learning and experience from transplantation programmes at all stages of development</li><li>• opportunities for mentorship and self-financed sabbaticals</li><li>• documentation that supports donation and transplantation and allow the other Signatory Parties the use of these documents</li><li>• teaching and training materials</li><li>• opportunities to attend courses and conferences (especially if virtual)</li><li>• experience on the promotion of organ donation with special emphasis on minority and hard to engage groups</li><li>• expertise in developing tissue bank services.</li></ul>
3.4	The Signatory Parties will commit to collating and annually sharing their national donation and transplantation activity to The World Health Organisation <u>Global Observatory on Donation and Transplantation</u> .
3.5	A Signatory Party should ensure there is continuity of representation from their Commonwealth Nation in the event of change or resignation.
3.6	Nothing in this MoU is intended to, or shall be deemed to, establish any formal partnership or joint venture between any of the Signatory Parties.
3.7	Nothing in this MoU is intended to be, or shall be deemed to be, for the purpose of the transportation of any organ, tissue, donor or recipient between the Signatory Parties.
3.8	All MoU associated activities shall be subject to the availability of relevant funds and resources from the respective Signatory Parties.
3.9	This MoU reflects the hopes and intentions of the Signatory Parties and is not intended to be a legally binding contract.

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## **4.0 Term**

No	
4.1	This MoU shall be valid for a period of five years from the date of signing of this MoU unless it is terminated earlier by a Signatory Party following a three-month notice in writing.
4.2	The MoU may be extended upon agreement between all the Signatory Parties in writing as per Section 7 below.

## **5.0 IMPLEMENTATION**

No	
5.1	The Signatory Parties will each commit to establishing an implementation group in their respective Commonwealth Nation to maximise the benefits of the Project ("Implementation Group").
5.2	The Implementation Groups will be responsible for the oversight and management of the MoU over the 5-year term.

## **6.0 Rights, Confidentiality and Dispute Resolution**

No	
6.1	<p>All the Signatory Parties shall be free to use scientific and technical information created or transferred in the course of the collaborative activities and projects for their own internal teaching and research purposes only.</p> <p>Use of such information with a third party shall require a consent of the Signatory Parties having disclosed such information in the framework of the collaborative activities and projects under terms to be agreed.</p>
6.2	<p>Each of the Signatory Party shall respectively own all intellectual property (IP) including the intellectual property generated by its staff.</p> <p>The Signatory Parties grant to each other a royalty-free perpetual irrevocable licence to use such IP for their own internal teaching and research purposes only. If one Signatory Party wishes to use such IP for any other purpose, the prior written consent of the other Signatory Party shall be required on terms to be agreed. If the Signatory Parties are responsible for jointly generating IP, such IP shall be jointly owned by all the Signatory Parties.</p>
6.3	<p>All documents and information provided by one Signatory Party to another Signatory Party under, or in connection with, its negotiation of any subsequent contractual undertakings shall be treated as confidential ("Confidential Information").</p> <p>The above obligation shall not apply to information that:</p>

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	<p>a) was lawfully known to the Receiving Signatory Party prior to its receipt of the information; or</p> <p>b) is or becomes a part of the public domain other than by a breach of this MoU; or</p> <p>c) becomes known to the Receiving Signatory Party by action of a third party not in breach of any obligation of confidence; or</p> <p>d) is required to be disclosed or made available by the Receiving Signatory Party to a third party pursuant to any applicable law, government regulation or decision of any court or tribunal of competent jurisdiction; or</p> <p>e) the Signatory Party Organisation can reasonably establish as evidence by written records that the information was independently developed without use of the information received.</p> <p>Confidential Information shall not be used except for the purposes for which it was made available and it shall not be disclosed to any other person without the prior written consent of the disclosing Signatory Party.</p>
6.4	<p>Each of the Signatory Parties shall share only anonymised data for the purposes of the Project and will comply with its respective data protection legislation. If any personal identifiable data is to be disclosed by a Signatory Party to another, under this MoU, the respective Signatory Parties shall enter into an appropriate data sharing agreement.</p>
6.5	<p>The Signatory Parties shall try to resolve any dispute or difference arising out of or in connection with this MoU by amicable resolution. If the Signatory Parties fail to resolve such dispute, then the matter will be referred to a mutually agreed independent third party for resolution. If the identity of the independent third party cannot be mutually agreement, then the parties will seek resolution by mediation with the Centre for Effective Dispute Resolution.</p>

## 7.0 Amendment

No	
7.1	<p>This MoU will only be modified by written amendment agreed to, and signed by, the Signatory Parties hereto. Any such amendment shall be annexed as an addendum to the present MoU and shall form an integral part thereof.</p>

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## **8.0 Proposed and prepared by**

### **Tribute to Life Board**

Name all the members

### **UK Advisory Panel**

Name of the members

### **International Advisory Panel Regional Coordinators**

Name of regional coordinator members

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## 9.0 Signatories by Commonwealth Nation

**Signed:** \_\_\_\_\_  
[Name]  
Antigua and Barbuda

**Signed:** \_\_\_\_\_  
[Name]  
Bahamas, The

**Signed:** \_\_\_\_\_  
[Name]  
Barbados

**Signed:** \_\_\_\_\_  
[Name]  
Botswana

**Signed:** \_\_\_\_\_  
[Name]  
Cameroon

**Signed:** \_\_\_\_\_  
[Name]  
Cyprus

**Signed:** \_\_\_\_\_  
[Name]  
Fiji

**Signed:** \_\_\_\_\_  
[Name]  
Ghana

**Signed:** \_\_\_\_\_  
[Name]  
Guyana

**Signed:** \_\_\_\_\_  
[Name]  
Jamaica

**Signed:** \_\_\_\_\_  
[Name]  
Kiribati

**Signed:** \_\_\_\_\_  
[Name]  
Malawi

**Signed:** \_\_\_\_\_  
[Name]  
Maldives

**Signed:** \_\_\_\_\_  
[Name]  
Australia

**Signed:** \_\_\_\_\_  
[Name]  
Bangladesh

**Signed:** \_\_\_\_\_  
[Name]  
Belize

**Signed:** \_\_\_\_\_  
[Name]  
Brunei Darussalam

**Signed:** \_\_\_\_\_  
[Name]  
Canada

**Signed:** \_\_\_\_\_  
[Name]  
Dominica

**Signed:** \_\_\_\_\_  
[Name]  
Gambia, The

**Signed:** \_\_\_\_\_  
[Name]  
Grenada

**Signed:** \_\_\_\_\_  
[Name]  
India

**Signed:** \_\_\_\_\_  
[Name]  
Kenya

**Signed:** \_\_\_\_\_  
[Name]  
Lesotha

**Signed:** \_\_\_\_\_  
[Name]  
Malaysia

**Signed:** \_\_\_\_\_  
[Name]  
Malta

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**Signed:** \_\_\_\_\_  
[Name]  
Mauritius

**Signed:** \_\_\_\_\_  
[Name]  
Mozambique

**Signed:** \_\_\_\_\_  
[Name]  
Namibia

**Signed:** \_\_\_\_\_  
[Name]  
Nauru ]

**Signed:** \_\_\_\_\_  
[Name]  
New Zealand

**Signed:** \_\_\_\_\_  
[Name]  
Nigeria

**Signed:** \_\_\_\_\_  
[Name]  
Pakistan

**Signed:** \_\_\_\_\_  
[Name]  
Papua New Guinea

**Signed:** \_\_\_\_\_  
[Name]  
Rwanda

**Signed:** \_\_\_\_\_  
[Name]  
Saint Lucia

**Signed:** \_\_\_\_\_  
[Name]  
Samoa

**Signed:** \_\_\_\_\_  
[Name]  
Seychelles

**Signed:** \_\_\_\_\_  
[Name]  
Sierra Leone

**Signed:** \_\_\_\_\_  
[Name]  
Singapore ]

**Signed:** \_\_\_\_\_  
[Name]  
Solomon Islands

**Signed:** \_\_\_\_\_  
[Name]  
South Africa

**Signed:** \_\_\_\_\_  
[Name]  
Sri Lanka

**Signed:** \_\_\_\_\_  
[Name]  
St Kitts and Nevis

**Signed:** \_\_\_\_\_  
[Name]  
St Vincent and The Grenadines

**Signed:** \_\_\_\_\_  
[Name]  
Swaziland ]

**Signed:** \_\_\_\_\_  
[Name]  
Tonga

**Signed:** \_\_\_\_\_  
[Name]  
Trinidad and Tobago

**Signed:** \_\_\_\_\_  
[Name]  
Tuvalu

**Signed:** \_\_\_\_\_  
[Name]  
Uganda

**Signed:** \_\_\_\_\_  
[Name]  
United Kingdom

**Signed:** \_\_\_\_\_  
[Name]  
United Republic of Tanzania

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**Signed:** \_\_\_\_\_  
[Name]  
Vanuatu

**Signed:** \_\_\_\_\_  
[Name]  
Zambia

**10.0 Signatories by Supporting Organisation**

**Signed:** \_\_\_\_\_  
[Name]  
[Organisation]

**An example of signatories 'representing' or 'from'**

**Signed:** \_\_\_\_\_  
Anthony Clarkson  
Representing \_\_\_\_\_  
NHS Blood and Transplant  
United Kingdom

**Signed:** \_\_\_\_\_  
Anthony Clarkson  
From \_\_\_\_\_  
United Kingdom