

MEMORANDUM OF UNDERSTANDING

between the

MINISTRY OF MINES,
Republic of India

and the

DEPARTMENT OF NATURAL RESOURCES,
Canada

concerning

COOPERATION IN THE GEOSCIENCES

MEMORANDUM OF UNDERSTANDING BETWEEN THE MINISTRY OF MINES, GOVERNMENT OF THE REPUBLIC OF INDIA AND THE DEPARTMENT OF NATURAL RESOURCES (REPRESENTED BY THE EARTH SCIENCES SECTOR), GOVERNMENT OF CANADA, CONCERNING COOPERATION IN THE GEOSCIENCES

WHEREAS the Ministry of Mines, Government of the Republic of India (hereinafter "MOM") and the Department of Natural Resources (represented by the Earth Sciences Sector), Government of Canada (hereinafter "NRCan"), hereinafter jointly referred to as the "Participants", desirous of developing and reinforcing their cooperation in the field of geosciences on the basis of this Memorandum of Understanding (hereinafter "MOU");

WHEREAS this MOU establishes a framework for this cooperation concerning the geosciences, on subjects of mutual interest; and

WHEREAS the Participants are participating in this MOU with a view to contributing to the development of scientific cooperation between Canada and the Republic of India and, at the same time, reinforcing and strengthening the links between the two countries.

The Participants, therefore, have reached the following understanding:

Article One

The purpose of this MOU is to establish a working relationship between the Participants based on equality, overall reciprocity and mutual benefit.

Article Two

This MOU is general in nature and is neither comprehensive nor exhaustive. When the Participants intend to undertake a form of cooperation as described in this MOU, the Participants will execute a Project Annex (hereinafter "Annex") that will set forth the timing and scope of the specific form of cooperation and any other matters on which agreement may be desirable such as funding, intellectual property, and liability. These Annexes will be developed through a joint Working Group as outlined in Article Seven of this MOU.

Article Three

Cooperation under this MOU may include the following areas of interest where appropriate:

- a) Environmental geology/geohazards;
- b) Economic geology;
- c) Geological mapping;
- d) Hydrocarbon basin analysis;
- e) Marine/coastal geology;
- f) Exploration geochemistry and geophysics;
- g) Geoscience information systems, including databases, publications;
- h) Remote sensing and data integration, including cartography; and
- i) Other areas of interest to be mutually agreed upon by the Participants.

Article Four

Cooperation under this MOU is subject to and dependent upon the availability of funds and resources from each Participant, and may include the following forms:

- a) organization and support of technical seminars and meetings;
- b) exchange of scientists and/or technical personnel to work on collaborative projects;
- c) exchange of scientific and/or technical information;
- d) education and training;
- e) liaison and coordination with industrial, academic, professional and other organizations, where appropriate;
- f) encouragement of cooperation in geosciences with the industrial sector and academia in both countries, where appropriate; and
- g) other forms of cooperation as mutually agreed upon by the Participants.

Article Five

For cooperation requested by either of the Participants that extends to subjects outside the special expertise of the Participants, upon mutual written consent, the Participants may endeavour to include the participation of other appropriate organizations in the development of and participation in activities within the scope of this MOU.

Article Six

The scientific and technical results of cooperative projects conducted under this MOU will be shared and published or held in confidence in accordance with the specific terms identified in the associated Annexes.

Article Seven

In order to implement cooperation under this MOU, the Participants will create a Working Group co-chaired by the Secretary of the Ministry of Mines of the Republic of India and the Assistant Deputy Minister of the Earth Sciences Sector, Department of Natural Resources, Canada. This Working Group, which will include a maximum of two other designated representatives from each Participant, will be responsible for identifying the cooperative activities and details of implementation. It will meet once a year (subject to the mutual agreement of the Participants) with the meeting location alternating between the two countries, to conduct the following activities:

- a) discuss cooperation in areas falling within the MOU and conduct ongoing dialogue and exchange information related to this MOU;
- b) propose specific activities for cooperation within the terms of this MOU and Annexes;
- c) initiate, review and approve Annexes to this MOU;
- d) monitor progress towards the objectives of the general thrust for cooperation as well as specific activities; and
- e) recommend new thrusts for cooperation in areas of mutual interest.

Article Eight

No cost incurred by one Participant shall be assumed by the other Participant unless otherwise agreed to in writing under an Annex pursuant to this MOU. All costs or estimated costs will be detailed in the Annexes.

Article Nine

All activities related to this MOU conducted in Canada shall be carried out in accordance with the applicable laws and regulations in force in Canada. Activities related to this MOU conducted in the Republic of India shall be carried out in accordance with the applicable laws and regulations in force in the Republic of India.

Article Ten

This MOU will become effective upon the signing below by the designated responsible authorities representing both Participants and will remain in effect for five (5) years, unless extended or terminated. This MOU may be amended or extended by mutual written agreement, and may be terminated at any time by either Participant upon three (3) months written notice to the other Participant.

Termination of this MOU does not affect the implementation of any existing Annex between the Participants. Termination or amendment of the Annexes will be in accordance with the provisions of each specific Annex.

Article Eleven

This MOU does not create any legally binding obligations between the Participants.

Signed at **Ottawa** on this **First Day of April** in this year **Two Thousand and Three** in two originals each in Hindi, English and French languages, all texts being equally authentic. In case of any divergence in interpretation, the text in English shall prevail.

Accepted on behalf of NRCan:

Accepted on behalf of MOM:

The Honorable Herb Dhaliwal
Minister
Department of Natural Resources
Government of Canada

The Honorable Ramesh Bais
Minister of State (Independent Charge)
Ministry of Mines
Government of the Republic of India

**WORKING GROUP BETWEEN THE MINISTRY OF MINES, INDIA, AND THE
DEPARTMENT OF NATURAL RESOURCES, CANADA**

TERMS OF REFERENCE

Background

On April 1, 2003, a Memorandum of Understanding (“MOU”) concerning cooperation in the geosciences was signed between the Ministry of Mines (“MOM”), India, and the Department of Natural Resources, Canada, represented by the Earth Sciences Sector (“NRCan”), hereinafter jointly referred to as the “Participants”. The signing of the MOU took place in Ottawa and the signatories were India’s Minister of Mines and Canada’s Minister for Natural Resources.

Subject to Article Seven of the MOU, the Participants are to designate appropriate representatives to implement cooperation under the MOU. The Participants have now decided to proceed with the creation of a Working Group to provide direction for the cooperation and monitor progress.

Objective

The objective of the Working Group is to identify cooperative activities under the MOU and details of implementation.

Scope

The Working Group will guide the Participants and their stakeholders, as appropriate, in strengthening cooperation for the benefit of both countries. In particular, it will conduct the following activities:

- a) discuss cooperation in areas falling within the MOU and conduct ongoing dialogue and exchange information;
- b) propose specific activities for cooperation within the terms of the MOU;
- c) initiate, review and recommend Annexes to the MOU;
- d) monitor progress towards the objectives of the general thrust for cooperation as well as specific activities; and
- e) recommend new thrusts for cooperation in areas of mutual interest as identified under Article Four (section “g”) of the MOU.

Resources

Administration

Each Participant maintains its own in-country Secretariat for the Working Group and is responsible for organizing the Working Group meeting in that country including the venue and dissemination of information such as the minutes of the meeting to members and designated stakeholders. For Canada, the Secretariat will be maintained by the International Division of the Earth Sciences Sector. For India, the Secretariat will be maintained by the Mineral Policy and International Cooperation Division of the Ministry of Mines.

Membership

The Working Group will comprise three members from each Participant:

- The Working Group will be co-chaired by the Secretary, Ministry of Mines and the Assistant Deputy Minister, Earth Sciences Sector of Natural Resources Canada.

- In addition, the Working Group will count a senior representative from the Geological Survey of India and a senior representative of the Geological Survey of Canada, along with a representative either from the Indian Bureau of Mines or from the Mineral Policy and International Cooperation Division of the Ministry of Mines, and a representative from the International Division of the Earth Sciences Sector.

Following conditions outlined in Article Five of the MOU, each Participant may invite selected individuals of its stakeholders including those from academia and industry as members for selected Working Group meetings.

Funding

No cost incurred by one Participant shall be assumed by the other Participant unless otherwise agreed to in writing.

Expectations

The Working Group is expected to meet once a year, subject to mutual agreement of the Participants, with the meeting location alternating between the two countries. The duration of the meeting may range from one-half a day to two days. There will be some preparation required for meetings, and it is expected that Working Group members will use e-mail or fax to communicate.

Deliverables

The key deliverables that are expected from the meetings and other discussions of the Working Group are:

- Summary of meetings to be provided by the country hosting the meeting
- Regular updates documenting the progress on specific activities undertaken as well as new initiatives and thrusts in areas of mutual interest for cooperation under the MOU
- Advice on communication strategies and needs
- Advice on emerging issues.

Duration and Amendment

These Terms of Reference will remain in force until the expiration or termination of the MOU. It may be amended at any time by the mutual written agreement of the Participants.

Signed in Toronto on the 9 day of March, 2004.

Accepted on behalf of NRCan:

Dr. Irwin Itzkovitch
Assistant Deputy Minister
Earth Sciences Sector

Accepted on behalf of MOM:

C.D. Arha
Secretary
Ministry of Mines