

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF ISLAMIC REPUBLIC OF
PAKISTAN
AND
HELP TO SMILE

This MOU is made between the Government of Pakistan through the Economic Affairs Division, (hereinafter referred to as "the Government") and HELP TO SMILE (hereinafter referred to as "the Organization"), not-for-profit organization registered under Trust Act 1882 At Islamabad. And Office At Off 148, Street 54, Sector G 10/ 3 Islamabad Pakistan.

Whereas the Organization HELP TO SMILE desires to undertake work for the socio-economic development in the whole country the project name SCHOOL FOR CHANGE, particularly in the area(s) of Islamabad, for this purpose has submitted an application for registration accompanied by requisite documentary information.

Now, the Government is pleased to allow the organization to carry out its work on the following conditions: -

1. This MOU shall be governed by laws and policies of the Government of Pakistan.

2. The Government may:

2.1. Allow HELP TO SMILE to receive foreign contributions including funds, materials and services, emanating from declared sources, through legal channels, subject to reporting requirements.

2.2. Allow HELP TO SMILE to open, maintain and operate accounts for the execution of its work.

Provided that for opening and operating foreign currency accounts, the HELP TO SMILE shall seek permission of the State Bank of Pakistan, under the applicable law and rules;

2.3. Allow HELP TO SMILE to maintain its office at Islamabad, KPK, Punjab, Baluchistan, Sindh, GB And AJK to open other offices, if required, with prior written approval of the Government, subject to the concurrence of the Provincial Government / local government and compliance with applicable law / rules.

3. Import/ Tax Regulations

3.1. The HELP TO SMILE may avail 100% tax credit subject to the provisions of the Section 100C and approval of the Commissioner Inland Revenue concerned, under Section 2(36) of the Income Tax Ordinance 2001.

4. Obligations of the Organization

The Organization shall:-

4.1 Use funds, materials and services received by it as foreign contribution or foreign economic assistance from declared sources, through legal channels, for its specified work, and provide to the Government every six months complete information regarding flow of such funds, materials and services and when required by the government.

4.2 Obtain prior concurrence of the Government for any additional funding or different source of funding other than that specified by the HELP TO SMILE

4.3 Appoint and employ a representative and other senior management personnel as appropriate, who will manage the work and supervise the staff on behalf of the HELP TO SMILE and liaise with the Government, and the Provincial / local Governments

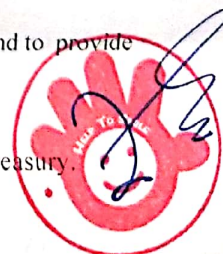
4.4 Make payment above Rs.20,000/- (Twenty Thousand) in Pakistan through banking channels and to provide complete details in this respect to the Government every six months.

4.5 Ensure that all staff shall pay applicable taxes.

4.6 Ensure withholding of tax, wherever applicable, and deposit of the same in Government treasury.

4.7 Ensure that the administrative expenses do not exceed 30% of the project cost.

14.12.2021
Joint Secretary (INGO/INGO)
Economic Affairs Division
Government of Pakistan
Islamabad



4.8 Ensure filing of Income Tax Return and withholding statements.
4.9 Ensure that its entire work is undertaken in accordance with the laws and policies of Government of Pakistan.

- 4.10. Inform respective Provincial Governments and concerned Local Governments / district authorities regarding its programs/ projects in their area and obtain their approval/permission/NOC for carrying out permissible activities.
- 4.11. Ensure that every expatriate has obtained an NGO visa prior to his / her entry into Pakistan as required under existing rules/ regulations of Pakistan. The Organization shall not employ expatriates who are in the country on any other visa.
- 4.12. Obtain prior written permission from the Government for visits to prohibited areas by expatriate personnel.
- 4.13. Ensure that all expatriate staff are informed that while they are in Pakistan, they (a) shall be subject to the laws and regulations of Pakistan, and (b) respect religious injunctions and cultural norms in Pakistan.
- 4.14. Provide updated lists of its foreign and locally hired staff to the Government on a six-monthly basis.
- 4.15. Submit to the Government every six months, and when required, written reports covering its activities and progress on the projects, funds received from abroad and their expenditure in Pakistan.
- 4.16. Submit, on yearly basis, independent or third-party evaluation including quantitative and qualitative assessment and impact of its work to the Government, Provincial Government and local government.
- 4.17. Have its performance audit done from a panel of Auditors approved by the NGO Committee.

The Organization shall not:-

- 4.18. Engage in any activity defined as an offence in Chapters 14 & 15 of Pakistan Penal Code (Act XLV of 1860) or any other law prevailing in the country
- 4.19. Engage in money laundering, terrorist financing, weapon smuggling, anti-state activities and maintaining links with proscribed organizations.
- 4.20. Take part or assist in any kind of political activity; conduct research or survey unrelated to their TORs unless sanctioned by the Government; carry out missionary work in Pakistan or any other unauthorized or prohibited activities.
- 4.21. Transfer or rent/lease out its possession or allow their use for purposes other than those specified and agreed upon between the parties in this MOU.
- 4.22. The organization shall not indulge in any activity in any manner including distribution or dissemination of any material or publication via print, online, electronic social media or any other means, causing or likely to negatively affect social, cultural and religious ethos or sentiments in the areas of activity.
- 4.23. The organization shall not share any data generated through its programmes, project and activities in Pakistan, with any third party, inside Pakistan or abroad, without prior written consent of the Government.

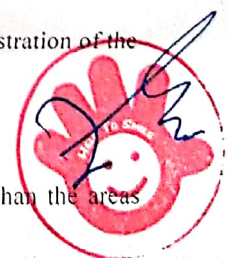
5. Termination of MOU

- 5.1. The Government reserves the right to immediately terminate this MOU and cancel registration of the HELP TO SMILE in case of non-compliance with any provision of this MOU.

JAN 12 2024
Joint Secretary (NGO/INGO)
Economic Affairs Division
Government of Pakistan
Islamabad

5.2. The Government may also terminate this MOU on the following grounds:-

- 5.2.1. The HELP TO SMILE has been found to be working in a geographical area other than the areas authorized.



5.2.2. The non-cooperation or breach of security or participation in any activity inconsistent with national interests, and religious sentiments of the people.

5.2.3. The objectives stated by the HELP TO SMILE are not being pursued.

5.2.4. False, incomplete or misleading information has been furnished to the Government.

5.2.5. No reasonable activity has been undertaken by the HELP TO SMILE for a period of one year after signing of this MOU.

5.2.6. The HELP TO SMILE has ceased to exist.

5.3. In case of termination of this MOU, the registration of the HELP TO SMILE will stand cancelled and it shall cease all its activities forthwith.

6. The HELP TO SMILE may file a written request for cancellation of its registration and closing of its activities with 3 months prior notice to the Government for its approval and clearance in accordance with the laid down procedure.

7. Entry into Force and Duration of MOU

This MOU shall enter into force on the date of signatures and shall remain valid. *for 2 years / Two years*

In witness whereof, the undersigned representatives, duly authorized by the Government and the HELP TO SMILE, have signed this Memorandum of Understanding.

Done at Islamabad, on this 14th day of December 2021 in English language in two originals, the signatories to retain a copy each.

14.12.2021
Joint Secretary (NGO/INGO)
Economic Affairs Division
Government of Pakistan
Islamabad
Islamic Republic of Pakistan

[Signature]
HELP TO SMILE
Organization Representative





Deputy Secretary (INGOs/NGOs)
Phone: 051-9216821

Islamabad, the 16th December, 2021

SUBJECT:- **SIGNING OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN GOVERNMENT OF PAKISTAN AND M/S HELP TO SMILE**

Dear Sir,

This is to inform you that that the Government of Pakistan is pleased to register and sign MoU with M/S **Help to Smile** for a period upto **13th December, 2023** for the project "**School for Change**" located in **Islamabad** with the following conditions;

- i. Annual Action Plan (APA) of every new Activity/Project involving foreign funding will be required to be submitted to EAD along with the Project and Financing Agreement with the Donor/INGO well in time before commencing the project
- ii. Organization will seek concurrence of EAD if it changes its thematic area of working and expands geographical location of its activities other than that given in the signed MoU.
- iii. Organization will work with registered INGOs.
- iv. Not to use controversial terms like "Peace & Conflict Resolution, IDPs etc in your annual reports or any other Documents/Correspondence/Agreements.
- v. Organization will not employ any individual of Indian and Israeli nationality/origin.
- vi. The organization will declare to the Government all foreign contributions, along with the terms and conditions of those contributions, as well as details of all bank accounts maintained by it. The organization will maintain accounts under internationally recognized accounting standards, get these accounts audited on an annual basis by a registered Chartered Accountancy firm and will provide to the Government a copy of the audited annual statements, alongwith a certificate from the Auditors to the effect that the foreign contributions have been utilized for the objectives of the organization as specified in the MOU.
- vii. Organization shall receive foreign contributions through banking channel only. However, while doing so, it will have to comply with the Anti Money Laundering and other relevant rules as per applicable in Pakistan
- viii. Limit your work to concrete socio-economic activities.
- ix. **NGO will not indulge in any advocacy related activity during project execution.**
- x. **NOC for current project only; completion report will be forwarded by NGO to EAD.**
- xi. **No deviation from stated project and location without security clearance from EAD.**

2. Duly signed MoU, in original, is enclosed herewith.

With regards,

Mr. Zopash Khan
Manager
M/S Help to Smile
House No.110, St.No.46, Sector 1-8/2
Islamabad

(Asad Ullah Nasar)