

## UTR 6.212 – THE P. J. ADAMS RESEARCH FUND

### Recitals

- A. By letter addressed to Professor John Lovering, Chairman, School of Earth Sciences at the University, Mrs Gwenda Dorothy Ulbrich ('donor') advised of her intention to give to the University an amount of \$5,000 per annum ('donations') for the purpose of 'establishing an annual award or scholarship to a student at tertiary level in the field associated with the aforementioned' – being 'mining, from quarrying stone to the recovery of tin, gold and other minerals and later oil'.
- B. The donor provided her written approval to a draft proposal ('proposal') prepared by the University concerning the establishment of the 'P. J. Adams Research Fund' and the donor made her first donation of \$5,000 on 21 February 1984. The proposal provided in part as follows-
- ' ...
2. The Fund is intended to assist research in the geosciences in the University. Awards from the Fund shall be determined by the Science Research Committee which shall seek the advice of the Professor of Geology and Chairman, Department of Geology, in determination of awards.
  3. Awards from the Fund shall be made annually, but if in the opinion of the Committee, insufficient funds are available for an award to be made, or there is no application deemed to be of sufficient merit, then an award or awards may be made in the following year.
  4. Awards from the Fund may be made as a scholarship or scholarships to full time candidates undertaking studies towards the degrees of M. Sc. or Ph.D in the geosciences. In determining the award of the scholarship or scholarships, the Committee may consider the financial circumstances of the applicants before an award is made.
  5. The fund may also be applied to purchase equipment, supplies or technical services to assist research programmes in the geosciences, or as a grant or grants to full time members of the lecturing staff of the University for travel or other costs associated with research in the geosciences...'
- C. The donor continued to make donations towards The P. J. Adams Research Fund until 1990.
- D. The donations memorialised the donor's late father, Percival John Adams, who had a lifetime interest in geology, and who worked in blue stone quarrying, tin and gold mining and oil exploration. Mr Adams was one of the founders of Alba Petroleum, and when Alba Petroleum later amalgamated with the Australian Motorists Petrol Company to form Ampol Petroleum Ltd (now Caltex Australia Ltd), he was the chairman of the board for a number of years.

- E. The University accepted the donations upon the trusts specified by the donor, and the donations therefore became the capital subject to those trusts ('capital sum').
- F. On 22 May 2012, the Attorney-General for the State of Victoria sanctioned the following scheme as proposed by the University, that the trust be varied as follows -
- '(a) That the award be known as the P J Adams Research Fund;
  - (b) That the Trust provide a scholarship or scholarships to be open for award annually to full-time candidates undertaking studies towards a research higher degree, or the research training program in the Master of Science, in the Geosciences;
  - (c) The scholarships be of such value as the University of Melbourne from time-to-time determines. If no scholarship is awarded in any one year, then the income be used on a future scholarship or added to capital.'
- G. This University trust record is the means by which the University records -
- (1) the trusts specified by the donor, and as varied by the above scheme, upon which the University as trustee holds the trust property, including the capital sum; and
  - (2) the administrative arrangements for the ongoing performance of those trusts, as determined by the University from time to time. It is provided as follows-

#### **Name of the fund**

1. The capital sum, all income arising from the capital sum, and any accumulations and additions thereto together form a fund called 'The P. J. Adams Research Fund' ('fund').

#### **Investment of the fund**

2. The fund is to be paid into one or more investment common funds and remain there until Council directs otherwise.

#### **Trust terms**

3. As trustee of the fund, the University is obliged by the trusts specified by the donor, and as varied by the above scheme('trust terms')-
  - (1) to establish a perpetual trust to assist research in the geosciences;
  - (2) to provide a scholarship or scholarships which are to be open for award annually to full time candidates undertaking studies towards a research higher degree, or the research training program in the master of Science, in the geosciences;
  - (3) to provide that the scholarships are to be of such value as the University determines from time-to time;

- (4) to provide that the financial circumstances of the applicants may be considered before an award is made;
- (5) to provide that if in a particular year, insufficient funds are available for an award, or there is no application deemed to be of sufficient merit, then an award or awards may be made in the following year;
- (6) to provide that the income of the fund may also be applied to the purchase of equipment, supplies or technical services to assist research programs in the geosciences or as a grant or grants to full time members of lecturing staff for travel or other costs associated with research in the geosciences; and
- (7) to provide that if no scholarship is awarded in any one year, the income may be used on a future scholarship or added to the capital of the fund.

### **Administrative arrangements**

4. Until its further determination, and in order to implement the trust terms, the University has determined if there is insufficient income in any given year to provide an award or awards, or if there are no suitable award applications, the University may choose to apply the income-
  - (1) to an award or awards in the following year;
  - (2) to the purchase of equipment, supplies or technical services for the faculty of Science ('faculty') to assist research programs in the geosciences;
  - (3) to provide a grant or grants to full time lecturing staff of the faculty for travel or other costs associated with research in the geosciences; or
  - (4) to add the income to the capital of the fund.
5. The dean of the faculty is authorised to make the awards, or apply the income for other permitted purposes as specified in section 4(2), (3) and (4), on behalf of the University, upon consultation with the head of the school of Earth Sciences and the relevant faculty research or academic committee.