

## **UTR 7.134 – THE MADELEINE SELWYN-SMITH MEMORIAL FUND**

### **Background**

- A. Madeleine Ethel Selwyn-Smith late of 'Khala' 13 Como Avenue, South Yarra, in the State of Victoria, who died on 11 November, 1964, by her Will dated 2 December, 1960 appointed The Union Trustee Company of Australia Limited and Ross Grey Smith to be executors and trustees of her estate.
- B. By her Will the testatrix bequeathed to her trustees 'the sum of Five thousand pounds' and expressed the desire that they apply the sum 'at their absolute discretion to establish one or more of the following objects namely a Memorial fund, bursary, scholarship or prize for students engaged in arboricultural research or generally to further the planting maintenance or preservation of trees.' ('bequest').
- C. The income from the bequest has been applied by the trustees from time to time on the recommendation of the University towards the provision of bursaries to graduate students, the funding of expenses for postgraduate research into arboriculture and the furtherance of the planting, maintenance or preservation of trees, and the purchase of appropriate books and equipment for the Agriculture, Forestry and Horticulture branch library.
- D. The trustees have determined to apply the amount of the bequest and any accumulated income to the establishment in the University of a memorial fund to be known as the 'Madeleine Selwyn-Smith Memorial Fund' and the University has agreed to establish the fund.
- E. The University received \$14,676 from the trustees consisting of \$10,169 as capital and \$4,507 as income.
- F. In 2005, the Institute of Land and Food Resources was renamed the Faculty of Land and Food Resources. In 2008, the Faculty of Land and Food Resources was renamed the Melbourne School of Land and Environment ("MSLE"). MSLE was disestablished by Council effective from 1 July 2014 and agriculture research is now taught by the Faculty of Science.

### **Trust Terms**

1. The sum of \$14,676 and any accumulations and additions to the sum forms a fund called the 'Madeline Selwyn-Smith Memorial Fund' ('fund') and the fund must be paid into an investment pool and remain there until Council directs otherwise.
2. The net income of the fund is applied for the time being to the provision of an award called the 'Madeleine Selwyn-Smith Memorial Award' ('award').

### **Administrative Arrangements**

3. Council hereby authorises the Dean of the Faculty of Science ('Dean') to make each award on behalf of the University to a graduate student engaged in the conduct of research relating to arboriculture.
4. The award may take the form of a scholarship or prize and is of such amount as the Dean on each occasion of the award determines.
5. If the Dean determines, that the provision of an award is no longer practicable, the fund may be applied as to both capital and income for the conduct of research into the planting, maintenance and preservation of trees for conservation purposes.

[Edit. am. 18/9/98, Title, ss. 1, 3(1), 3(2) and 4 am. 7/3/05; am 27.4.09; revoked as a Regulation and certified as a University trust record 26/5/10; F and s 3 am. 25/01/2016]