

UTR6.9 - W. T. MOLLISON SCHOLARSHIP

Recitals-

- A. William Thomas Mollison late of Whitehall Gardens in the City of Westminster Esquire deceased by his Will dated 28 July 1884 and duly proved in the Supreme Court of the Colony of Victoria bequeathed to the Chancellor and Council for the time being of the University the sum of £5,000 free of legacy duty in trust to invest the same in Government securities of the Australian Colonies or of either of them with power to vary and transpose all such securities and to re-invest in any of the securities aforesaid or in any securities which may for the time being be authorized by law in the Colony of Victoria for the investment of trust funds and directed the Chancellor for the time being of the said University to nominate two or more persons (of whom the Chancellor might be one) to be trustees of the said sum of £5,000 and of the stocks funds and securities in or upon which the same might be invested with power from time to time for such Chancellor to fill up the vacancies which from time to time should occur in the trusteeship by death resignation secession incompetency or unfitness of any trustee and to vary the number of trustees but so that the number of trustees be never less than two and directed the trustees for the time being of the said sum of £5,000 and the stocks funds and securities in or upon which the same might be invested to apply the annual income thereof respectively for the purpose of founding two or more scholarships in the said University which scholarships it was his wish should be held for three years by young persons of either sex between the ages of seventeen and nineteen years and who at a public examination within Victoria before competent persons to be from time to time named by the said Chancellor either alone or jointly with the Council of the said University for the time being should show the greatest knowledge of French or Italian or some living Oriental language it being his wish that in such examination regard should be had by the examiners chiefly to fluency of speaking and it being his intention that the Chancellor and the Council for the time being of the said University should have full power from time to time to substitute one living language for another at any examination for the said scholarships to be called the "W. T. Mollison Scholarships". And the said testator thereby declared that although he had thus particularized his wishes with regard to the said scholarships and the application of the said sum of £5,000 and of the investments thereof it was not his desire unduly to fetter the said Chancellor and Council of the said University should they at any time after his death or from time to time deem it expedient for the purpose of carrying his wishes into effect to modify and change the directions he had therein before given it being his wish and intention that the said Chancellor and Council should have discretionary power to give effect in such manner as they might deem best to his design which was to encourage in young persons the study and knowledge of modern languages. And whereas in exercise of the said power the Chancellor and Council have decided that one scholarship only should be open for competition and that it should be awarded annually. And whereas the Chancellor for the time being of the said University has duly appointed three persons of whom the Chancellor for the time being is one to be trustees of the said sum of £5,000 and of the stock funds and securities in or upon which the same may be invested. And whereas the said sum of £5,000 has been paid over to and is now in the possession or under the control of the said trustees.
- B. The University received £5,000 in satisfaction of the bequest.
- C. The University accepted the bequest upon the trusts specified by the donor, and the bequest therefore became the capital subject to those trusts ('capital sum').
- D. This University trust record is the means by which the University records -
- (1) the trusts specified by the donor upon which the University as trustee holds trust property, including the capital sum; and
 - (2) the administrative arrangements for the implementation 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 "W. T. Mollison Scholarship Fund" ("fund").

Investment of the fund

2. The fund must be paid into one or more common investment 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 ('trust terms')-
 - (1) to establish a perpetual trust;
 - (2) to establish one or more scholarships to be open for award from the income of the fund;
 - (3) to call the scholarship a 'W. T. Mollison Scholarship';
 - (4) to award the scholarship to a student studying a modern language; and
 - (5) to award the scholarship on such terms as Council decides from time to time will best achieve the donor's purpose, which was to encourage in young persons the study and knowledge of modern languages.

Administrative arrangements

4. Until its further determination, and in order to implement the trust terms, the University has determined-
 - (1) one or more scholarships are open for award annually amongst candidates who completed honours in modern languages at the University of Melbourne up to two years prior to their application;
 - (2) a candidate who enters for the final honours assessment thereby gives notice of intention to compete for the scholarship;
 - (3) the scholarship is awarded on the recommendation of a committee, the membership of which committee is to be determined each year by the dean of the faculty of Arts. In making the recommendation, the dean, who chairs the committee, must take into account the field of study of each of the candidates for the award;
 - (4) the scholarship is to be awarded from the available income of the fund, and the value of each scholarship and the number of scholarships awarded in a particular year is to be determined by the committee;
 - (5) every candidate must be an enrolled student in the year they apply whether a graduate or not and must be not less than 17 and not more than 25 years old on the first day of December in the year in which the assessment is held. If there are no suitable candidates within that age range, candidates up to 40 years old will also be considered;

- (6) preference is to be given to students enrolled in honours at the University up to two years prior, are enrolled at the University in the year they apply, and who intend to return to the University to pursue postgraduate or higher degree studies in modern languages or cognate fields;
- (7) the committee can consider nominations from the heads of the academic units responsible for the teaching of modern languages, of students in the final year of their undergraduate studies who intend to continue to honours, and award the scholarship to such students in exceptional cases;
- (8) each scholar must within three years of the award of the scholarship proceed to a foreign country of the language in which he or she holds the scholarship, and hold the scholarship for 6 to 12 months thereafter;

- (9) five-sixths of the amount of the scholarship is payable to the scholar on proceeding to a foreign country under section 4(8), and the remaining one-sixth after the expiration of two-thirds of the duration of the scholarship provided that the scholar has satisfied the faculty of Arts that he or she is engaged in appropriate work on the language at a foreign university; and
 - (10) if the scholar does not proceed abroad as required by section 4(8) or satisfy the faculty on progress as required by section 4(9), the scholarship lapses.
- 5. The Dean is authorised to award each scholarship on behalf of the University.
 - 6. As provided in section 43 of the Act, Council has delegated its power to make awards to the dean of the relevant faculty, in this case Arts, but this does not extend to Council's powers and responsibilities as set out in section 2."

[Revoked as a Regulation and certified as a University trust record 26/5/10; am Recitals A, B; add C and D; am ss 1 and 2; add ss 3; am ss 4 and add ss 5 and 6 on 28/10/11; am. S 4 23/11/2016]