

UTR6.200 - BARAGWANATH GEOLOGY RESEARCH SCHOLARSHIP

Recitals-

- A. George Ernest Baragwanath, late of 566 Orrong Road, Armadale, in the State of Victoria, who died on 1 June 1995, bequeathed his residuary estate to the University-
- '... for the purpose of founding a scholarship in the said University to be known as the 'Baragwanath Geology Research Scholarship' in memory of my father subject to the following conditions, namely-
- (i) that the said scholarship shall from time to time be given to such person or persons as shall from time to time be adjudged by the Council of the said University (or such person, persons or committee as it shall appoint) on the recommendation of the Head of the Department of Geology to be the most fit and proper to receive the same upon consideration of their qualifications in Geology or kindred sciences.
 - (ii) that such scholarship shall be given for the purposes of research or experimental work in geology.
 - (iii) that such scholarships shall be tenable for a period of two years and not longer unless the Council of the said University shall for special reasons consider that in any particular case the term of two years ought to be extended from time to time at the sole discretion of the Council.
 - (iv) that the Council of the University shall be at liberty to expend not only the income but also the capital of the said monies in providing such scholarships as aforesaid since I consider it more beneficial to provide for the near than for the distant future and I suggest to the said Council that the whole of the said monies both principal and interest might well be expended within the period of twenty years from the date of the receipt of the said monies ...'
- B. The department of Geology has been re-named the School of Earth Sciences and by letter dated 5 June, 1996, solicitors for the estate, Messrs. Hall & Wilcox, advised that 'the executor of Mr. Baragwanath's Will ... has indicated that the scholarship recommendations [being] made by the Head of the School of Earth Sciences is acceptable.'
- C. The University received the sum of \$1,000,000 in partial satisfaction of the bequest on 5 December 1997.
- D. 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').
- E. 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 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-

1. The sum of \$1,000,000 and any accumulations and additions to the sum forms a fund called the 'Baragwanath Geology Research Scholarship' ('fund') and the fund must be paid into one or more investment common funds and remain there until Council directs otherwise.
2. Subject to section 4, the net annual income of the fund is to be used to provide one or more scholarships, from time to time, each to be called the 'Baragwanath Geology Research Scholarship' ('scholarship') for research or experimental work in Geology.
3. Each scholarship is to be awarded by Council on the recommendation of the head of the school of Earth Sciences ('head of school') to such persons as shall from time to time be adjudged by Council (or such persons or committees as it shall appoint) on such recommendation to be the most fit and proper to receive the same upon consideration of their qualifications in Geology or kindred sciences.
4. The terms and conditions applicable to the award of each scholarship are to be determined from time to time by Council on the recommendation of the head of school, but each scholarship is to be awarded in the first instance for two years as provided in the terms of the Will, unless Council shall for special reasons consider that in any particular case that initial term ought to be extended.
5. Council, on the recommendation of the head of school, may direct that the capital of the fund be resorted to for the purpose set out above, as provided in the terms of the Will.
6. As provided in section 43 of the Act and in the terms of the Will, Council has delegated to the dean of the faculty of Science its powers and duties set out in this record, other than for the purposes of sections 1 and 5.

[Made 2/3/98, s. 2 am., ss. 3 and 4 renumbered 4 and 5, s. 3 made 3/12/01 revoked as a Regulation and certified as a University trust record 26/5/10; Recitals A, B and C am; new D and E (1) and (2) ins. ss 1 and 2 am, 3 del, 4 and 5 am and re-num, 6 added, 29/8/11]