Background

A. Mr Kenneth Eltham (Donor) donated $500,000 (Gift) to the University of Melbourne to establish, in perpetuity, ‘The Ken Eltham Scholarship’ (Scholarship) on 20 September 2016. The Scholarship will provide one or more scholarships for students who are Australian citizens and who are in financial need and are undertaking study in the field of engineering at the University, with a preference for postgraduate students (Purpose).

B. The Donor also made a once-off, fully expendable donation of $25,000 on 20 September 2016 in addition to the Gift to permit the Scholarship to be awarded in 2017.

C. The Scholarship reflects the strong commitment to educational opportunity, especially in engineering, of the Eltham family. Kenneth Eltham graduated with a Bachelor of Engineering (mechanical) from the University in 1951. He joined what was then known as the Commonwealth Department of Supply with a cadetship while at university and stayed with the Department (subsequently named the Department of Defence Support, Defence Production, Manufacturing, Industry and Defence) for much of his career until he retired as head of a product design and development laboratory. Kenneth also worked in private industry for a number of years. His father, Ernest Eltham ISO, graduated with a Bachelor of Engineering (electrical) from the University in 1925 and studied trade and technical education in Europe and North America on a Fulbright scholarship. Ernest was regarded as a world authority on technical education. His career included roles as the founding chairman of the Apprenticeship Commission of Victoria, director of training for what became the Commonwealth Technical Training Scheme during World War II and director of post-war rehabilitation in the Commonwealth Department of Labour and National Service. Upon retirement from the Department Ernest set up an apprenticeship training scheme in Malaysia.

D. This University Trust Record is the means by which the University records –

   (1) the trusts upon which the University holds trust property, including the capital sum; and

   (2) the administrative arrangements for the implementation and ongoing performance of those trusts from time to time.

The trust terms and administrative arrangements governing the Gift are as follows.

Trust terms

1. A perpetual trust was established for the Purpose on receipt by the University of the Gift and the University is the trustee of that trust.

2. If, at any time, the University determines that it is impossible or impracticable to carry out the Purpose then the University may apply the income of the gift, and any additions
to it, for such purpose or purposes as the University determines most closely accords with the Purpose (Alternate Purpose).

3. The University must invest and preserve the Gift and any accumulations and additions to the Gift (including from the donor’s estate) and apply only the net income arising from the Gift to support the Purpose or Alternate Purpose.

4. Any unexpended income arising from the Gift referred to above in any year may be:

   (a) retained as income in which case it will be available in any subsequent year to be applied for the Purpose or Alternate Purpose; or

   (b) added to the capital sum represented by the Gift, in which case that unexpended income will be forever regarded as capital and will therefore be preserved in the same manner as the capital sum represented by the Gift.

Administrative arrangements

In order to implement the trust terms, the University has determined that:

1. the Gift and any further donations received by the University are to be transferred to the University’s long-term investment common fund at the end of the quarter following receipt by the University and remain there until Council otherwise directs.

2. the Dean of the Melbourne School of Engineering (or its successor) is authorised by the University to award each Scholarship on behalf of the University.

[New University Trust Record certified on 24 January 2017 am heading and cl A on 19 February 2018]