

UTR7.281 - THE MELBOURNE UNIVERSITY SPORT FOUNDATION

Background

- A. Sport and related facilities and infrastructure are essential features of The University of Melbourne and the general advancement of education by such means.
- B. Melbourne University Sport ('**MUS**') is a department of the University, operating as a semi-autonomous body with a board pursuant to section 7(3) of the Vice-Chancellor Regulation, the objectives of which are set out in the now revoked regulation 8.1.R7, but remain in force pursuant to section 7(8) of the Vice-Chancellor Regulation.
- C. MUS, with the approval of Council, has decided to establish a trust with a broad focus, with the University as trustee, with the intention that the trust, to be called 'The Melbourne University Sport Foundation' ('**Foundation**'), will receive donations, bequests and other funds for the advancement of sport at the University, either in general ('general donations') or in relation to individual sports or sporting clubs within the University identified for that purpose in the terms of any memorandum of gift, bequest, appeal form, or other applicable instrument ('specific donations').
- D. Without limiting the sources from which funds can be received for the purposes of the Foundation, MUS has determined that it will be established from three primary sources being:
- (1) University reserves referable to MUS, or reserves of University sporting clubs;
 - (2) specific gifts or bequests which can be administered within the parameters of the Foundation; and
 - (3) money raised through appeals conducted by or for MUS which allow funds to be used for the purposes of the Foundation whether to support sport in general as determined by MUS, or any specified sport or sporting club within the University featured as part of the appeal.
- E. The general advancement of education at the University will be reflected in the use of money standing to the credit of the Foundation for:
- (1) sporting scholarships;
 - (2) sports facility development;
 - (3) general sport or club-related development; and
 - (4) fundraising activities,
- for sport in general at the University, or in relation to individual sports or sporting clubs within the University as reflected in specific donations ('purposes of the Foundation').

- F. An amount of \$50,000 from the University Hockey Club has been received by MUS and allocated to establish the initial capital of the Foundation ('capital sum') under the Hockey Chapter of the Foundation, subject to the trusts establishing the Foundation.
- G. This University trust record is the means by which the University records:
- (1) trust obligations pursuant to which the University holds the capital sum, including all income arising from the capital sum and any accumulations and additions thereto;
 - (2) trust obligations referable to the advancement of sport in general at the University or for the purposes of individual sports or sporting clubs within the University as identified in any memorandum of gift, bequest, appeal form or other applicable instrument; and
 - (3) the administrative arrangements for the implementation of those trust obligations, 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 Melbourne University Sport Foundation' ('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 University or as otherwise stated in any memorandum of gift, bequest, appeal form or other applicable instrument ('trust terms') -
 - (1) to apply the capital and income of the fund in advancing education through the support of sport at the University, as reflected in the purposes of the Foundation;
 - (2) to account separately for:
 - (a) the capital of the fund representing general donations, together with the income and capital movements arising therefrom; and
 - (b) the capital of the fund representing specific donations in each of the specified sports and sporting clubs within the University, together with the income and capital movements arising therefrom;

- (3) to apply the general donations to support sport at the University, as reflected in the purposes of the Foundation, whether or not in any specified sport or sporting club within the University; and
- (4) to apply the specific donations in the relevant specified sport or sporting club within the University, as reflected in the purposes of the Foundation.

Administrative arrangements

4. Until its further determination, but in order to implement and subject to the trust terms, the University has determined-
 - (1) to call the fund 'The Melbourne University Sport Foundation';
 - (2) to expend the capital and income of the fund as determined by the Director of Sport at MUS, after endorsement from the board of MUS;
 - (3) that any unexpended income from the fund in any year may be added to the capital of the fund or accumulated as income for expenditure in a subsequent year; and
 - (4) that the Director of Sport at MUS, after endorsement from the board of MUS, is to determine each year for the purpose of section 4(3) what is to be done with unspent annual net income of the fund, if any.
5. In exercising any powers under this University trust record, the Director of Sport at MUS must act in accordance with:
 - (1) any guidelines approved by the board of MUS from time to time;
 - (2) any recommendations from the duly constituted body or group representing the interests of a specified sporting club within the University if applicable, in accordance with guidelines approved by the board of MUS from time to time; and
 - (3) the terms of any specific donations.
6. MUS is authorised to apply, and otherwise account for, the capital and income of the fund on behalf of the University, in accordance with this trust record, and the board of MUS is responsible to Council for performance of the trust in accordance with the terms of this trust record.
7. Any costs incurred in fundraising for the purposes of the Foundation are not payable from the Foundation without the prior approval of the board of MUS.
8. MUS is to submit an annual report to Council on the activities of the fund together with audited accounts.

Schedule of Sub-Funds (previously referred to as Chapters)

Name of Club / Sport	Date Established
Melbourne University Hockey Club	25/11/2011
Sports Scholarships	19/07/2012
Melbourne University Ski Club	20/12/2012
Melbourne University Badminton Club	9/04/2013
Melbourne University Boat Club	30/08/2013
University Blues Football Club	29/01/2014
Melbourne University Mountaineering Club	14/03/2016
Melbourne University Cricket Club	23/03/2017
Melbourne University Soccer Club	8/12/2017
Melbourne University Rugby Football Club	7/02/2018

[New UTR certified 20/3/2012; Am Background B, added Schedule of Sub-funds 29/01/2019; am Schedule 21/1/2020]