

**UTR 7.319**  
**KIMBERLEY FOUNDATION MINDEROO CHAIR IN ARCHAEOLOGICAL SCIENCE**  
**Draft UTR Amendment to Faculty of Science for approval**  
**29 March 2021**

Amendment of University trust record UTR 7.319 certified by the General Counsel on the advice of the Faculty of Science - To govern the Kimberley Foundation Minderoo Chair in Archaeological Science.

*The record as currently in force needs to be amended to reflect that the donor, Kimberley Foundation Australia, has changed its name to Rock Art Australia.*

*It is proposed that the record be amended as follows:*

- *The name of the fund be changed to 'Rock Art Australia Minderoo Chair in Archaeological Science'*

*The amendment of the record is intended to facilitate the administration by the University of the trust established by the donors in a manner that is consistent with the trust terms.*

*The proposed amendment of the record does not require the sanction of the Attorney-General for Victoria or the Supreme Court of Victoria as the amendment of the operative provisions of the record-*

- *relates to the administrative arrangements for the implementation and ongoing performance of the trust terms, as determined by the University from time to time; and*
- *is within the trust terms.*

*The faculty has-*

- *confirmed that it has provided all details required to prepare this proposed amendment of the record; and*
- *approved the contents of this document and the amendment of the record.*

Proposed Amendment

UTR 7.319 – KIMBERLEY FOUNDATION MINDEROO CHAIR IN ARCHAEOLOGICAL SCIENCE

Amend UTR 7.319 shown below.

## UTR 7.319 – Rock Art Australia Minderoo Chair in Archaeological Science

### Background

- A. The University received \$1,500,000 from Allan Myers AC QC and \$2,000,000 from Kimberley Foundation Australia (now known as Rock Art Australia) (collectively the Donors) pursuant to a Deed of Gift executed on or about 25 October 2017 to establish, in perpetuity, the Rock Art Australia Minderoo Chair in Archaeological Science (formerly Kimberley Foundation Minderoo Chair in Archaeological Science) (Chair).
- B. The University has also agreed to contribute a further \$1,500,000 of its own funds in capital towards the Chair between 2017 and 2019.
- C. The purpose of the Fund is to establish and fund in perpetuity the Chair which will:
  - (a) promote; and
  - (b) provide leadership in respect of,  
each of:
  - (c) research;
  - (d) education; and
  - (e) academic and public engagement, in Archaeological Science including primarily, but not limited to:
  - (f) the study of:
    - (1) Australian indigenous heritage and its place in the global narrative of human origins, migration, culture, behaviour and development;
    - (2) the relationship between early indigenous inhabitants of Australia and the environments in which they lived, and how environmental factors influenced migrations, culture, behaviour and development; and
    - (3) the development and application of scientific methods to:
      - (A) analyse and date rock art, artefacts and related materials;
      - (B) analyse and date sites which were, or may have been, inhabited by early indigenous inhabitants of Australia;
      - (C) observe and preserve such rock art, artefacts, sites and related materials; and
      - (D) reconstruct past environments

### **(Purpose).**

- D. Rock Art Australia (RAA) (formerly Kimberley Foundation Australia) is a charity registered with the Australian Charities and Not-for-profits Commission that supports scientific research into the rock art of the Kimberley and, in conjunction with the indigenous people of the region, ensure it is preserved and recognised for its national and international significance

E. 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. The University must invest and preserve the Gift and any accumulations and additions to the Gift and apply only the net annual income arising from the Fund to support the Purpose.
3. If there is any unexpended income then the University may, at its absolute discretion:
  - a. retain it as income and make it available for the Stated purpose in another year; or
  - b. add it to the capital of the Trust.
4. Archaeological Science includes the application of techniques and methods of the natural and physical sciences to address archaeological problems which includes, but is not limited to, the:
  - a. Development and application of scientific dating methods;
  - b. Study and analysis of archaeological materials and sites by chemical, physical and other analysis;
  - c. Reconstruction of past environments for human and cultural activities;
  - d. Study of the conservation and preservation of archaeological materials and sites;
  - e. Study of the origin of human populations; and
  - f. Application of remote sensing and geophysical survey techniques for buried features.

### **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. A representative of RAA will be permitted to sit on the selection committee for appointment of the chair.
3. The Provost is authorised by the University to appoint a suitably qualified person to the chair position upon recommendation from the Dean of the Faculty of Science and in accordance with the University's policies and procedures.

[New UTR Certified 8 February 2018; Recital A, D, s 2 am 09/07/21]

Approved by:

A handwritten signature in black ink, appearing to be 'Moira O'Bryan', written in a cursive style.

**Professor Moira O'Bryan,**

**Dean, Faculty of Science**

Date: 30 April, 2021