

UTR 6.71 - JOHN AND ERIC SMYTH TRAVELLING SCHOLARSHIP

Recitals-

- A. John Smyth, first Professor of Education in the University, by his Will dated 18 October 1926, bequeathed part of his residuary estate to the University for the purpose of founding a travelling scholarship or scholarships according to the detailed prescriptions set out in the schedule to his Will, the substance of which is set out below.
- B. The University received under the terms of the Will Commonwealth Government inscribed stock to the value of £4,700.
- C. John Gladstone Smyth, son of John Smyth who died on 29 June 1971, by his Will dated 15 February 1968, bequeathed the residue of his estate, subject to a life interest to his widow, Marjorie Veronica Smyth, for the same purpose.
- D. Marjorie Veronica Smyth died on 6 August 1972.
- E. The University received the further sum of \$48,311 and may receive further money for the same purpose.
- F. 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').
- G. 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-

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 'John and Eric Smyth Travelling Scholarship' ('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 donor ('trust terms')-
 - (1) to establish a perpetual trust;
 - (2) to use the income from the fund to provide for one or more travelling scholarships annually;

- (3) to award each scholarship to the best candidate under 30 years of age who
- (a) (i) holds a degree from the University or a Diploma of Education from the University (or the current teaching qualification offered by the University); has shown skill as a teacher or lecturer (which skill may be sufficiently shown through aptitude in the practical aspect of the teaching course); and who has displayed ability in experiment or research in the field of Education; or
 - (ii) holds the Masters degree in Education from the University;
- and
- (b) in the opinion of the University can enrich the teaching profession and the work of the school by study abroad;
- (4) to advertise the scholarship or scholarships in the University calendar and daily press;
- (5) to award each scholarship to enable the recipient to study overseas -
- (a) education and allied subjects at a university; or
 - (b) education systems at work; or
 - (c) any subject or problem which the University thinks is directly related to the work of a teacher or which will help in the advancement of education;
- (6) to require the recipient to write a work or report of value if the recipient does not undertake a degree overseas;
- (7) to make the tenure of each scholarship for a maximum period of two years;
- (8) to make the value of each scholarship variable depending on the age, circumstances and nature of enquiry of the recipient;
- (9) to require the recipient to return to Australasia within three years of the termination of the scholarship and hold a position there for a minimum period of two years, failing which the recipient is to repay half the scholarship within four years of its termination;
- (10) to require each recipient to enter into a bond on the award of the scholarship reflecting the terms of sub-paragraph (9); and
- (11) to tell each recipient the prescribed background of the bequest and the donor.

Administrative arrangements

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

1. The Dean of Melbourne Graduate School of Education or successor is authorised to award

each scholarship on behalf of the University, and to establish any committee for that purpose should the Dean wish to do so, having regard to the request of the donor in his Will.

2. Applicants must be under 30 years of age at the date they apply for the scholarship.

[Substituted 2/12/96; revoked as a Regulation and certified as a University trust record 26/5/10, revoked and remade certified 24/5/11; s 3(a)(i) amended, s 2 amended 04/02/21]