

## **UTR 7.149 – THE DUDLEY WILLIAM GARDINER MEMORIAL FUND**

### **Recitals –**

- A. Dudley William Gardiner late of 10 Rodney Street, Rye in the State of Victoria ('testator') who died on 14 April 1986 by his will dated 20 December 1985 bequeathed to the University the whole of his residuary estate.
- B. The testator had consulted and corresponded with members of the then Faculty of Music of the University concerning his intention to execute a new will making specific provision for his bequest to assist young Australian pianists.
- C. The University received the sum of \$79,865 and chose to use those funds to establish the Dudley William Memorial Fund to carry out the testator's wishes to promote music for the piano and encourage young Australian pianists.
- D. From April 2009 the Faculty of the Victorian College of the Arts and the Faculty of Music were amalgamated. From 1 January 2019, the Faculty is now called the Faculty of Fine Arts and Music ('Faculty'). Separate Schools have been established within the Faculty for each discipline offered by the Faculty, one being the School of Music.
- E. The School of Music within the Faculty offers the higher education award courses and degrees previously offered by the former Faculty of Music within its School of Music and by the Faculty of the Victorian College of the Arts (as then known) within its discipline of Music.
- F. Since the amalgamation the University has determined that any award is referable to students of classical piano given the origin of the bequest.

### **It is provided as follows –**

- 1. The sum of \$79,865 and any accumulations and additions to the sum, forms a fund called 'The Dudley William Gardiner Memorial Fund' ('fund') and the fund must be paid into an investment pool and remain there until Council directs otherwise.
- 2. The Dean of the Faculty of Fine Arts and Music ('Faculty'), on the recommendation of the Head of the School of Music in the Faculty, is authorised to apply the net annual income of the fund on behalf of the University to the promotion of music for the piano

and the encouragement of young Australian pianists and, without limiting the generality of the foregoing, the income may be used for all or any of the following purposes-

- (a) to meet the expenses in whole or in part of arranging concerts, recitals and like activities for the performance of keyboard music by Australian pianists of the age of thirty years or less;
  - (b) to enable grants or other payments to be made to Australian pianists of the age of thirty years or less who are embarking on a concert career; or
  - (c) to support the study of keyboard performance conducted under the aegis of the Faculty by providing financial assistance (whether by way of a scholarship or otherwise to an undergraduate or a graduate student engaged in such study).
3. The Dean of the Faculty on the recommendation of the head of the School of Music determines the adjudication and selection procedures applicable to any of the purposes referred to in section 2.
  4. The Dean of the Faculty on the recommendation of the head of the School of Music may direct that the capital of the fund be resorted to for the purpose of the University trust record.

[Recital D am, Recitals E & F added, ss 1, 3, 4 & 5 am, s 2 deleted, ss 3 – 5 renumbered 16/11/09; revoked as a Regulation and certified as a University trust record 26/5/10; Recitals B, C, D, E and s 2 amended 18/12/2019]