

UTR 7.145 – THE SIR BERNARD HEINZE MEMORIAL AWARD

Recitals –

- A. An appeal was launched in 1985 by the Melbourne Symphony Orchestra Subscribers' Committee in conjunction with the Faculty of Music to endow an award to honour the contribution to music in Australia and overseas made by the late Sir Bernard Heinze, for 31 years the Ormond Professor of Music in the University.
- B. The purpose of the appeal was to endow an award to commemorate Sir Bernard Heinze, who died in 1982. The intention of the appeal organisers was that an award be made annually to a person who had made an outstanding contribution to music in Australia, with the recipient of the award receiving a medallion and, depending on the amount raised, a monetary prize.
- C. The University received the sum of \$36,000 from the appeal.
- 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 known as the Faculty of Fine Arts and Music ('Faculty').
- E. The University accepted the gift upon the trusts specified in the appeal letter, and the gift therefore became the capital subject to those trusts (Capital Sum).
- F. This University trust record is the means by which the University records –
 - (1) the trusts specified in the appeal letter upon which the University as trustee holds trust property, including the Capital Sum; and
 - (2) the administrative arrangements for the implementation and ongoing performance 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 'The Sir Bernard Heinze Memorial Award' (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 in the appeal letter-
 - (a) to commemorate Sir Bernard Heinze;
 - (b) subject to section 4(7), to make an award annually to an Australian who has made an outstanding contribution to music in Australia;
 - (c) to call the award the Heinze Memorial Award;
 - (d) to award a medallion and, if the trust fund allows, a monetary prize;
 - (e) to provide that Council may direct that the capital of the Fund be resorted to for the purposes of this University trust record.

Administrative arrangements

4. Until its further determination, and in order to implement the trust terms, the University has determined that-
 - (1) the award will be called 'The Sir Bernard Heinze Memorial Award';
 - (2) the Dean of the Faculty (Dean) on the recommendation of a committee known as 'The Sir Bernard Heinze Memorial Award Committee' (Committee) is authorised, on behalf of the University, to make each award;
 - (3) membership of the Committee is to be determined from time to time by the Dean on the recommendation of the Ormond Professor of Music;
 - (4) nominations for the award will be invited from each of the director or equivalent of each Australian symphony orchestra, in conjunction with each orchestra's supporter organisation, if any. Nominations are to be received by the end of April each year, and must be accompanied by a letter of commendation, which emphasises the outstanding contribution made by the nominee to music in Australia;
 - (5) subject to paragraph (6), the net annual income of the Fund is applied to the cost of the medallion and to other expenses reasonably associated with the making of the award, including expenses reasonably incurred in determining, in some years, that no award is to be made;
 - (6) a monetary prize may be awarded from the unexpended balance of the net annual income of the fund, if any, as determined by the Dean from time to time on the recommendation of the Committee;

- (7) where in any year no person is considered by the Committee to be worthy of the award, no award is to be made in that year and the balance of the income for that year must be added to the capital of the Fund or, if the Dean on the recommendation of the Committee so directs, to the amount available for the making of the award in any subsequent year;
- (8) no person is to receive the award more than once;
- (9) the Committee must in its absolute discretion determine which expenses referred to in section 4(5) are to be paid from the Fund.

[Recital A am, Recitals D & E added, ss 1, 7, 8 & 9 am, new s 3 added, ss 5 & 6 deleted, ss 6 & 7 newly numbered, ss 3, 4, 7, 8 & 9 renumbered 16/11/09; Revoked as a Regulation and certified as a University trust record 26/5/10; Revoked and Remade 11/02/13; Background D am, s4(3) am 29 January 2019; Recital D amended 18/12/2019]