

## UTR7.240 – THE CLEM AND NINA CHRISTESEN BEQUEST

### Recitals –

- A. The late Clement Byrne Christesen OBE, OAM, Hon.DLitt (Mon.), Hon FAHA, formerly of ‘Stanhope’, 10 Peter Street, Eltham (‘the testator’) was Lockie Fellow at the University from 1966-74 and founding editor of ‘Meanjin’. He died on 28 June 2003 and by clause 7 of his will dated 22 December 2000 (‘the will’) provided inter alia:
- ‘(c) AS TO my estate or interest (if any) in the Cottage being Lot 2 on PS 222533Q and being the whole of the land in Certificate of Title Volume 10142 Folio 456 and the vacant land being Lots 10, 11 and 12 on PS 11094 and being the land remaining in Certificate of Title Volume 8213 Folio 649 TO PAY the value thereof as ascertained by Sworn Valuation made by a registered Valuer appointed for that purpose and selected by my Trustee to the UNIVERSITY OF MELBOURNE for application by the said University in accordance with my instructions incorporated by reference into the provisions of this my Will and as provided to my Trustee (a copy of which is held by my solicitor LORRAINE JONES) and if at all possible to establish a fund to promote research and publication of Australian Literature and research and publication arising from the study of Russian Language and Literature to be known as the “Clem and Nina Christesen Bequest”;
- (d) AS TO any Royalties accruing to me from any of my published literary works to UNIVERSITY OF MELBOURNE...
- (f) AS TO any balance of my residuary estate to the UNIVERSITY OF MELBOURNE for the educational purposes thereof in the promotion of Australian Literature and Russian Studies also to be known as the “Clem and Nina Christesen Bequest.’
- B. After enquiry by the University, the testator’s solicitor, Lorraine Jones, advised in letters dated 30 June 2006 and 6 July 2006 that the ‘instructions’ referred to in clause 7(c) of the will never existed. This was confirmed by the executrix of the will (‘the executrix’) in a letter dated 30 October 2006.
- C. The testator was predeceased by his wife, the late Nina Mikhailovna Christesen, AM, BA (Qld.), MA (Melb.) who founded the department of Russian Language Studies and died on 8 August 2001.
- D. On 4 August 2005 the University received \$605,000 pursuant to clause 7(c) of the will. The executrix has advised that there is no residuary estate to distribute pursuant to clause 7(f).
- E. Any monies received by the University pursuant to the absolute bequest in clause 7(d) of the will are to be added to the fund known as ‘The Clem and Nina Christesen Bequest’.

- F. At 31 January 2007 the capital of 'The Clem and Nina Christesen Bequest' was \$ 680,204.70 and the accumulated income was \$58,599.94.

It is provided as follows –

1. The sum of \$738,804.64 and any accumulations and additions are to form a fund called 'The Clem and Nina Christesen Bequest' ('the fund') and the fund must be paid into an investment pool and remain there until Council directs otherwise.
2. The income of the fund is to be applied by Council on the recommendation of the dean of the faculty of Arts to promote research and publication of Australian Literature and research and publication arising from the study of Russian Language and Literature. Before making such recommendation the dean must consult the heads of the schools of Culture and Communication and Language and Linguistics.
3. The dean shall provide an annual report to Council or its nominee on the manner in which the fund was applied.

[Made 26/03/07; revoked as a Regulation and certified as a University trust record 26/5/10]