

UTR7.112 - D.V. DARWIN BEQUEST

Recitals-

- A. Donald Victor Darwin late of 24 Parlinton Street Canterbury in the State of Victoria a master of Civil Engineering of the University who died on 8 March 1972 bequeathed \$26,950 to the University.
- B. The testator directed by his will-
- “ (i) That the University shall invest the same in the manner hereinafter set out and apply the income thereof to assist research in Civil Engineering including Transport in such manner as the Council of the University on the recommendation of the faculty of Engineering (together with such other faculty or board of studies as may from time to time be responsible for the teaching of or research in Transport in the University) shall determine; and
 - (ii) That the Council of the University shall not be restricted to investments from time to time sanctioned by law for the investment of trust funds but shall be free to invest the said sum or any part thereof in any way in which the Council in its absolute discretion may think fit in all respects as if the University were sole beneficial owner of such sum and may from time to time vary or transpose such investments; and
 - (iii) That any unspent income of the said sum in any one year shall be added to the capital thereof but shall nevertheless remain available to be used as income in any subsequent year as the Council on the abovementioned recommendation shall think fit”.
- C. The University received \$26,950 in satisfaction of the bequest.

It is provided as follows-

1. The sum of \$26,950 and any additions and accumulations to the sum forms a fund called the "D.V. Darwin Bequest" (the fund) and the fund must be paid into an investment pool and must remain there until Council directs otherwise.
2. The fund is administered by Council on the recommendation of Melbourne School of Engineering (MSE).
3. The net income of the fund is applied to assist research into Civil Engineering and, without limiting the generality of the foregoing, may be used for any or all of the following purposes-
 - (a) to meet the expenses in the whole or in part of symposia and like activities concerning aspects of transport engineering;
 - (b) to enable grants or other payments to be made to visiting research workers in civil engineering;
 - (c) to provide financial assistance for members of staff engaged in research into transport carried out in the department of Infrastructure Engineering of the faculty to visit other institutions either in Australia or abroad in connection with such research;
 - (d) to support a particular research project conducted under the aegis of MSE by providing-

- (i) financial assistance (whether by way of a scholarship or otherwise) for a graduate student engaged on the project; or
 - (ii) the salary or a contribution toward the salary of a research assistant engaged upon the project; or
 - (iii) the cost of any items of equipment required for use in the project.
4. Any unexpended income in any year must be added to the capital of the fund but may be used as income in any subsequent year as Council, on the recommendation of MSE, directs.

[Revoked as a Regulation and certified as a University trust record 26/5/10; Rec D del; ss 1, 2, 3(c) and (d) and 4 am
22/9/11]