Recitals-

A. In 2009 and subsequently, the University conducted a public appeal to provide scholarships to address the financial burden facing prospective and current students of the Melbourne JD degree. The scholarships were named in honour of Professor Emeritus Harold Ford, who was appointed to the University of Melbourne Law School in 1949 and became the fifth member of the School’s full-time academic staff. In 1960 he was appointed Robert Garran Professor of Law at the Australian National University, and was Foundation Dean of the Faculty of Law. He returned to the University of Melbourne in 1962 on appointment as Professor of Commercial Law. He was Dean in 1964 and in 1967-73. He retired from the University of Melbourne in 1984.

B. The 2009 appeal form used to obtain donations stated –

‘…the Melbourne JD Harold Ford Scholarships respond to the needs of these students by providing up to four scholarships per year to assist students in financial need. The scholarships are intended to meet the gap between the existing financial assistance and the actual cost of studying law full-time at Melbourne Law School…’

C. At 30 April 2010, the sum of $126,800 had been donated to the appeal (‘donations’) and further sums may be donated to the appeal from time to time.

D. The University accepted the donations upon the trusts specified in the appeal form, and the donations therefore became the capital subject to those trusts (‘capital sum’).

E. This University trust record is the means by which the University records-

(1) the trusts specified in the appeal form 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 Melbourne JD Harold Ford Scholarships’ (‘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 form (‘trust terms’)-
(1) to award up to four scholarships per year;
(2) to call each scholarship ‘The Melbourne JD Harold Ford Scholarship’;
(3) to award each scholarship to a student who is –
   (a) studying, or planning to study the Melbourne JD; and
   (b) in financial need.

Administrative arrangements

4. Until its further determination, and in order to implement the trust terms, the University has determined-
   (1) to establish a perpetual trust;
   (2) to award each scholarship to a student selected by the dean of Melbourne Law School (‘dean’);
   (3) that the dean is to determine-
      (a) the value of each scholarship;
      (b) the number of scholarships, to a maximum of four, awarded each year; and
      (c) the term of each scholarship;
   (4) to retain any unspent income as income for the award in a subsequent year of one or more scholarships, or to add it to the capital of the fund;
   (5) to award each scholarship from the net annual income of the fund and any unspent income from previous years.

5. The dean is authorised to award each scholarship on behalf of the University.

[Certified as a University trust record 29/7/10; Recital E am; ss 1 am; ss 4(2) and (3) del; ss4(3)(b) am, 26/07/12]