Recitals-

A. On 13 August 2010, a person who wished to remain anonymous (‘donor’) donated the sum of $1,100,000 to the University (‘donation’). By memorandum of gift dated 13 August 2010, the donor’s representative stated on behalf of the donor—

‘The gift is for the purpose of funding a residential, intensive, development program for Indigenous researchers, including, but not limited to, the travel, accommodation and course delivery costs associated with attendance by research higher degree students and further program development.

In addition, if funds allow and at the discretion of the Director of the Murrup Barak Institute for Indigenous Development, funding may be used to:

- provide bursaries for graduate students currently enrolled at the University who are in financial need;
- provide targeted scholarships for students to undertake graduate professional programs in priority areas such as social work, public health and law;
- support development of a mentoring and alumni program for Indigenous early career researchers.’

B. The memorandum of gift also provided that the fund will be named ‘The Indigenous Researchers and Graduate Students Fund’ until a name has been determined by the University through consultation with the appropriate Indigenous custodians.

C. The University accepted the donation upon the trusts specified by the donor, and the donation therefore became the capital subject to those trusts (‘capital sum’).

D. This University trust record is the means by which the University records—

(1) the trusts specified by the donor upon which the University as trustee holds trust property including the capital sum; and

(2) the administrative arrangements for the implementation 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 Indigenous Researchers and Graduate Students Fund’ (‘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 by the donor (‘trust terms’)-

(1) to fund a residential, intensive, development program for Indigenous researchers, including, but not limited to, the travel, accommodation and course delivery costs associated with attendance by research higher degree students and further program development;

(2) subject to paragraph (1) and available funds, at the discretion of the director of the Murrup Barak Institute for Indigenous Development (‘Murrup Barak’), to fund-

(a) bursaries for graduate students then enrolled at the University who are in financial need;

(b) scholarships for students to undertake graduate professional programs in priority areas such as social work, public health and law; or

(c) development of a mentoring and alumni program for Indigenous early career researchers;

(3) to establish a non-perpetual trust for the purposes set out in section 3;

(4) to retain any unspent income in any year as income for spending in any subsequent year for the stated purposes; and

(5) to name the fund ‘The Indigenous Researchers and Graduate Students Fund’ until a name has been determined through consultation with the appropriate Aboriginal custodians.

Administrative arrangements

4. Until its further determination, and in order to implement the trust terms, the University has determined-

(1) to plan to spend, in accordance with the donor’s wishes, the donation, including any income generated by investment of the donation, within five to ten years from August 2010;

(2) that the director of Murrup Barak is authorised to spend the capital and income of the fund on behalf of the University, in accordance with the expenditure forecasts submitted annually to the Murrup Barak Advisory Board under section 4(3); and

(3) that as soon as possible after the conclusion of each year, the director of Murrup Barak must submit an annual report to the Murrup Barak Advisory Board and to the Provost on the activities of the fund in the prior year and an expenditure forecast for existing and proposed projects.

[New UTR certified 1/06/2011]