UTR6.277 - THE JOHN HELLYAR PIANO SCHOLARSHIP FUND

Recitals-

A. By his Will dated 30 November 2006 the late Russell John Hellyar ('donor') bequeathed $500,000 to the University ('bequest') as follows-

‘… I GIVE and bequeath the sum of Five hundred thousand dollars ($500,000.00) upon trust for the University of Melbourne to apply the income therefrom in perpetuity for the purpose of founding a scholarship in the Faculty of Music according to the following conditions:

(1) The scholarship shall be called the "John Hellyar Piano Scholarship";
(2) The scholarship shall be open to Australian-born pianists currently studying at the University of Melbourne Faculty of Music who are under the age of thirty years and who enrol for a course of advanced musical study;
(3) The scholarship shall be awarded on the basis of successful audition by a student or students of the Faculty of Music demonstrating the capacity of the applicant to pursue a course of advanced musical study; and
(4) The scholarship shall be awarded according to rules made from time to time by a selection committee consisting of the Dean of the Faculty of Music or his nominee and at least two other members appointed by the Faculty of Music.’


C. The donor was a businessman and the founding Chairman of the Apollo Bay Health Foundation, who harboured a life long passion for music. On the outbreak of World War II, the donor at 17 years of age commenced service in the Australian Navy and served throughout the war. As a result of his commitment to the war service, the donor missed the opportunity for a University education and spent most of his life in business.

D. The University received $500,000 in 2008 in satisfaction of the bequest.

E. The University accepted the bequest upon the trusts specified by the donor, and the bequest therefore became the capital subject to those trusts ('capital sum').

F. This regulation records-

(1) the trusts specified by the donor upon which the University as trustee holds 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 John Hellyar Piano Scholarship 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 establish a perpetual trust;
   (2) to preserve the capital of the fund, meaning that the capital of the fund is not to be spent;
   (3) to call each scholarship the ‘John Hellyar Piano Scholarship’;
   (4) to award each scholarship to a student who is an Australian born pianist under 30 years of age, enrolled in the school of Music within the faculty of the VCA and Music (‘faculty’) and who enrolls in a course of advanced musical study;
   (5) to award each scholarship to a student on the basis of successful audition demonstrating the capacity of the applicant to pursue a course of advanced musical study;
   (6) to award each scholarship in accordance with the rules made from time to time by a selection committee (‘committee’);
   (7) the committee is to have the following members-
        (a) the dean of the faculty or his or her nominee; and
        (b) two other members appointed by the dean of the faculty from the academic staff of the school of Music.

Administrative arrangements
4. Until its further determination, and in order to implement the trust terms, the University has determined-
   (1) to call the fund ‘The John Hellyar Piano Scholarship Fund’;
   (2) that the scholarship is to be awarded by the dean of the faculty on the recommendation of the committee; and
   (3) to award annually one or more scholarships from the net annual income of the fund, or from time to time as the committee sees fit.

5. Council hereby authorises the dean of the faculty to award each scholarship on behalf of the University.

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