UTR6.163 - JAMES HERBERT MIRAMS MEMORIAL SCHOLARSHIPS

Recitals-

A. Alice Ida Mirams late of ‘Merton’, South Road Brighton bequeathed one half of her residuary estate to the University ‘for the endowment of a scholarship or scholarships each of which shall be known as the “James Herbert Mirams Memorial Scholarship” to be awarded to engineering students whether postgraduate or otherwise at the University of Melbourne on such terms and conditions as the Council of the said University acting on the recommendation of the Faculty of Engineering shall from time to time prescribe’.

B. The University received an initial sum of $37,160.70 in 1975, following the donor’s death in 1964 and the determination of various prior interests under the donor’s will. This sum had increased to $215,774 by 31 December 1994, following further distributions by the donor’s trustees and the final settlement of the donor’s estate.

C. 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’).

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 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 ‘James Herbert Mirams Memorial Scholarships 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 provide scholarships to engineering students at the University, on such terms and conditions as Council, on the recommendation of Melbourne School of Engineering (‘MSE’), shall prescribe; and

(2) to call each scholarship the ‘James Herbert Mirams Memorial Scholarship’.
Administrative arrangements

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

(1) to provide for scholarships to be open for award annually among engineering students undertaking graduate study at MSE.

(2) the dean of MSE is to determine -

(a) the procedures relating to the award of each scholarship, including the value, duration and eligibility criteria of each scholarship; and

(b) the conditions which attach to each scholarship (if any).

(3) As provided in section 43 of the Act, Council has delegated its power to make awards to the dean of the relevant faculty, in this case MSE, but this does not extend to Council’s powers and responsibilities as set out in section 2.