UTR6.347 - THE JEAN AND ALAN MACKENZIE BURSARIES

Recitals-

A. By her Will dated 21 April 2011, the late Jean Audrey Mackenzie ('donor') bequeathed 50 per cent of her residuary estate to the University ('bequest') as follows -

‘2. ...I GIVE DEVISE AND BEQUEATH the residue of my Estate to my executor to divide into one hundred (100) equal parts and give such parts as follows:-

(a) Fifty (50) parts to the UNIVERSITY OF MELBOURNE ... to assist handicapped students’.

B. The University received $600,000 in May 2014, in part satisfaction of the bequest, along with a further sum of $13,737.81 in January 2015 when the administration of the estate was finalised.

C. The donor, who died on 13 August 2013, grew up in Oakleigh, and went to MacRobertson Girls High and Scotts Secretarial College before working as a nurse at the Royal Women’s Hospital. She travelled extensively before she met her future husband, Robert Alan ('Alan') Mackenzie at a Scottish dancing club. Alan was active at sport and school until, at the age of 13, he had a spinal tumour, resulting in paralysis. Alan’s mother encouraged and supported him to achieve to the best of his ability. He worked in electronics in a sheltered workshop but fortunately his abilities were recognised and he was encouraged to continue his high school education at night school. Alan attended the University from 1965 to 1968 and Alan completed a Diploma of Social Work 1967 and graduated BA (Hons)1968. He worked full time in social work (Royal Park Psychiatric Hospital, 1970-71), then at the Mental Health Research Institute (1971-89) and published extensively. Alan died in 2003. The donor left half of her residuary estate to University as Alan was grateful for the opportunities the University gave him and he wanted to leave a legacy to assist others to undertake a university education.

D. The University accepted the bequest upon the trusts specified by the Will ('Will trusts').

E. Having regard to the terms of the Will trusts, the University decided to apply the bequest to establish a perpetual trust for bursaries open for award to students with disabilities to enhance their student experience at the University, and decided that if in any year there is any unspent income, the unspent income may be added to the capital of the trust or accumulated as income for the award in a subsequent year of one or more bursaries ('additional trusts').

F. The bequest therefore became the capital subject to the Will trusts and the additional trusts ('capital sum').

G. This University trust record is the means by which the University records -
the trusts specified by the donor upon which the University as trustee holds trust property, including the capital sum; and

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 Jean and Alan Mackenzie Bursaries’ (‘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 Will trusts to apply the fund to the assistance of handicapped students, and in doing so, has set the additional trusts (‘trust terms’)-

(1) to establish a perpetual trust;

(2) to provide that bursaries will be open for award to students with disabilities to enhance their student experience at the University;

(3) to provide that if in any year there is any unspent income, the unspent income may be added to the capital of the fund or accumulated as income for the award in a subsequent year of one or more bursaries.

Administrative arrangements

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

(1) bursary recipients will be selected by the committee overseeing student loans and grants;

(2) eligible applications will be accompanied by the relevant documentation outlining an applicant’s health condition, how this impacts on study, and recommendations for support;

(3) consideration will be given to financial need in the awarding of the bursaries; and
(4) The bursary will be administered by the central University department responsible for scholarships.

5. In accordance with Council delegations, the chair of the selection committee (under resolution of the committee) is authorised to award the bursaries on behalf of the University.”