

## UTR2.302 – JJ BRAY POSTGRADUATE RESEARCH SUPPLEMENTARY SCHOLARSHIP IN LAW

### Background

- A. The JJ Bray Postgraduate Research Supplementary Scholarship was originally established in 2003 as the *JJ Bray Law Exchange Scholarship* as a result of the generosity of members of the South Australian legal fraternity and the proceeds of the Portrait of John Bray Glimpses of a Glorious Life Volumes ('donors'). The *JJ Bray Law Exchange Scholarship* was established with the Dame Roma Mitchell Scholarship and both Scholarships were offered from the same endowed fund ("the Original Fund").
- B. The donations received to the Original Fund were as follows:-
- |                                 |                  |
|---------------------------------|------------------|
| • Tom Gray                      | \$40,000         |
| • Division of the Uni Secretary | \$40,000         |
| • Bray Publication              | \$39,916         |
| • Uni Contingency               | \$30,000         |
| • Dame Roma Book                | \$21,604         |
| <b>TOTAL</b>                    | <b>\$171,520</b> |
- C. In 2023, Justice Tom Gray KC, being the major donor to the Original Fund, suggested to the University that it repurpose half the Original Fund and instead of awarding the JJ Bray Scholarship, direct that portion of the income towards a postgraduate research scholarship in Law. The balance of the Original Fund at that time was approximately \$254k in the University's Endowment Fund and the amount applied towards the JJ Bray Scholarship was approximately \$6k per annum.
- D. The terms of the trust for the Original Fund permitted the repurposing of half the Original Fund for the purposes of creating a new scholarship to be called the JJ Bray Postgraduate Research Supplementary Scholarship in Law. This achieved Justice Gray's objective of increasing the funds for postgraduate scholarships.
- E. Accordingly, in November 2023, the Original Fund was split and \$125k was directed to the Adelaide Graduate Research School within the Division of Research and Innovation to enable the establishment and awarding of the JJ Bray Postgraduate Research Supplementary Scholarship in Law. The remaining \$125k remains with the Coursework Scholarships Office within the Division of Academic and Student Engagement for the administration and awarding of the Dame Roma Mitchell Scholarship (refer to UTR2.199).
- F. Dr. Bray was born in 1912. He was educated at St. Peters College before completing his law studies at The University of Adelaide Law School. In 1937 he was awarded by the University of Adelaide the LL.D. (by thesis). Dr. Bray was Chief Justice of South Australia from 1967 until 1978 and Chancellor of the University of Adelaide from 1968 to 1983. In 1979 he was made a Companion of the Order of Australia. As well as being respected throughout the common-law world as a learned reformer and jurist Dr. Bray was a respected and widely published poet. He died in 1995, aged 82.
- G. The University accepted the donations upon the trusts specified by the donors and the donations therefore became the capital subject to those trusts ('capital sum').

## 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 'JJ Bray Postgraduate Research Supplementary Scholarship in Law' ('fund').

## Investment of the fund

2. The fund is to be amalgamated for the purposes of investment, and held in a common fund, and the net income earned by the common fund shall be credited, rateably, to the funds so amalgamated and thereafter distributed according to the directions of the donors.

## Obligations

3. In administering the fund, the University must adhere to the terms specified and is obliged:
  - (a) to invest the capital sum according to the directions of the donor; and
  - (b) to establish a scholarship to be administered in the manner described in the following Rules.

## Rules

1. The scholarship shall be known as the "JJ Bray Postgraduate Research Supplementary Scholarship in Law."
2. Subject to available funding, one scholarship will be offered every four years for a Doctor of Philosophy, or every two years for a Master of Philosophy, or whenever a vacancy occurs due to termination or conclusion of an existing scholarship, as determined by the Adelaide Graduate Research School.
3. The scholarship will be awarded as a supplementary scholarship to a major scholarship.<sup>1</sup>

## Eligibility

4. To be eligible, a candidate must:
  - be an Australian citizen, Australian permanent resident, New Zealand citizen or Permanent Humanitarian visa holder;
  - have commenced or be eligible to commence a full-time Higher Degree by Research program of study in the year for which the scholarship is being awarded at the University in the area of law;
  - be a recipient of a major scholarship at the University.

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<sup>1</sup> The value of a major scholarship shall be no less than the currently applicable stipend applying to University of Adelaide Research Scholarships as published in the [Scholarship Conditions of Award](#), as amended from time to time.

## Value and Benefits

5. The value of the supplementary scholarship shall be \$6,000 per year, or higher as determined by the Adelaide Graduate Research School according to available income from the Endowment Fund.
6. The duration of the scholarship shall be a maximum of three and a half years (plus provisions for an eligible internship and leave). The scholarship will match the duration and leave entitlements included in the major scholarship. No extensions shall be considered.

## Selection of Candidates

7. The scholarship will be awarded by a selection panel consisting of:-
  - the Dean of Law (Chair) (or nominee);
  - two academic members of the Adelaide Law School (as nominated by the Dean of Law).
8. Selection of the successful candidate will be made according to academic merit and research potential.
9. Eligible recipients will be automatically considered by the selection panel.
10. No scholarship shall be awarded if it is deemed by the selection panel that there is no candidate of sufficient merit.

## Administration

11. The scholarships shall be administered by the Adelaide Graduate Research School of the University of Adelaide.
12. No payments will commence until enrolment in the relevant program at the University is verified.
13. Payment of the stipend to the successful applicant will be disbursed by the University on a fortnightly basis, in arrears.
14. Tenure and continuation of the scholarship will be subject to satisfactory progress as indicated by the student's supervisor and Head of the relevant School, subject to the normal procedures of the University.
15. The scholarship must be taken up in the year for which it is offered; acceptance of the scholarship offer cannot be deferred. If a student declines the scholarship offer, the scholarship may be offered to the next ranked student.
16. Any interest earned and distributed annually from the bequest funds is eligible for inclusion in the University's HERDC return to the Commonwealth (and hence for University Research Block Grant) if the funds are expended on research and research support. As a result, the general rule is that the whole of the expected annual distribution should be planned to be spent in the year in which it is distributed. This does not prevent an amount being planned for contingency for expenditure determined later in the year.

## University Trust Record (UTR)



17. If there is no candidate of sufficient merit in any given year the scholarship shall not be awarded in that year and the income will be reinvested into the capital sum in the Endowment Fund.
18. The University may vary the Rules from time to time in a manner consistent with the University's legal obligations and policies.

Approved by Deputy Vice-Chancellor & Vice-President (Research) 10 October 2023