

RULES OF THE A W HOWARD MEMORIAL TRUST INCORPORATED

NAME

1. The name of the Trust shall be "THE A W HOWARD MEMORIAL TRUST INCORPORATED".

OBJECTS

2. The objects for which the Trust is established are to encourage and promote research and investigation in the fields of natural science and social science (including economics) which relate to the development, management and use of pastures.

PROVIDED that none of the said objects shall be used for the purpose of trading or for the purpose of securing pecuniary profit to the members of the Trust as provided in rule 3 hereof.

NO PECUNIARY PROFIT TO MEMBERS

3. The income and property of the Trust whencesoever derived shall be applied solely towards the promotion of the objects of the Trust as set forth in these Rules; and no portion thereof shall be paid or transferred, directly or indirectly by way of dividend, bonus, or otherwise howsoever by way of pecuniary profit to any member of the trust provided that nothing herein shall prevent the payment or repayment in good faith of remuneration or expenses to any officer or servant of the Trust in return for any services actually rendered to the Trust but so that no member of the Management Committee shall be appointed to any salaried office of the Trust or any office of the Trust paid by fees, and that no remuneration or other benefit in money or money's worth shall be given by the trust to any member of the Management Committee except repayment of out-of-pocket expenses.
4. If upon the winding-up or dissolution of the Trust there remains after the satisfaction of all its debts and liabilities and property whatsoever, the same shall not be paid or distributed among the members of the Trust, but shall be given or transferred to some other institution having objects

similar to the objects of the Trust to be determined by the Management Committee at or before the time of dissolution, or in default thereof, by such Judge of the Supreme Court of the State of South Australia as may have or acquire jurisdiction in the matter.

MEMBERSHIP

5. The members of the Trust shall be the members for the time being of the Management Committee hereinafter mentioned.

MANAGEMENT COMMITTEE

6. The management and administration of the affairs of the Trust shall be vested in a committee of management comprising the holders for the time being of the following offices:

The Federal President, Australian Institute of Agricultural Science and Technology

The President, South Australian Branch, Australian Institute of Agricultural Science and Technology

The Director, Waite Agricultural Research Institute and Dean, Faculty of Agricultural and Natural Resource Sciences

Chief Executive Officer of the South Australian Research and Development Institute (SARDI) or the equivalent officer within the South Australian Public Service

A nominee of the Federal Committee of the Australian Agricultural Economics Society, who is resident in South Australia

Professor of Sustainable Agricultural Production, University of Adelaide, Roseworthy Campus

President of the Tropical Grassland Society of Australia Inc

The Secretary for the time being of the Trust

The Treasurer for the time being of the Trust

Together with such other person or persons or the holder or holders of such other office or offices as shall be appointed from time to time by resolution the Council of the said Australian Institute of Agricultural Science and Technology (confirmed in writing, signed by or on behalf of the Federal President of the said Institute) to hold office during such period as the said

Council shall determine when making each such appointment but so that the total membership of the Management Committee shall not exceed twelve.

7. The Management Committee shall from time to time elect one of their number to be Chairman.
8. The Management Committee shall appoint a Secretary for the purpose of keeping minutes and performing such other duties as the Committee of Management requires and shall also appoint a Treasurer but both such appointments may be vested in one person. A member of the Management Committee shall be eligible for appointment as Secretary or Treasurer or both. Upon appointment each of them the Secretary and Treasurer if not already a member shall become a member of the Management Committee as herein before provided.
9. Upon the incorporation of the Trust the Public Officer of the Trust for the purposes of Sections 15 of the Associations Incorporation Act 1956-57 shall be the holder for the time being of the said office of the Secretary of the Trust.
10. The Management Committee shall meet at least once in every calendar year. Four members of the said Committee shall constitute a quorum and decisions shall be by a majority of those present and the Chairman shall have a deliberative and casting vote.

DUTIES AND POWERS

11. Each member of the Management Committee may by writing appoint a proxy to attend and vote on his behalf at any meeting or meetings of the Committee.
12. The duties and powers of the Trust and of the Management Committee shall be:
 - (a) To receive the funds raised by the A W Howard Subterranean Clover Memorial Appeal to be launched on or about the 3rd day of October, 1963 for the objects aforesaid as a tribute to the late Amos William Howard of Blakiston in the state of South Australia, Farmer who died on the second day of March, 1930.

- (b) To receive such other gifts and contributions as may hereinafter be made to the Trust for the objects of the Trust.
- (c) To invest the funds of the Trust (hereinafter together with the investments for the time being representing the same and the income thereof referred to as "The Fund") in or upon any of the public stocks or funds or Government securities of the Commonwealth of Australia or any of the Australian States or in or upon the Debentures or Debenture Stock or the preference or ordinary stock or shares of any Company or public municipal or local governing authority in the Commonwealth of Australia or in or upon any investments authorised by the law of any of the Australian states for the investment of Trust Funds with power to vary or transpose any of such investments from time to time.
- (d) To receive the income from the Fund and to administer the Fund and the income thereof.
- (e) To invest the Fund either in the name of the Trust or in the name of any Trustee Company incorporated by Act of Parliament of any of the Australian States or in the names of any Nominee Company controlled by any Banking Company operating in any of the Australian States to be held upon Trust for the Trust.
- (f) To apply the annual income of the Fund of the Trust after the payment of administration expenses together with so much of the capital of the Fund as the Management Committee shall from time to time think fit in furthering the objects of the Trust with power however to accumulate income and add such income to the Fund.
- (g) For the purposes aforesaid and without limiting the other purposes for which the income and capital of the Fund may be applied to award from time to time The A W Howard Memorial Research Fellowship upon the following conditions:
 - (1) The Fellowship shall be awarded annually or at such other intervals as the Management Committee shall think fit to assist the holder in undertaking at a

tertiary institution approved by the Management Committee a course of post graduate study and research in a field relating to the objects of the Trust.

- (2) Before each award of the Fellowship application shall be invited on an Australia wide basis.
- (3) Only applicants who have been continuously resident in Australia for the period of three years preceding the closing date for applications shall be eligible for each award.
- (4) Each applicant shall be required to submit his or her proposed programme of research.
- (5) The tertiary institution in respect of which the Research Fellowship is held shall be a research institute (whether in the Commonwealth of Australia or elsewhere) approved by the Council of the Australian Institute of Agricultural Science and Technology, and be an approved Research Institute as defined in Section 73(A)(6) of the Income Tax Assessment Act 1936-72 or any statutory modification or amendment thereof.
- (6) Before approving the conduct of any research project outside the Commonwealth of Australia the Management Committee shall obtain such undertaking as they shall think fit that the holder of the Fellowship will return to Australia upon the completion of the project.
- (7) In making the Award the Management Committee shall have regard to the suitability of the applicant and the nature of the proposed research project and may award the fellowship subject to such conditions as they shall think fit but shall in any event reserve the right in their discretion to cancel suspend or defer payment under each award at any time if they are not satisfied with the conduct or work of the holder.

AUDITOR

13. An auditor shall be appointed or re-appointed at least once a year.

ACCOUNTS

14. Such books of accounts shall be kept as are necessary for the proper and efficient functioning of the Trust.
15. The Secretary shall keep a record of all contributors to the Trust in which shall be entered their names and the amount of their respective contributions.
16. The secretary shall keep sufficient records to establish that all expenditure has been incurred in pursuance of the objects of the Trust.
17. The financial year shall close on the 31st day of December in each year and an audited statement of receipts and expenses for the year shall be submitted by the Management Committee to the Council of any Australian Institute of Agricultural Science and Technology on or before the following first day of March each year.

The said Council shall be at liberty to publish such statement.

BANKING

18. All receipts of the Trust shall be banked in a bank account in the name of the Trust and all cheques drawn on any bank account shall be signed by any two members of the Management Committee.

COMMON SEAL

19. There shall be a Common Seal of the Trust which shall be in the custody of the Treasurer. The Seal may be affixed to any deed contract transfer or document only by the authority of a resolution of the Management Committee recorded in the Minute. The affixing of the Seal shall be attested by at least three members of the Management Committee including the Secretary and Treasurer.

BY LAWS

20. The Management Committee may from time to time with the consent of the said Council of the Australian Institute of Agricultural Science and Technology make, amend or repeal by-laws not inconsistent with these rules for the following purposes.
- (a) For carrying out the objects of the Trust.
 - (b) For the administration management and control of the Fund and the income thereof.
 - (c) For the award of the said A W Howard Memorial Research Fellowship.
 - (d) For the award of other grants pursuant to the objectives of the Trust.
 - (e) For regulating the holding and conduct of meetings of the Committee.

ALTERATIONS OF RULES

21. These rules may be amended from time to time by the Management Committee with the consent of the Council of the Australian Institute of Agricultural Science and Technology and the Commonwealth Scientific and Industrial Research Organisation, or other body empowered to approve research institutes under the Income Tax Assessment Act 1936-1972 or any statutory modification or amendment thereof. This rule shall not apply to the by-laws which may be made amended or repealed as aforesaid.

LIABILITY OF MEMBERS

22. No member of the Management Committee shall be liable for any act done bona fide in conformity with the decisions of the Management Committee and each of them shall be indemnified against all liabilities incurred in the execution of his duties and shall have a lien on the Fund for such indemnity.

BY LAWS

MEMORANDUM DEFINING THE AWARD OF GRANTS

BY THE A W HOWARD MEMORIAL TRUST INCORPORATED

Preamble

The objects for which the Trust is established are to encourage and promote research and investigation in the fields of natural science and social science (including economics) which relate to the development, management and use of pastures.

PROVIDED that none of the said objects shall be used for the purpose of trading or for the purpose of securing pecuniary profit to the members of the Trust as provided in rule 3 of the Rules of The A W Howard Memorial Trust Incorporated.

To achieve these objects the Management Committee proposes to establish a Research Fellowship, a Study Award and to provide Grants-in-Aid as specified in By-Laws I, II and III respectively hereunder.

BY-LAW I

RULES GOVERNING THE A W HOWARD MEMORIAL RESEARCH FELLOWSHIPS

1. The Management Committee of the Trust may award from time to time a Fellowship to be known as The A W Howard Memorial Research Fellowship.

2. Fellowships provide a "top up" role to a post graduate student (ie Masters or Doctorate) focussed on pastures and open to all tertiary institutions.
3. The Fellowship quantum be \$5000 per annum, tenable per individual for up to three years. (This effectively makes the Fellowship triennial in its awarding.)
4. The successful student will be recognised as the "AW Howard Fellow".
5. Applications shall be invited on an Australia wide basis from persons who will have been continuously resident in Australia for the period of three years immediately preceding the closing day of applications.
6. Each holder of a fellowship shall be required to carry out at a tertiary institution approved by the Management Committee a course of postgraduate study and research in a field relating to the objects of the Trust.
7. At the conclusion of the tenure of the award, the Fellow shall present to the Trust, a report on his study and research project. Any publications describing work which has been supported wholly or partly by the Trust, shall make acknowledgment of such support.
8. Before approving the conduct of any study and research project outside the Commonwealth of Australia the Management Committee shall obtain such undertaking as it shall think fit that the holder of the Fellowship will return to Australia upon the completion of the study and research project.
9. In making the awards the Management Committee shall have regard to the suitability of the applicant and the nature and location of the proposed study and research project. It may award the Fellowship subject to such conditions as it shall think fit but shall in any event reserve the right in its discretion to cancel suspend or defer payment under such award at any time if it is not satisfied with the conduct or work of the holder.

10. The Fellowship will initially be tenable for one year, but the tenure may be extended with the approval of the Management Committee.
11. The Fellowship may be held concurrently with grants from other provided that no such grant conflicts with the objects of the Trust.

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BY-LAW II

RULES GOVERNING THE A W HOWARD MEMORIAL STUDY AWARDS

1. The Management Committee of the Trust may from time to time make a grant to be known as an A W Howard Memorial Study Award.
2. The value of a study award shall on each occasion be determined by the Management Committee of the Trust.
3. Application for a Study Award shall be invited on an Australia wide basis from persons who will have been continuously resident in Australia for the period of three years immediately preceding the closing date for the applications.
4. Applicants shall have tertiary qualifications or relevant experience or both which are accepted by the Management Committee as adequate to fulfil the terms under which the Award is granted.
5. Each holder of an Award shall be required to carry out a study and investigation in a field relating to the objects of the Trust.
6. The holder of an Award shall EITHER be a member of the staff of an organisation which is an approved research institution as defined in Section 734(6) of the Income Tax Assessment Act 1936-1972 or any statutory modification or amendment thereof carrying out the work under the

Study Award with the approval of that organisation, OR, carry out his study under the Award at a research institute as defined in Section 73A(6) of the said Act.

7. At the conclusion of the tenure of a Study Award the recipient shall present to the Trust a report on his study and investigation, any publications describing work which has been supported wholly or partly by the Trust, shall make acknowledgment of such support.
8. Before granting a Study Award involving travel outside the Commonwealth of Australia, the Management Committee shall obtain such undertaking as it shall think fit that the holder of the Study Award will return to Australia upon the completion of his study and investigation.
9. In making the Study Award the Management Committee shall have regard to the suitability of the applicant and the nature and location of the proposed study and research project. The Award may be made subject to such conditions as it shall think fit but shall in any event reserve the right in its discretion to cancel suspend or defer payment under such award at any time if it is not satisfied with the conduct or work of the holder.
10. The Award may be held concurrently with grants from other sources provided that such grant permits the purposes of the Award to be fulfilled.

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BY-LAW III

RULES GOVERNING GRANTS-IN-AID

1. The Management Committee may from time to time make a grant to any person having the qualifications specified in Rules 3 and 4 of By-Law II OR, formally constituted organisation or association recognised as appropriate by the Management Committee for one or more of the following purposes in furtherance of the objectives of the Trust as set out in Rule 2 of the Rules of the A W Howard Memorial Trust Incorporated, namely:- payment of salaries, purchase of equipment, payment of travel expenses, purchase of consumable supplies or for any other purpose which the Committee shall think fit.

2. The Management Committee may seek a report on the use of the funds provided. Any publications describing work which has been supported wholly or partly by the Trust, shall make due acknowledgment of such support.

Last amended: 15 January 2003