

SUPPLEMENTARY DEED OF AGREEMENT

BARADENE COLLEGE, REMUERA

THIS DEED OF AGREEMENT is made on the *1st* day of *December*
One thousand nine hundred and ninety-four (1994) **BETWEEN THE BARADENE
COLLEGE TRUST BOARD**, a "Body Corporate" (hereinafter with its successors referred
to as "the Proprietor") of the first part and **HER MAJESTY THE QUEEN** acting by and
through the Minister of Education (hereinafter referred to as "the Minister") of the second part

WHEREAS

- A** By Deed of Agreement bearing date the 26th day of March 1983 as varied by any subsequent supplementary agreements (hereinafter referred to as "the Deed of Agreement"), the Proprietor and the Minister pursuant to section 7(2) of the Private Schools Conditional Integration Act 1975 established Baradene College, Remuera, as an integrated school (hereinafter referred to as "the School").
- B** At the date of execution of the Deed of Agreement the Proprietor and the Minister anticipated the discontinuation of the boarding establishment of the School and reference to the discontinuation of the boarding establishment was made in clause 8 of the Deed of Agreement. Subsequent to agreement between the Proprietor and the Minister in this regard, the boarding establishment of the School was discontinued in 1984. The agreement by the Proprietor and the Minister to the discontinuation of the boarding establishment was not formally recorded in any subsequent supplementary agreement or otherwise.
- C** The Proprietor and the Minister are now agreed on the need to vary the Deed of Agreement pursuant to Section 7 (9) of the Private Schools Conditional Integration Act 1975 to record their formal agreement to the discontinuation of the boarding establishment of the School and to record their agreement that the maximum School roll to be increased to 725 pupils.

CHJ
ES.

NOW THIS DEED OF AGREEMENT WITNESSETH THAT IT IS HEREBY COVENANTED AGREED AND DECLARED BY THE BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. **THAT** the words "Day and Boarding" be deleted from Recital B of the Deed of Agreement.
2. **THAT** the Proprietor and the Minister formally record their agreement to the discontinuation of the boarding establishment in 1984.
3. **THAT** Clause 8 be deleted from the Deed of Agreement and the following clause substituted therefor:
"That the maximum roll of the School shall be seven hundred and twenty-five(725) pupils made up of a maximum of one hundred and ninety-five (195) pupils in Forms I-II and a maximum of five hundred and thirty (530) pupils in Forms III-VII".
4. **THAT** the covenants, conditions and restrictions contained and implied in the Deed of Agreement shall be read and construed subject to the modifications herein contained but in all other respects the Deed of Agreement is confirmed.

IN WITNESS WHEREOF these present have executed the day and the year first hereinbefore written.

THE COMMON SEAL OF THE BARADENE COLLEGE TRUST BOARD

was hereunto affixed by and in the presence of;

.....*E. Snedden*..... Trustee

.....*A. Haurahan*..... Trustee



SIGNED by **KATHY PHILLIPS** Senior Manager, National Operations Ministry of Education pursuant to authority delegated by the Minister of Education action on behalf of **HER MAJESTY THE QUEEN** in the presence of:

Kathy Phillips

*Charlotte Hynes Johnson
36 Haurahau St
Wellington
Advisor*