

SUPPLEMENTARY DEED OF AGREEMENT

CARMEL COLLEGE, MILFORD, AUCKLAND

THIS DEED OF AGREEMENT is made on the *2nd* day of *June* One thousand nine hundred and ninety seven (1997) BETWEEN **THE SISTERS OF MERCY (AUCKLAND) TRUST BOARD** a body Corporate registered under the Charitable Trusts Act 1957 or a "Corporation Sole" (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 9th day of October 1981 as varied by any subsequent supplementary agreements (hereinafter referred to as "the Deed of Agreement"), the Minister and the Proprietor pursuant to section 7(2) of the Private Schools Conditional Integration Act 1975 established **Carmel College, Milford, Auckland** as an integrated school (hereinafter referred to as "the School").
- B The Proprietor and the Minister are now agreed on the need to change the class of the school to a **Years 7 to 13 school** consequent upon the closure of **Carmel Intermediate School, Milford, Auckland** pursuant to section 7(9) of the Private Schools Conditional Integration Act 1975.

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

- 1 THAT the Integration Agreement be amended as follows:
- 2 By deleting from **Recital B** the words "Three (III) to Form Seven (VII) with an attached Intermediate Department" and substituting therefor the words "Years 7 to 13" therefor.
- 3 By deleting **Clause 8** from the Deed of Agreement and substituting the following Clause therefor: "The combined rolls of **Carmel College** and **Carmel Intermediate School** were 802 pupils as at the 1st day of March 1997. It is agreed by and between the parties hereto that the maximum roll of the school shall be seven hundred and ninety two (792) pupils."

By deleting from **Clause 9** the words "and (d)".

(H) up

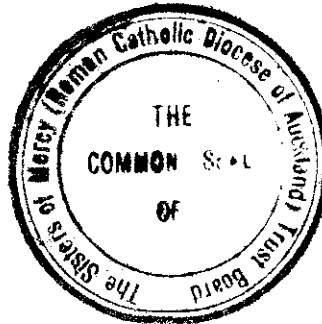
By deleting from **Clause 23** the words "Form Three (III) to Form Seven (VII) with an attached Intermediate Department" and substituting therefor the words "Years 7 to 13".

- 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 presents have been executed the day and year first hereinbefore written.

THE COMMON SEAL of the **SISTERS OF MERCY (AUCKLAND) TRUST BOARD** was hereunto affixed by and in the presence of:

..... *Man Far* Trustee
..... *Bessy* Trustee



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

Kathy Phillips

Charlotte Hughes-Johnson
36 Harewood Street
Wadestown
Wellington
Advisor