

## SUPPLEMENTARY DEED OF AGREEMENT

### CARMEL COLLEGE, MILFORD, AUCKLAND

THIS DEED OF AGREEMENT is made on the 28<sup>th</sup> day of February two thousand and five (2005) BETWEEN **CARMEL COLLEGE AUCKLAND LIMITED** a body Corporate registered under the Religious Charitable and Education Trusts Act 1957 (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** as an integrated school (hereinafter referred to as "the School").
- B The Proprietor and the Minister are now agreed on the need to amend Clause 8 of the Deed of Agreement 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 words "nine hundred (900) pupils" in the 4th line in clause 8 of the Deed of Agreement be deleted from that Agreement and the words "nine hundred and fifty (950) pupils" be substituted therefor.
2. **THAT** the maximum roll shall decrease by ten (10) pupils each year until it reaches nine hundred (900) pupils in the year 2010.
3. **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.

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

**THE COMMON SEAL OF CARMEL COLLEGE  
AUCKLAND LIMITED**

was hereunto affixed  
in the presence of:

*Anthony Herberts*

Trustee

*D. H. [unclear]*

Trustee



*Kathy Phillips*

Signed by **KATHY PHILLIPS**  
pursuant to authority delegated by  
the Minister of Education acting  
on behalf of **HER MAJESTY THE QUEEN**  
in the presence of:

*John Davis*

Adviser

Ministry of Education

Wellington

*K. Davis*