

SUPPLEMENTARY DEED OF AGREEMENT

THIS DEED OF AGREEMENT is made on the 15th day of June One thousand nine hundred and ninety-five (1995) **BETWEEN THE ROMAN CATHOLIC BISHOP OF THE DIOCESE OF HAMILTON** a "Corporation Sole" (hereinafter with his 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 First (1) day of October One thousand nine hundred and eighty-six (1986) 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 **JOHN PAUL COLLEGE, ROTORUA** as an integrated school (hereinafter referred to as "the School").

B The Proprietor and the Minister wish to vary the Deed of Agreement:-

- (1) To take account of the changes introduced to the education system consequent on the passing of the Education Act 1989 and its subsequent amendments, and
- (2) To replace the Plan annexed to the Second Schedule with a new Plan, and
- (3) To delete the Third Schedule.

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

1. THAT any reference to the Board of Governors shall be deemed to be a reference to the Board of Trustees.

2. THAT any reference to the Director General or the Regional Superintendent of Education shall be deemed to be a reference to the Secretary of Education.

3. THAT the Integration Agreement be amended as follows:

3.1 By deleting Clause 3(d).

3.2 By deleting the existing **Clause 7** and replacing it with the following:

7. (a) THE Board of Trustees shall be the Controlling Authority of the School and shall be constituted pursuant to Part IX of the Education Act 1989.

(b) THE control and management of the School shall be exercised subject to the provisions of Section 25(6) of the Private Schools Conditional Integration Act 1975."

3.3 By deleting Subclauses (b) and (c) of **Clause 10** and substituting the following therefor

"(b) In accordance with Section 7(6)(h) of the Private Schools Conditional Integration Act 1975, unless the proprietor and the Secretary of Education otherwise agree, and subject to places being available, the number of pupils whose parents do not have preference of enrolment at the School in accordance with the provisions of Section 29(1) of the Private Schools Conditional Integration Act 1975 shall be limited at all times to 5 per cent of the maximum roll as determined by **Clause 8** hereof and the Board of Trustees shall not enrol more than that number PROVIDED THAT to maintain and preserve the Special Character of the School the Controlling Authority in classifying such

pupils so enrolled shall endeavour to reasonably distribute them through the range of classes offered by the school."

- 3.4 By deleting from **Clause 15** the words "as established by Regulations made under the Education Act 1964" and substituting the words "as established pursuant to the Education Act 1989" therefor.
- 3.5 By adding after the words "Deputy Principal" in the first line of **Clause 18** the words ", however described,"
- 3.6 By deleting the **Plan** annexed to the Second Schedule of the Deed of Agreement and substituting therefor the plan annexed hereto.
- 3.7 By deleting the **Third Schedule** to the Deed of Agreement.

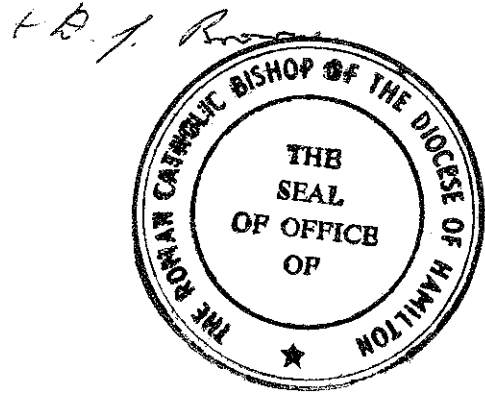
4. THAT the covenants conditions and restrictions contained and implied in the Deed of Agreement shall be read and construed subject to the modifications herein contained but in all other respects the Deed of Agreement is confirmed.

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

SIGNED BY DENIS BROWNE DD
THE ROMAN CATHOLIC BISHOP
OF THE DIOCESE OF HAMILTON

and sealed with his Seal of Office
in the presence of:

David Beerni
8. Herbert Rd.
Hamilton



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:

Judith Manchester
53 Creswick Terrace
Wellington 5

Kathy Phillips