

80

## SUPPLEMENTARY DEED OF AGREEMENT

### KINGSWAY SCHOOL,

THIS DEED OF AGREEMENT is made on the *1st September* Two Thousand and Five (2005) BETWEEN **THE KINGSWAY TRUST** a charitable trust incorporated under the Charitable 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 5<sup>th</sup> day of November 1998 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 **KingsWay School** 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 "Eight Hundred and Forty Five (845) pupils for a period of fifteen (15) years from the date of this agreement, after which time it shall revert to 750 pupils" in the 5<sup>th</sup> line in clause 19 of the Deed of Agreement be deleted from that Agreement and replaced with the words "One Thousand Two hundred (1200) pupils on the following conditions:
- I. The increase in maximum roll be staged so that the maximum for the 2006 and 2007 calendar years is 1000 pupils, and
  - II. The maximum roll for the 2008 and 2009 calendar years is 1100.
  - III. The maximum of 1200 pupils to apply from the commencement of the 2010 calendar year.

The increase in maximum roll is further subject to:


- IV. Kingsway School implementing an enrolment scheme, and
- V. Kingsway School not starting any additional classes at year 7 and above until such time as the Ministry of Education is satisfied that the Orewa and Whangaparaoa colleges are viable year 7 to 13 schools.

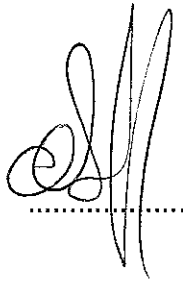
2 The non-preference roll will remain at 60 students.

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.

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

**THE COMMON SEAL OF THE KINGSWAY TRUST** was affixed by and in the presence of,

  
..... Trustee

  
..... Trustee



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:



