

SUPPLEMENTARY DEED OF AGREEMENT

LISTON COLLEGE, AUCKLAND

THIS DEED OF AGREEMENT is made on the 12 day of February, Two thousand and four (2004) BETWEEN **THE ROMAN CATHOLIC BISHOP OF THE DIOCESE OF AUCKLAND** 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 28th day of January 1982 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 **Liston College, Auckland** 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 "six hundred and fifty (650) pupils" in the 4th line in Clause 8 of the Deed of Agreement be deleted from that Agreement and the words "eight hundred (800) pupils" be substituted therefor.
2. **THAT** in clause 10(b) of the Deed of Agreement the words "five (5) percent of the maximum roll as determined by clause 8 hereof" be deleted from that Agreement and the words "thirty three (33) pupils" be substituted therefor.
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.

SIGNED BY BISHOP PATRICK DUNN
THE ROMAN CATHOLIC BISHOP OF
THE DIOCESE OF AUCKLAND
and sealed with his seal of
Office in the presence of:

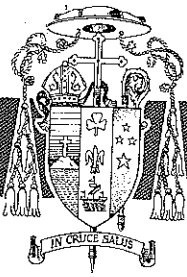
J. Lumoch
Secretary

*Under power of
attorney in his
presence.
Reynolds*

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:

H Davis
Adviser
Ministry of Education
Wellington

Kathy Phillips



CATHOLIC DIOCESE OF AUCKLAND

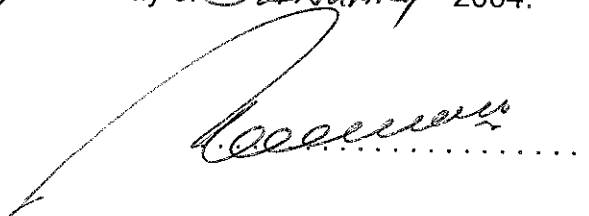
CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

IN THE MATTER of a Power of Attorney granted
by **PATRICK JAMES DUNN**
Roman Catholic Bishop of the
Diocese of Auckland

I, KERRY ARTHUR FRANCIS COLEMAN of Auckland in New Zealand General
Manager Auckland Catholic Diocese, hereby certify:-

1. **THAT** BY Deed dated 2nd day of August 2001 the Donor **PATRICK JAMES DUNN** appointed me his Attorney on the terms and subject to the conditions set out in the Deed.
2. **THAT** I have executed the annexed document as the Attorney and in the name of the hereinbefore named and described Donor under and by virtue of the powers granted to me by the said Power of Attorney (a copy is deposited in the Land Registry Office at Auckland under No. D642959.1F).
3. **THAT** at the date hereof I have not received any notice or information of the Revocation of that appointment by the death of the said Donor or otherwise.
4. **THAT** I verily believe the said Power of Attorney is still in full force and effect.

SIGNED at Auckland this 19 day of January 2004.



New Zealand Catholic Education Office

Te Tari Mātauranga Katorika o Aotearoa

22 January 2004

Philippa Pidd
Integration Officer
National Operations
Ministry of Education
PO Box 1666
WELLINGTON MAIL CENTRE

Dear Philippa

Greetings!

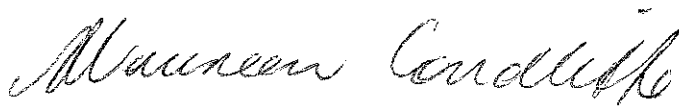
SUPPLEMENTARY AGREEMENT FOR SIGNING:

- **Liston College, Auckland**

Please find enclosed the Supplementary Deed of Agreement for the above named school.

Please arrange for these to be counter-signed on behalf of the Crown before returning the Proprietor's copy to this Office.

Best wishes
Sincerely



Maureen Condliffe
Operations Manager