

SUPPLEMENTARY DEED OF AGREEMENT

MARCELLIN COLLEGE, MT ROSKILL, AUCKLAND

THIS DEED OF AGREEMENT is made on the 15th day of December two thousand and three (2003) **BETWEEN THE NZ MARIST BROTHERS TRUST BOARD** a "body corporate registered 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 30th day of March 1983 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 **Marcellin College, Mt Roskill, 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:

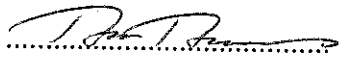
1. **THAT** the words "seven hundred and twenty (720) pupils" in the 1st line in clause 8 of the Deed of Agreement be deleted from that Agreement and the words "eight hundred and ten (810) pupils" be substituted therefor.
2. **THAT** in clause 10(b) of the Deed of Agreement the words "five (5) percent of the maximum roll as determined by clause 8 hereof" be deleted from that Agreement and the words "thirty six (36) 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.

[Handwritten signature]

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

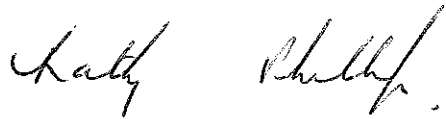
THE COMMON SEAL OF THE NZ MARIST BROTHERS TRUST BOARD


was hereunto 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:




Deek Miller
Team Leader
National Operations