

SUPPLEMENTARY DEED OF AGREEMENT

MARCELLIN COLLEGE, AUCKLAND

THIS DEED OF AGREEMENT is made on the 17th day of December two thousand and two (2002) **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 30 day of March, one thousand, nine hundred and eighty-three (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, 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 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 Plan attached to the First and Second Schedule of the Deed of Agreement be deleted and replaced by the Plan attached hereto.
- 2. 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.

N.T.B.

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

**THE COMMON SEAL OF THE NZ MARIST
BROTHERS TRUST BOARD**

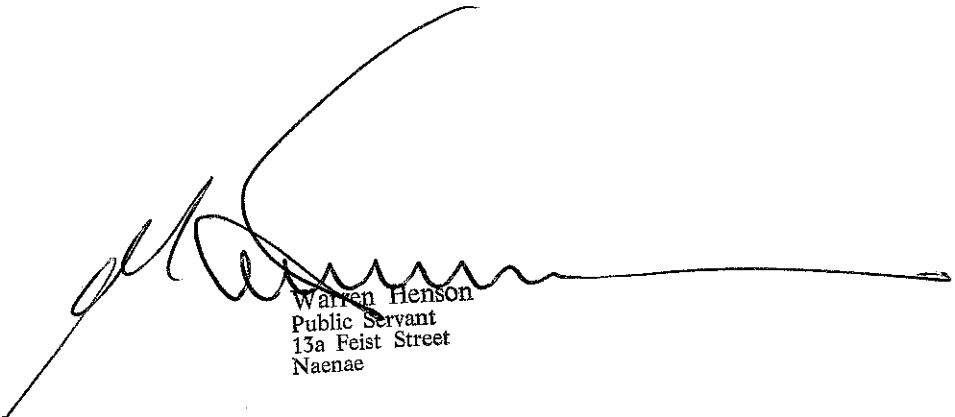
was hereunto affixed by and in the presence of :

N.I. Bingley Trustee
22/10/02

Signed by **KATHY PHILLIPS**, Senior Manager,
National Operations, Ministry of Education
pursuant to authority delegated by the
Minster of Education acting on behalf
of HER MAJESTY THE QUEEN in the presence of :

B.D. McDonald Trustee
22/10/02

Kathy Phillips


Warren Henson
Public Servant
13a Feist Street
Naenae