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SUPPLEMENTARY DEED OF AGREEMENT

MARIST COLLEGE, MT ALBERT

THIS DEED OF AGREEMENT is made on the *16th* day of *December* One thousand nine hundred and ninety-seven (1997) BETWEEN **THE MARIST SISTERS OF NEW ZEALAND TRUST BOARD** a "Body Corporate" (hereinafter with their 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 13th day of October 1981 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 **Marist College, Mt Albert** as an integrated school (hereinafter referred to as "the School").
- B** The Proprietor and the Minister are now agreed on the need to change the class of the school to a **Years 7 to 13 school** consequent upon the closure of **the attached Intermediate Department of the School** 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 Integration Agreement be amended as follows :
- 2 By deleting from **Recital B** the words "Form Three (III) to Form Seven (VII) with an attached Intermediate Department " and substituting the words "Years 7 to 13" therefor.
- 3 By deleting **Clause 8** and substituting the following Clause therefor: "The combined maximum rolls of Forms III to VII and the attached Intermediate Department totalled five hundred and seventy six (576) pupils as at the 1st day of February 1997. It is agreed by and between the parties hereto that the maximum roll of the school shall be five hundred and seventy six (576) pupils."
- 4 By deleting from **Clause 23** the words "from Form Three (III) to Form (VII) with an Intermediate Department attached" and substituting the words "from Years 7 to 13" therefor.
- 5 By deleting **Clause 17** of the Deed of Agreement.
- 6 By deleting from line 14 of **Clause 18** of the Deed of Agreement the words "the Form III to Form VII section of".
- 7 By deleting the **Fifth Schedule** to the Deed of Agreement.

Jhm
Lmc. AB

8 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
MARIST SISTERS OF NEW ZEALAND
TRUST BOARD**

was hereunto affixed by and in the presence of

J. L. Massey Trustee

L. M. Campbell 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:

M. B. B. B.

[Signature]
advised
Wellington