

DATED

20 December

1989

BETWEEN THE INSTITUTE DE NOTRE DAME DES MISSIONS
TRUST BOARD

"the Trust Board"

A N D THE INSTITUTE DE NOTRE DAME DES MISSIONS
(ST MARY'S PROVINCE) TRUST BOARD

"the Former Trust Board"

A N D HER MAJESTY THE QUEEN acting by and through
the Minister of Education

"the Minister"

SUPPLEMENTARY DEED OF AGREEMENT
SACRED HEART GIRLS' COLLEGE NEW PLYMOUTH

Keesing McLeod & Co.
Solicitors
Lower Hutt

PJM/29.6

SUPPLEMENTARY DEED OF AGREEMENT

SACRED HEART GIRLS' COLLEGE NEW PLYMOUTH

THIS DEED OF AGREEMENT is made on the *20th* day of *December* One thousand nine hundred and eighty-nine (1989)

BETWEEN THE INSTITUTE DE NOTRE DAME DES MISSIONS TRUST BOARD a "Body Corporate" registered under the Charitable Trusts Act 1957 (hereinafter with its successors referred to as "the Trust Board")

A N D THE INSTITUTE DE NOTRE DAME DES MISSIONS (ST MARY'S PROVINCE) TRUST BOARD a "Body Corporate" registered under the Charitable Trust Act 1957 (hereinafter with its successors referred to as "the Former Trust Board")

A N D HER MAJESTY THE QUEEN acting by and through the Minister of Education (hereinafter referred to as "the Minister")

WHEREAS:

- A. By Deed of Agreement bearing date the 6th day of February 1982 and Supplementary Deeds of Agreement dated the 15th day of February 1984, the 1st day of June 1984, the 26th day of May 1986, the 17th day of May 1988 and the 31st day of January 1989 (hereinafter called "the Integration Agreement") the Minister and the Former Trust Board as Proprietor pursuant to Section 7(2) of the Private Schools Conditional Integration Act 1975 established Sacred Heart Girls College, New Plymouth, as an integrated school (hereinafter referred to as "the School")
- B. The members of the Roman Catholic Religious Order of Women known as The Institute de Notre Dame des Missions (usually known as The Sisters of Our Lady of the Missions) for the better administration of their affairs and in

*M. C. H.
M. H. K.*

particular of property owned by them, have constituted two Trust Boards, one being the Trust Board and the other being the Former Trust Board

- C. The members of the Institute de Notre Dame des Missions now wish to amalgamate the two Trust Boards into one and pursuant thereto the Former Trust Board is to transfer all property vested in it to the Trust Board
- D. The Trust Board and the Former Trust Board have requested the Minister to vary the Integration Agreement in respect of the School whereby the Trust Board is the Proprietor of the School pursuant to this Deed of Agreement in substitution for the Former Trust Board
- E. The Trust Board, the Former Trust Board and the Minister are now agreed on the need for entering into a supplementary agreement pursuant to Section 7(9) of the Private Schools Conditional Integration Act 1975 to give effect to their agreement

NOW THEREFORE THIS DEED OF AGREEMENT WITNESSETH THAT IT IS HEREBY COVENANTED AGREED AND DECLARED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. THE Trust Board hereby assumes all the rights and powers conferred on, and all the liabilities and obligations heretofore incurred by, the Former Trust Board by and pursuant to the Integration Agreement.

2. THE Trust Board shall observe and perform all the covenants and obligations which are expressed or implied in the Integration Agreement to be observed or performed by the Proprietor for the time being of the School.

3. THAT the covenants conditions and restrictions contained and implied in the Integration Agreement shall be read and construed subject to the modifications

*M.C.M.
M.M.K.*

herein contained but in all other respects the Integration Agreement is confirmed.

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

THE COMMON SEAL of THE INSTITUTE DE)
NOTRE DAME DES MISSIONS TRUST BOARD)
was hereto affixed in the presence of:)

M. C. Maitland
(Provincial Superior)

M. M. Hewell
(Provincial Assistant)

THE COMMON SEAL of THE INSTITUTE DE)
NOTRE DAME DES MISSIONS (ST. MARY'S)
PROVINCE) TRUST BOARD was hereto)
affixed in the presence of:)

M. C. Maitland
(Provincial Superior)

M. M. Hewell
(Provincial Assistant)

SIGNED by PETER ALLAN ATKINSON)
Assistant Secretary Administration)
pursuant to authority delegated by the)
Minister of Education acting on behalf)
of HER MAJESTY THE QUEEN in the)
presence of:)

SIGNED by DONALD JAMES BURNEY)
District Manager pursuant to)
authority delegated by the)
Minister of Education acting on)
behalf of HER MAJESTY THE QUEEN)
in the presence of:)



D. Burney

D. Burney
Public Servant
at Gossett Avenue
New Plymouth.