

**HER MAJESTY THE QUEEN**  
**Acting by and through the Minister of Education**

**AND**

**THE SOLWAY COLLEGE BOARD OF PROPRIETORS INCORPORATED**

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**SUPPLEMENTARY AGREEMENT TO**  
**INTEGRATION AGREEMENT**  
**Solway College**

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DEED dated 6 day of June, 2005

## PARTIES

**HER MAJESTY THE QUEEN acting by and through the Minister of Education ("Minister")**

**THE SOLWAY COLLEGE BOARD OF PROPRIETORS INCORPORATED ("Proprietor")**

## BACKGROUND

- A. The Minister and the Proprietor under the name Solway College Board of Governors Inc on 23 May 1978 entered into an integration agreement under section 7 of the Private Schools Conditional Integration Act 1975 ("**Integration Agreement**") for Solway College ("**School**").
- B. The Proprietor changed its name from the Solway College Board of Governors Inc to The Solway College Board of Proprietors Incorporated on 21 February 2003.
- C. The Minister and the Proprietor signed a deed dated 7 April 1999 as a Supplementary Agreement ("**Supplementary Agreement**") varying the Integration Agreement for the School pursuant to section 7(9) of the Private Schools Conditional Integration Act 1975.
- D. Under the Integration Agreement the Minister has an obligation to the Proprietor to maintain the School's premises. The Minister and the Proprietor agreed in the Supplementary Agreement that this obligation is discharged annually in two ways;
- (i) by the Minister funding the Board of Trustees of the School to carry out a certain part of the maintenance of the School premises; and
  - (ii) by the Minister paying a sum of money to the Proprietor for the Proprietor to carry out that part of the maintenance of the School premises not undertaken by the Board of Trustees of the School.
- E. The Minister at the Proprietor's request has agreed to amend the Supplementary Agreement to specify a fixed percentage as the depreciation rate being part of the formula to calculate the sum of money to be paid annually by the Minister to the Proprietor to carry out that part of the maintenance of the School's premises not undertaken by the Board of Trustees of the School.
- F. Pursuant to section 7(9) of the Private Schools Conditional Integration Act 1975 the Minister and the Proprietor have agreed to vary the Supplementary Agreement to the Integration Agreement by this supplementary agreement.

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**The parties agree as follows:**

**1. PROPRIETOR NAME CHANGE**

1.1 The Integration Agreement is amended by omitting the expression "Solway College Board of Governors Inc" wherever it occurs and substituting the expression "The Solway College Board of Proprietors Incorporated" effective as at the date of this deed.

**2. VARIATION OF SUPPLEMENTARY AGREEMENT**

2.1 The Supplementary Agreement dated 7 April 1999 varying the Integration Agreement for the School shall be varied as follows:

Clause 1.2.2 specifying the definition of "Depreciation Rate" shall be revoked and replaced with the following definition:

**Clause 1.2.2 "Depreciation Rate"** means four per cent (4%) of the depreciated value of state school buildings as set out in the "Statement of Accounting Policies" in the Ministry of Education's Annual Report";

**3. EFFECTIVE DATE**

3.1 The Effective Date of this deed amending the Supplementary Agreement is the **1<sup>st</sup> day of January 2005.**

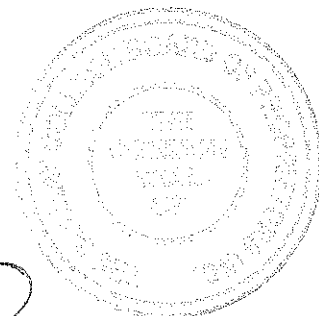
**4. GENERAL**

4.1 The Minister and the Proprietor agree that this supplementary agreement only varies the Integration Agreement and Supplementary Agreement to the Integration Agreement to the extent set out in this deed.

**SIGNATURES:**

**THE COMMON SEAL OF THE SOLWAY COLLEGE BOARD OF PROPRIETORS INCORPORATED**

was affixed in the presence of:



*[Handwritten signature]*  
\_\_\_\_\_  
Signature of trustee

*[Handwritten signature]*  
\_\_\_\_\_  
Signature of trustee

*NOEL WILLIAM MCKAY*  
\_\_\_\_\_  
Name of trustee

*Bruce James McEwan*  
\_\_\_\_\_  
Name of trustee

*[Handwritten initials]*

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

Kathy Phillips

W.A.S.  
Signature of witness

Adviser  
Occupation

Wagton  
City/town of residence

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