

SUPPLEMENTARY DEED OF AGREEMENT

ST BEDE'S COLLEGE, CHRISTCHURCH

THIS DEED OF AGREEMENT is made on the 8th day of October
One thousand nine hundred and ninety-nine (1999)

BETWEEN THE ST BEDE'S COLLEGE TRUST BOARD a Body Corporate registered under the Charitable Trust 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 26th day of December 1982 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 St Bede's College, Christchurch as an integrated school (hereinafter referred to as "the School")
- B. The Proprietor and the Minister wish to vary the Deed of Agreement –
- (1) To take account of the changes introduced to the education system consequent on the passing of the Education Act 1989 and its subsequent amendments, and
 - (2) To amend the Second Schedule and to replace the Plan annexed to the Second Schedule with a new plan
 - (3) To delete the Third Schedule

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

1. **THAT** any reference to the Board of Governors shall be deemed to be a reference to the Board of Trustees.
2. **THAT** any reference to the Director General or the Regional Superintendent of Education shall be deemed to be a reference to the Secretary of Education.
3. **THAT** the Integration Agreement be amended as follows:-
 - 3.1 By deleting the existing Clause 7 and replacing it with the following:

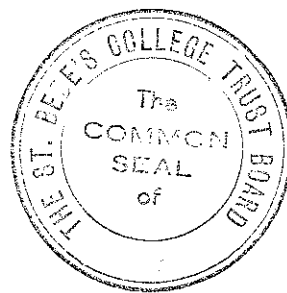
"7.
(a) **THE** Board of Trustees shall be the Controlling Authority of the School and shall be constituted pursuant to Part IX of the Education Act 1989.
(b) **THE** control and management of the School shall be exercised subject to the provisions of Section 25(6) of the Private Schools Conditional Integration Act 1975."
 - 3.2 By deleting subclauses (b) and (d) of Clause 10 and substituting the following therefor:

“(b) In accordance with Section 7(6)(h) of the Private Schools Conditional Integration Act 1975, unless the Proprietor and the Secretary of Education otherwise agree, and subject to places being available, the number of pupils whose parents do not have preference of enrolment at School in accordance with the provisions of Section 29(1) of the Private Schools Conditional Integration Act 1975 shall be limited at all times to 5 per cent of the maximum roll as determined by clause 8 herefor and the Board of Trustees shall not enrol more than that number **PROVIDED THAT** to maintain and preserve the Special Character of the School the Controlling Authority in classifying such pupils so enrolled shall endeavour to reasonably distribute them through the range of classes offered by the School.”

- 3.3 By deleting from Clause 16 the words “as established by Regulations made under the Education Act 1964” and substituting the words “as established pursuant to the Education Act 1989” therefor.
- 3.4 By adding after the words “Deputy Principal” in the first line of clause 19 the words “however described”.
- 3.5 By deleting clause 27.
- 3.6 By deleting the Second Schedule and the Plan attached to the Second Schedule and replacing them with a new Second Schedule and a new plan.
- 3.7 By deleting the Third Schedule.
- 3.8 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 the year first hereinbefore written.

THE COMMON SEAL of the **ST BEDE'S COLLEGE TRUST BOARD** was hereunto affixed by and in the presence of:



[Handwritten signature]
 Trustee
[Handwritten signature]
 Trustee

SIGNED by **KATHY PHILLIPS** Senior *pp* 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:

Anne Downshire

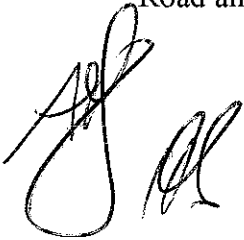
[Handwritten signature]
 Warren Henson
 Public Servant
 13a Feist Street
 Naenae

SECOND SCHEDULE

Description of land, buildings and other improvements comprising the School premises

The School Premises:

All that part of the Proprietor's land as described in the First Schedule hereto, delineated in red on the annexed plan of the Proprietor's land, which forms part of this Schedule **TOGETHER WITH** all the School buildings and other improvements thereon **SAVE AND EXCEPT** Blocks LB, LC, LD, LE, LF, KI, NB, O, P, R and the land immediately surrounding the same, and the first floor of Block J more particularly delineated in blue on the annexed plan **TOGETHER WITH** a reservation in favour of those excepted portions of full rights of access inter se and of ingress and egress to and from those excepted portions over the accessways thereto hatched yellow on the annexed plan from and to Main North Road and Momorangi Crescent, Christchurch

A handwritten signature in black ink, consisting of a large, stylized initial 'S' followed by a smaller, less distinct signature.