

SUPPLEMENTARY DEED OF AGREEMENT

ST MARY'S SCHOOL, ELLERSLIE, AUCKLAND

THIS DEED OF AGREEMENT is made on the 15th day of March
Two thousand and four (2004) BETWEEN THE ROMAN CATHOLIC BISHOP
OF THE DIOCESE OF AUCKLAND a "corporation Sole" (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 28th day of September, one thousand
nine hundred and eighty-two (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 Mary's School, Ellerslie** as an integrated
school (hereinafter referred to as "the School").
- B The Proprietor and the Minister are now agreed on the need to amend Clause
8 of 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 words "two hundred and fifteen (215) pupils" in the 4th line in
clause 8 of the Deed of Agreement be deleted from that Agreement and the
words "two hundred and sixty (260) pupils" be substituted therefor.
2. **THAT** in clause 10(b) of the Deed of Agreement the words "five (5) percent of
the maximum roll as determined by clause 8 hereof" be deleted from that
Agreement and the words "ten (10) pupils" be substituted therefor.
3. **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.

SIGNED BY BISHOP PATRICK DUNN
THE ROMAN CATHOLIC BISHOP OF
THE DIOCESE OF AUCKLAND

and sealed with his seal of
Office in the presence of:

.....

.....

*In his absence by
his power of attorney.*

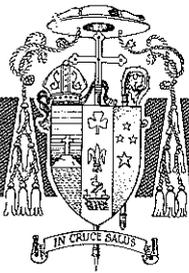
Reverend,

J. Tuurock
Secretary

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:

Kathy Phillips

*J. Davis
Adviser
Ministry of Education
Wellington*



CATHOLIC DIOCESE OF AUCKLAND

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

IN THE MATTER of a Power of Attorney granted
by **PATRICK JAMES DUNN**
Roman Catholic Bishop of the
Diocese of Auckland

I, **KERRY ARTHUR FRANCIS COLEMAN** of Auckland in New Zealand General
Manager Auckland Catholic Diocese, hereby certify:-

1. **THAT** BY Deed dated 2nd day of August 2001 the Donor **PATRICK JAMES DUNN** appointed me his Attorney on the terms and subject to the conditions set out in the Deed.
2. **THAT** I have executed the annexed document as the Attorney and in the name of the hereinbefore named and described Donor under and by virtue of the powers granted to me by the said Power of Attorney (a copy is deposited in the Land Registry Office at Auckland under No. D642959.1F).
3. **THAT** at the date hereof I have not received any notice or information of the Revocation of that appointment by the death of the said Donor or otherwise.
4. **THAT** I verily believe the said Power of Attorney is still in full force and effect.

SIGNED at Auckland this 14 day of January 2004.