

SUPPLEMENTARY DEED OF AGREEMENT - TIMATANGA COMMUNITY SCHOOL

THIS DEED is made on the *1st* day of *March* 1995

BETWEEN

TIMATANGA COMMUNITY LIMITED ("the Proprietor")

AND

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

WHEREAS by Agreement dated 26th September 1989 ("the 1989 Integration Agreement") the Minister and the Proprietor pursuant to section 7(2) of the Private Schools Conditional Integration Act 1975 established Timatanga Community School as an integrated school ("the School").

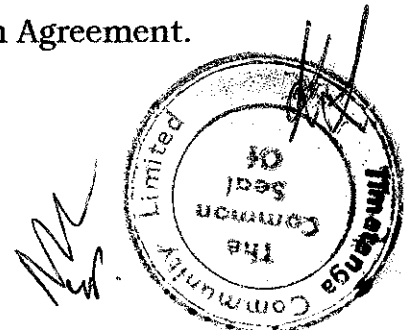
AND WHEREAS The Proprietor and the Minister wish to vary the 1989 Integration Agreement to take account of the changes introduced to the education system consequent on the passing of the Education Act 1989 and its subsequent amendments.

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

1. Any reference to the School Committee or the Controlling Authority shall be deemed to be a reference to the Board of Trustees.
2. Any reference to the Director General or to an Education Board shall be deemed to be a reference to the Secretary of Education.
3. The Integration Agreement is further amended as follows:
 - 3.1 By deleting **Clause 4(d)** and deleting from **clause 6** the opening phrase "subject to the provisions of clause 4 (d) of this Deed of Agreement".
 - 3.2. By deleting the existing **Clause 9** and replacing it with the following:

"9. (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.*

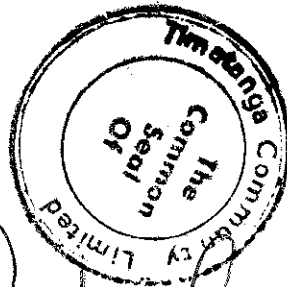
(b) *THE control and management of the school shall be exercised subject to the provisions of Section 25(6) of the Private Schools Conditional Integration Act 1975.*"
 - 3.3 By deleting the **Third Schedule** to the 1989 Integration Agreement.



4. THAT the covenants conditions and restrictions contained and implied in the 1989 Integration Agreement shall be read and construed subject to the modifications herein contained but in all other respects the 1989 Integration Agreement is confirmed.

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

The Common Seal of
Timatanga Community Limited
was hereunto affixed
in the presence of:



Mary Langton
(Director)

Keith Langton
(Director)

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

Judith Manchester
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Wellington 5