

Park High School

DEED OF VARIATION OF FUNDING AGREEMENT

The Parties to this Deed are:

- A. **The Secretary of State for Education** of Sanctuary Buildings, Great Smith Street, London SW1P 3BT (the “**Secretary of State**”); and
- B. **Park High School** a charitable company incorporated in England and Wales with registered company number 07689613, whose registered office is at Thistlecroft Gardens, Stanmore, Middlesex HA7 1PL (the “**Academy Trust**”))

together referred to as the “**Parties**”

INTRODUCTION

1. The Parties entered into a Funding Agreement relating to the establishment, maintenance and funding of a single academy, Park High School, on 1 August 2011, a copy of which is contained in Schedule A (the “**Existing FA**”).
2. The Academy Trust now wishes to update the Existing FA in order to adopt the Department for Education’s current model single funding agreement.
3. The Parties therefore have agreed to amend and restate the terms of the Existing FA, in accordance with the terms of this Deed.

LEGAL AGREEMENT

1. Words, expressions and interpretations used in this Deed shall, unless the context expressly requires otherwise, have the meaning given to them in, and shall be interpreted in accordance with, the New FA (as defined in clause 2 below).
2. The Secretary of State and the Academy Trust agree that with effect from the date of this Deed, the Existing FA shall be amended and restated in the form of a new agreement as contained in Schedule B (the “**New FA**”). For the avoidance of doubt, the New FA does not terminate or suspend the Existing FA but amends and restates it.

GOVERNING LAW AND JURISDICTION

3. This Deed, and any dispute or claim arising out of or in connection with it, its subject matter or formation (including non-contractual disputes or claims) shall be governed by and interpreted in accordance with the law of England and Wales.
4. The Parties irrevocably agree that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim that arises out of, or in connection with, this Deed or its subject matter or formation (including non-contractual disputes or claims).

COUNTERPARTS

5. This Deed may be executed in any number of counterparts and by the parties to it on separate counterparts, each of which when so executed and delivered shall be an original, but all the counterparts shall together constitute one and the same instrument.

IN WITNESS whereof this Deed has been executed by the parties hereto and is intended to be and is hereby delivered on the last date listed below.

EXECUTED as a deed by affixing the corporate)
seal of the **Secretary of State for Education**)
authenticated by:-)

.....
Duly authorised by the Secretary of State for Education

Date.....

EXECUTED as a deed by **Park High**
School acting by:


.....
Director

Print name... **C. P. OWYEN**.....
Date... **25.12.21**.....


.....

Witness

Name: **SUNITA CHOTAKIA**

Address: **PARK HIGH SCHOOL**

SCHEDULE A
EXISTING FUNDING AGREEMENT

**SCHEDULE B
NEW FUNDING AGREEMENT**

Company No. 07689613

**THE COMPANIES ACT 2006
COMPANY LIMITED BY GUARANTEE**

RESOLUTION IN WRITING

of

**PARK HIGH SCHOOL
(the "Company")**

Passed the 25th day of February 2021

By a written resolution agreed to in accordance with section 288 of the Companies Act 2006 by or on behalf of the required number of the members of the Company who, at the date of circulating the resolution, were entitled to vote on the resolution the following resolution of the Company was duly passed:

SPECIAL RESOLUTION

"THAT, subject to the approval of the Secretary of State, the Articles of Association annexed to this resolution be and are hereby approved and adopted as the Articles of Association of the Company from 1 March 2021 in substitution for and to the exclusion of all existing Articles of Association of the Company".

Signed



Director

Company No. 07689613

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Director