

THE LIVERPOOL DIOCESAN SCHOOLS TRUST
(formerly Diocese of Liverpool Academies Trust (Merseyside))

DEED OF VARIATION OF FUNDING AGREEMENT

26 July 2017

The Parties to this Deed are:

- (1) **The Secretary of State for Education** of Sanctuary Buildings, Great Smith Street, London SW1P 3BT (the “**Secretary of State**”); and
- (2) **The Liverpool Diocesan Schools Trust (formerly the Diocese of Liverpool Academies Trust (Merseyside))**, a charitable company incorporated in England and Wales with registered company number 09235635, whose registered office is at St Michael's High School, St Michael's Road, Crosby, Liverpool L23 7UL (the “**Academy Trust**”)

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

INTRODUCTION

- A. The Parties entered into a Master Funding Agreement on 29th October 2014 relating to the establishment, maintenance and funding of independent schools collectively as the Liverpool Diocesan Academies Trust (Merseyside) a copy of which is contained in Schedule A (“the Existing MFA”)
- B. The Parties entered into a Supplemental Funding Agreement in relation to St Michael's Church of England High School on 29th October 2014; a copy of which is contained in Schedule B (the “Existing SFA”).
- C. The Academy Trust changed its name by a resolution of the Members on 10th March 2017 and is now known as the Liverpool Diocesan Schools Trust
- D. The Parties have now agreed to amend and restate the terms of the Existing MFA and the existing SFA, 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 Amended Master Funding Agreement (as defined in clause 2 below).
2. The Parties agree that with effect from the date of this Deed the Existing MFA shall be amended and restated in the form of a new agreement which shall consist of the terms of the Master Funding Agreement contained in Schedule C (the “Amended Master Funding Agreement”)

3. The existing SFA shall be amended and restated in the form of a new agreement which shall consist of the terms of the corresponding Supplemental Funding Agreement contained in Schedule D (the "Amended Supplemental Funding Agreement").
4. As varied by this Deed the the Existing MFA and the existing SFA shall remain in full force and effect.

GOVERNING LAW AND JURISDICTION

5. 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.
6. 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).

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.. 26 July 2017 ..

**EXECUTED as a deed by The Liverpool
Diocesan Schools Trust acting by:**

Richd C.P.
Director

Print name FR. R. PEERS.

Date 17 JULY 2017

Witness B.J. EDWARDS.
Signature:

Witness B. J. EDWARDS
Name:

Witness 12 SOUTH STATION 2n.
Address: LIVERPOOL L25 3QG.

Witness OFFICE MANAGER / PA .
Occupation

SCHEDULE A
Liverpool Diocesan Academies Trust (Merseyside)
Master Funding Agreement of 29th October 2014
The Existing Master Funding Agreement

SCHEDULE B
St Michael's Church of England High School
Supplemental Funding Agreement of 29th October 2014
Existing Supplemental Funding Agreement

SCHEDULE C
Liverpool Diocesan Schools Trust
The Amended Master Funding Agreement

SCHEDULE D
St Michael's Church of England High School
The Amended Supplemental Funding Agreement

