
Dated: 28th April 2017 2017

- (1) THE SECRETARY OF STATE FOR EDUCATION
- (2) THE HARMONY TRUST LTD

DEED OF VARIATION

relating to Academy Funding Agreements

THIS DEED IS MADE ON

2017

BETWEEN

(1) **THE SECRETARY OF STATE FOR EDUCATION** of Sanctuary Buildings, Great Smith Street, London SW1P 3BT (the "**Secretary of State**");

- and -

(2) **THE HARMONY TRUST LTD** a charitable company incorporated in England and Wales with registered number 08840373 whose registered address is Greenhill Academy, Harmony Street, Oldham, Greater Manchester, OL4 1RR ("the **Trust**"),

together referred to as the "**Parties**".

BACKGROUND

(A) The Parties entered into a Master Funding Agreement dated 1 February 2014, which was subsequently amended by deed of variation dated 29 September 2015 ("the **MFA**").

(B) The Parties entered into a Supplemental Funding Agreement dated 28 October 2014 in respect of Richmond Academy, which was subsequently amended by deed of variation dated 29 September 2015 and operates pursuant to the MFA ("the **SFA**").

1. LEGAL AGREEMENT

1.1 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 MFA.

2. VARIATION OF SUPPLEMENTAL FUNDING AGREEMENT

2.1 The Parties agree that with effect from 1 June 2017, the SFA shall be amended and re-stated so that:

2.1.1 in the "Age Range" row in the Summary Sheet, the words "3-11" are deleted and replaced with "2-11"; and

2.1.2 in Clause 2.B, the words "3-11" are deleted and replaced with "2-11".

2.2 As varied and re-stated by this Deed, the SFA will remain in full force and effect.

3. GOVERNING LAW AND JURISDICTION

3.1 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.

3.2 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).

4. COUNTERPARTS

4.1 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 document is executed as a Deed by the Parties and delivered on the date stated at the beginning of this document.

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

Nick St. Hopley

Duly authorised by the Secretary of State for Education



EXECUTED as a deed by)
THE HARMONY TRUST LTD)
acting by one director)
in the presence of:)

G. P. Hughes

Signature of director

Witness Signature: *S A Thompson*

Witness Name: *Suzanne Thompson*

Witness Address: *Company Secretary
The Harmony Trust Ltd
Greenhill Academy
Harmony Street
Oldham
OL4 1RR.*

