

**DEED OF VARIATION  
OF THE  
FUNDING AGREEMENT FOR**

# **Sherborne Area Schools' Trust**

**(Formerly "The Gryphon School")**

**Re:**

**The Gryphon School**



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**");

(2) **SHERBORNE AREAS SCHOOLS' TRUST (formerly The Gryphon School)**, a charitable company incorporated in England and Wales with registered company number 3130468 whose registered address is at The Gryphon School (the "**Academy Trust**")

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

## **INTRODUCTION**

A. The Parties entered into a funding agreement executed as a deed on 1 August 2012 (the "**Funding Agreement**") relating to the establishment maintenance and funding of The Gryphon School, a copy of which is reproduced at Schedule 1.

B. The Parties now wish to vary and amend the Funding Agreement as set out in this Deed.

## **LEGAL AGREEMENT**

1. Any word or phrase used in this Deed shall, if that word or phrase is defined in the Agreements, bear the meaning given to it in the Agreements.

## **VARIATION**

2. The Secretary of State and the Academy Trust agree that with effect from the Transfer Date the Agreement shall be amended and restated so as to take effect in the form set out in Schedule 2 to this Deed.

3. As varied by this Deed, the Agreement shall remain in full force and effect.

4. This Deed shall be governed by and interpreted in accordance with English law.

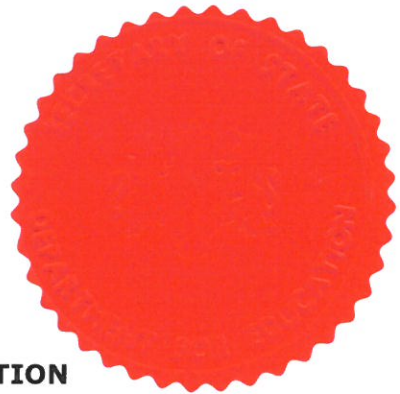
5. The Parties irrevocably agree that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim that arises out of, or in connection with, this deed or its subject matter or formation (including non-contractual disputes or claims).

## COUNTERPARTS

6. 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:- )



*Nave Kesteven*

Duly authorised by the **SECRETARY OF STATE FOR EDUCATION**

Date 31/5/2017

EXECUTED as a deed by  
**Sherborne Area Schools'**  
**Trust** acting by one director in  
the presence of a witness:

Director *Nigel Rees*

Print name NIGEL REES

Date .....

Witness *Sarah Tatham*

Print name SARAH TATHAM

Address 60 HIGH ST, BURNHAM-ON-SE

Occupation SOLICITOR

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