# **Deed of variation of trust**

Desmond James Boyle, Philip John Baird, John Joseph O'Donnell, Simon Christopher Roughan, Peter Robert Michael Farrell and Michael Gerard Schimanski

**Trustees** 

DATED THE 21 ST DAY OF July

2015

#### MADE BY

Desmond James Boyle, Philip John Baird, John Joseph O'Donnell, Simon Christopher Roughan, Peter Robert Michael Farrell and Michael Gerard Schimanski ("Trustees")

#### **BACKGROUND**

- A. The Christchurch Catholic Diocesan Development Fund (**Trust**) was established by a Deed of Trust dated 21 December 1967 (**Deed**) by the then Roman Catholic Bishop of the Diocese of Christchurch as Settlor and certain other parties as trustees.
- B. The Trustees are acting as trustees of the Trust as at the date of this deed, and the assets of the Trust are held by the Trustees upon and subject to the terms of the Trust as set out in the Deed.
- C. Clause 7 of the Deed provides for the creation of a "Special Reserve Fund" on the terms set out in that clause. As a result of developments in policy as to how the Trustees invest funds within the Trust, and their policy regarding the retention of capital, the creation of a "Special Reserve Fund" is no longer required and clause 7 in its present form is now redundant.
- D. The Trustees have therefore decided to replace the existing clause 7 with a new clause 7 as below in exercise of their power under clause 26 of the Deed.

### THIS DEED RECORDS

- 1. /The Trustees hereby irrevocably exercise their power under clause 26 of the Deed by deleting clause 7 in its entirety and replacing it with the following clause:
  - "7. The Trustees shall from time to time make and review a policy regarding the method of calculation of distributions from the Fund and the level of retention of capital funds in such manner as they shall consider appropriate."
- 2. Subject to the terms of this deed, the Deed shall otherwise remain in full force and effect.

CE/3/2945-03-8-V1 TOVD02

## **SIGNED AS A DEED**

Signed by Desmond James Boyle as Trustee	Trustee Trustee
in the presence of	Trustee . /
D Malore	
Signature of witness	
Donna-Marie Makere	
Full name of witness	
Clencal	
Occupation of witness	
Chrotheres	
City/Town of residence of witness	
Signed by Philip John Baird as Trustee	$Q_{R}$ .
in the presence of	Trustee
Dalore	
Signature of witness	
Dona-Marie Molone	
Full name of witness	
Clercal	
Occupation of witness	
Chrotchurch	
City/Town of residence of witness	
Signed by John Joseph O'Donnell as	400 · u
Trustee	Trustee
in the presence of	
D Malore	$\bigcirc$
Signature of witness	
Dana-Marie Malone Full name of witness	
Clerical	
Occupation of witness	
Chrotebuck	
City/Town of residence of witness	

	// / //
Signed by Simon Christopher Roughan as Trustee	Minon (. Lengt
in the presence of	Trustee
Malone Signature of witness	
<u>.</u>	
Dana-Marie Malore Full name of witness	
Clencal	
Occupation of witness	
Chadeburch	
City/Town of residence of witness	
Signed by Peter Robert Michael Farrell	12-22-
as Trustee	Tructoo
in the presence of	Trustee
D Malore	
Signature of witness	
Dona-Manie Molone	
Full name of witness	·
Clercal	
Occupation of witness	
Charleherer	
City/Town of residence of witness	1/
	. h/// .
Signed by Michael Gerard Schimanski	
as Trustee	- Mallinano M
in the presence of	Trystee Trystee
D Malere	
Signature of witness	
Jama-Manie Malone	
Full name of witness	
Chercal	
Occupation of witness	
Cha Johns	
City/Town of residence of witness	