

DEED OF VARIATION OF FUNDING AGREEMENT

18 December

2020

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 Academy for Character and Excellence**, a charitable company incorporated in England and Wales with registered company number 10098444 whose registered address is at Shaldon Primary School Bridge Road, Shaldon, Teignmouth, Devon, England, TQ14 0DD. (the "**Company**").

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

INTRODUCTION

- A. The Parties have entered into a supplementary funding agreement in respect of Redhills Academy on 17 May 2016, a copy of which is contained in Schedule 1 (the "Existing Redhills Academy SFA");
- B. The Parties have agreed to amend and re-state the terms of the Existing Redhills Academy SFA, on the terms set out in 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 Existing Redhills Academy SFA (as defined in clause 2 below).
- 2. The Secretary of State and the Company agree that with effect from the date of this Deed, the Existing Redhills Academy SFA shall be amended and re-stated in the form of the Supplemental Funding Agreement set out in Schedule 2 (the "Amended Supplemental Funding Agreement"). For the avoidance of doubt, the Amended Supplemental Funding Agreement does not terminate or suspend the Existing SFA but amends and re-states 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:-



[Signature]
Duly authorised by the Secretary of State for Education

Date 18/December/2020

EXECUTED as a deed by **The Academy for Character and Excellence** acting by:

[Signature: Cheryl Welman]
Director

Print name CHERYL WELMAN

Date 14.12.20

Witnessed by *[Signature: Rozel Ridwan]*
Signature

Full name ROZEL RIDWAN

Address 2 BROOKVALE, BROOK LANE, SHALDON

Occupation EXECUTIVE ASSISTANT

Schedule 1

Existing Redhills Academy SFA

Schedule 2

Amended Redhills Academy SFA

