



## **THE METHODIST INDEPENDENT EDUCATION TRUST DEED of 1903 (as amended)**

TO ALL TO WHOM these Presents may come; (*here the original Trustees are named*)  
send Greeting:

**WHEREAS:**

- (1) The Reverend John Wesley, by Deed Poll under his hand and seal dated the twenty-eighth of February, 1784, and enrolled in Chancery on the ninth of March, 1784, constituted the Conference of the People called Methodist (which is hereinafter called “the Conference”) and the Conference meets annually and elects annually a President and a Secretary, and the minutes of its proceedings are annually printed and published.
- (2) The Conference is possessed of certain moneys which arise from voluntary contribution and which the Conference is legally entitled to use as income.
- (3) The Conference has resolved to apply certain of the said moneys to the purchase, lease, acquisition, erection, foundation, or establishment of schools (whether nursery, pre-preparatory, preparatory or secondary) (“the Schools”), to be carried on for such respective periods in such manner and on such conditions as the Conference may from time to time direct.
- (4) The Conference at its meeting in Camborne in July 1903, inter alia: -
  - (a) appointed and proposed thereafter annually to appoint a Board of Management and to confer and impose upon such Board divers powers and duties for the control and management of the Schools as the Conference might from time to time think fit;
  - (b) resolved that the Conference might from time to time thereafter appoint other such boards or committees and confer and impose upon them such powers and duties in relation to the Schools as the Conference might think fit;
  - (c) proposed that the Schools as aforesaid or some of them should be vested in the Trustees for the time being upon the trusts of these Presents; and
  - (d) approved of the first draft of these Presents, which included a reservation to the Conference of a power to modify the trusts by resolution.
- (5) In exercise of the power referred to in (4)(d) above, the Conference passed resolutions to modify the trusts of these Presents in 1905, 1921, 1922, 1929, 1964, 1965, 1967, 1979, 2003, 2011 and 2017.
- (6) The Conference of 2011 resolved to impose upon the Methodist Independent Schools Trust (a company limited by guarantee, registered in England and Wales with No. 7649422) (“MIST”) with effect from 1<sup>st</sup> September 2011 such divers powers and duties for the control and management of the Schools as have hitherto been conferred and imposed upon the said Board of Management, which ceased from the effective date to have any powers or duties.
- (7) The Conference of 2017 resolved, with effect from 1<sup>st</sup> September 2017: -
  - (a) that the assets and undertaking of the Schools (excluding the land and property) shall be transferred from the trusts of these presents to be held by MIST as the legal and beneficial owner;
  - (b) that the land and property of the Schools shall be vested in the Methodist Schools Property Company, which will be a Trust Corporation, and the serving Trustees shall be discharged from these Trusts by Deed;



- (c) to approve the changes to the Articles of Association of MIST laid before Conference; and
- (d) to approve the revision of this Deed so that it stands in the form hereof.

NOW THESE PRESENTS WITNESS and the Trustee for the time being of these Presents shall and will stand possessed of all such lands hereditaments schools houses buildings and other property as may be conveyed assigned or transferred to or vested in it by or under the authority of the Conference upon the trusts and with and subject to the powers and provisions hereinafter contained that is to say:

1. Any lands, hereditaments or other property which shall be purchased, leased or otherwise acquired by the Conference for the purposes of these Presents, may by the directions of the Conference be conveyed to and vested in the Trustee.
2. The Trustee shall hold the lands or other property so vested in it as aforesaid (hereinafter called "the School Property") in trust for the purposes of the Schools or for other educational purposes including but without prejudice to the generality of the foregoing the provisions of bursaries whether in connection with the purposes of the Schools or otherwise until the Conference shall otherwise by resolution determine and thereafter for such purposes either for the advancement of education or otherwise for such purposes in connection with the promotion of the charitable objects of the Methodist Church as the Conference shall from time to time by resolution direct provided that preference is given by the Conference to the School Property being used for the advancement of education in accordance with the doctrinal standards of the Methodist Church as interpreted by the Conference.
3. A copy of any resolution of the Trustee signed as correct by the secretary or a charity trustee of the Trustee shall be sufficient evidence to any purchaser, mortgagee, lessee, tenant or other person with whom the Trustee may deal of the passing of such resolution and a resolution appearing by the printed Minutes of the Conference to have been passed by the Conference or certified by the President or Secretary of the Conference to have been so passed shall be sufficient evidence to the Trustee or to MIST or to any such purchaser, mortgagee, lessee, tenant or other person as aforesaid of the passing and of the validity of such resolution.
4. The Trustee shall not be chargeable or accountable for any involuntary loss suffered by it for not repairing or insuring all or any part of the property of the Trust nor shall it be chargeable or accountable for any others or other of them nor for more money than shall have come to its hands nor for any injury done by others or by accident to the property of the Trust. The Trustee shall be reimbursed by MIST or in default of such reimbursement then out of the property subject to the trusts hereof all cost, charges and expenses which it may legally incur or be put to in the execution of the trusts and powers of these Presents or any of them.
5. No doctrine shall at any time be taught in or upon any of the property of the Schools for the time being subject to the trusts hereof contrary to the doctrinal standards of the Methodist Church as interpreted by the Conference.



6. In furtherance of the charitable purposes herein declared but not further or otherwise the Trustee may exercise any of the following powers subject to any restrictions or consents required by law: -
  - (a) to borrow money whether or not on the security of any property held upon the trusts hereof with power to charge any part of the capital or income with the repayment of the money so borrowed;
  - (b) to make grants or loans of money and to give guarantees;
  - (c) to pull down alter repair or add to any buildings and erections from time to time standing on any land subject to the trusts of these Presents and to erect any new buildings and erections on such land;
  - (d) to establish or support any charitable trusts, associations or institutions formed for the charitable purposes (or any of them) of any of the Schools (including MIST) or otherwise for such purposes in connection with the promotion of the charitable objects of the Methodist Church as the Conference shall from time to time by resolution direct;
  - (e) to invest in the name of the Trustee any moneys requiring investment in the purchase of or at interest on the security of such funds shares securities and other investments (including any common investment fund or deposit fund for the time being constituted by or pursuant to the scheme contained in the First Schedule of the Methodist Church Act 1960) or property of whatever nature and wherever situated as the Trustee in its absolute discretion think fit, including also the purchase of shares of, or the making of loans to, a wholly owned trading company of MIST or the Trustee, to the intent that the Trustee shall have the same full and unrestricted powers of investing and transposing investments as if they were beneficially entitled to the Trust monies.
7. The President of the Conference acting in pursuance of a Resolution of the Conference may appoint up to three individuals who shall serve as Protectors of the trusts of these Presents and shall oversee the rights of the Conference in relation to these trusts. The Methodist School Property Company shall report to the Protectors each year and any such report shall include details of the property and land held on the trusts of these Presents. The Protectors may also request additional information from the Methodist School Property Company at any time in relation to the property and assets held on the trusts of these Presents and the Methodist School Property Company shall provide whatever information the Protectors reasonably require.
8. The Protectors shall not be charity trustees of the trusts of these Presents and shall not be chargeable or accountable for any involuntary loss suffered by it and the Protectors shall be indemnified by PropCo or in default of such reimbursement then out of the property subject to the trusts hereof in relation to any personal liability arising for the Protectors through acting in that capacity excluding any liability in relation to (i) fines or (ii) the costs of unsuccessfully defending criminal prosecutions for offences arising out of the fraud or dishonesty or willful or reckless misconduct of any Protector.
9. The President of the Conference acting in pursuance of a Resolution of the Conference may at any time by Deed remove a Protector or Protectors of these Presents from office. A Protector of these Presents may resign the office by giving three calendar months' notice in writing to the President of the Conference.



10. The President of the Conference acting in pursuance of a Resolution of the Conference may at any time by Deed remove the Trustee of these Presents from office. The Trustee of these Presents may resign from office as a Trustee by giving three calendar months' notice in writing to the President of the Conference.
11. If the Trustee of these Presents whether original or substituted and whether appointed by a Court or otherwise is removed or resigns from office or desires to be discharged from the trusts hereof or refuses or is incapable of acting therein then the President of the Conference acting in pursuance of a resolution of the Conference may by Deed appoint another person to be a Trustee in its place. In this respect the President of the Conference for the time being is the person nominated in these Presents for the purpose of appointing new Trustees under Section 36 of the Trustees Act 1925 and the Deed of Appointment executed by him or her shall operate without any Conveyance or Assignment to vest all property which is then subject to these trusts in the new Trustee.
12. The Conference may at any time by resolution revoke alter or add to all or any of the trusts of these Presents and may declare new trusts in lieu thereof. No such revocation, alteration or addition shall affect the eleventh clause of these Presents or shall authorise the application of the property of the Trust or the income thereof to purposes which are not charitable.
13. These Presents may be referred to in any future deed or document under the title of "The Methodist Independent Education Trust Deed of 1903".

In witness whereof the said parties to these Presents have hereunto set their hands and seals this eleventh day of December, 1903. *(Here follow the signatures, duly witnessed, of the original trustees).*