

## **DEED OF THE FOUNDATION FOR TOMORROW'S SCHOOLS**

This 10<sup>th</sup> day of May, 2001

Before me, Doctor Franco Pellegrini, Principal Notary to the Government, there have appeared personally as having identified themselves by means of the official documents hereinafter mentioned:

The Honourable Doctor Edward Fenech Adami, Prime Minister of Malta, son of the late Luigi Fenech Adami and Josephine nee` Pace, born and residing at Birkirkara, having identity document bearing number 174834(M), who is appearing on this present deed in his mentioned capacity on behalf of and in the interests of the **Government of Malta**; and

The Honourable Doctor Louis Galea, son of the late Joseph Galea and Giovanna nee` Farrugia, born in Mqabba and residing at Siggiewi, having identity document bearing number 129048(M), and who is appearing on this present deed in his capacity as Minister of Education; and

Charles Mizzi, son of the late Frances and Stella nee` Caruana, born in Hamrun and residing at Fgura, having identity document bearing number 649644 (M), and who is appearing on this present deed in his capacity as Director General of the Division of Education;

and all these persons also on behalf of and in the interests of the Government of Malta (hereinafter referred to as "**the Government**") as duly authorized by virtue of a letter dated the seventh of March of the year two thousand and one from the Ministry of Finance a copy thereof being hereto attached and marked with the letter "B"; relative documents to this deed are marked Notary to Government number twenty three stroke two thousand and one (Not. 23/2001);

Whereas the Government has felt the need that there be an institution in Malta which, in collaboration with the Division of Education, develops and manages innovative systems for the construction, refurbishment and maintenance of schools and other educational institutions, including systems of sustainable funding for the fulfilment of this aim; and

Whereas the Government agrees that for such reason there shall be founded an entity having the mission, the objects, and the powers as listed in the Foundation Statute which is to be founded by this present deed (which Statute is being attached to this deed and marked Document “A”); and

Whereas Government has decided that for this reason, at this present time, such entity shall be founded in the form of a Foundation as intended by this present deed;

Consequently, the contracting parties in their aforementioned capacities on behalf of and in the interests of the Government have convened to draw up this deed establishing a Public Foundation whereby they will be founding a body to be styled the “Foundation for Tomorrow’s Schools”, and make an endowment thereto so that such body may commence with its activities.

Therefore, in virtue of this deed, in the first instance, all the contracting parties, nomine, are setting up a Foundation to be styled “**Foundation for Tomorrow’s Schools**” (hereinafter referred to as “the Foundation”) which shall have and shall be governed by a Statute annexed with this deed, marked as Document “A”.

The contracting parties hereby establish that an initial endowment of one hundred thousand Maltese liri (Lm100,000) which is to be donated to the Foundation by the Government of Malta, which sum shall be paid in full to the Foundation within one month from this present day.

The first members of the Board of the Foundation are these persons listed in Schedule 1 of the Statute of the Foundation which is attached to this deed, which members shall be deemed as having been appointed on the date of this present deed.

The Foundation shall have a juridical personality as provided in regulation two (2) of its Statute and its legal and juridical representation shall be such as is provided in paragraph two (2) of regulation two (2) of the same Statute.

The Foundation shall have the mission, the objectives, the functions and the powers intended in regulations three (3), four (4), and five (5) of the same Statute.

The Statute of the Foundation may be amended by the Minister responsible for education after consultation with the Board of the Foundation and with the consent of the Prime Minister.

The Board of the Foundation shall provide the Minister responsible for education with all such information and documentation as he may request in connection with the activities and the governance of the Foundation.

In the case of dissolution, the property of the Foundation shall be transmitted in favour of the Government of Malta, without prejudice to what is stated in paragraph number eleven (11) of the Statute of the Foundation.

Notwithstanding any other matter established in the Statute of the Foundation, the first Chairperson of the Board of the Foundation on his own is to represent the Foundation in order to accept in its name the donation which is to be made to it by the Government.

There now appears on this deed Mario Callus, Managing Director, son of Francis Callus and Maria nee` Camilleri, born in Siggiewi and residing at Naxxar, having identity document bearing number 585858 (M), who is appearing in his capacity as the first Chairperson of the Board of the Foundation founded in the first part of this present deed on behalf of and in representation of the Foundation, duly authorised by virtue of this same deed.

In the second instance, by virtue of this present deed, the Government, as herein represented, is making in favour of the Foundation, on whose behalf the appearing party .....is accepting a donation of the sum of one hundred thousand Maltese liri (Lm100,000) to serve as the initial endowment to the Foundation established by means of this deed: such sum shall be paid to the Foundation within one month from this present day.

This deed has been done, read and published by me the undersigned Notary after due explanation to the parties hereto of the contents hereof, according to law, in Malta, at Valletta, in the Ambassadors' Hall, at the Auberge de Castille.

(Sgd): Eddie Fenech Adami  
Louis Galea  
Charles Mizzi  
Mario Callus  
Franco Pellegrini  
Chief Notary to the Government