



McDonald
Vague

business recovery partners

Chemsafe Group Limited (In Liquidation)

Liquidators' Fifth Report for the period from 5 November 2018 to 4 May 2018

McDonald Vague Limited

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1 INTRODUCTION AND APPOINTMENT

Peri Micaela Finnigan and Iain McLennan, Accredited Insolvency Practitioners, of Auckland, were appointed joint and several liquidators of Chemsafe Group Limited ("the company") on 5 May 2017 by the High Court at Auckland.

Pursuant to Section 255(2)(d) of the Companies Act 1993 ("the Act"), the liquidators are reporting on the progress of the liquidation. This fifth report should be read in conjunction with the liquidators' previous reports.

This report is being sent to all shareholders and all creditors who have filed a claim in the liquidation.

A Statement of Realisations and Distributions is **attached**.

2 RESTRICTIONS

Whilst all care and attention has been taken in compiling this report, we do not accept any liability whatsoever to any party arising from the circulation, publication, reproduction, or use of this report.

We reserve the right (but are under no obligation) to review and, if we consider necessary, revise this report in respect of any information existing as at the date of this report but that becomes known to us after that date.

3 CONDUCT OF THE LIQUIDATION DURING THE PRECEDING SIX MONTHS

Asset Realisations

3.1 Business and Assets

(Statement of Affairs: NA)

The company was no longer trading as at the date of liquidation and its assets had been sold and/or transferred to a third party prior to the liquidators' appointment. The liquidators are continuing to investigate this transaction.

3.2 Debtors

(Statement of Affairs: \$Unknown)

The statement of affairs recorded the accounts receivable as \$398,546. All of the accounts receivable arise from the unresolved sale/transfer of assets of various Chemsafe group companies and the resulting restructure of some group companies' trading arrangements. To date, the debtor disputes the basis and amounts owing to the company. The liquidators are continuing to investigate this matter further.

3.3 Bank Account Closure

(Statement of Affairs: \$50)

The company's bank account balance as at the date of liquidation was \$50. These funds have been collected by the liquidators.

4 INVESTIGATIONS

The liquidators are continuing to investigate the affairs of the company, the creditors losses arising during trading, the transactions between related companies, and the disposal of the company's and related companies' assets prior to the company's liquidation. Many of the company's creditors have provided information to assist the liquidators with their investigations.

Where possible, the liquidators have assisted with the investigations being undertaken by other interested parties, including the liquidators of related companies.

If any creditor has any further information that they consider may be of interest to the liquidators, please contact either Iain McLennan or Marisa Brugeyroux of our office.

5 CREDITORS' CLAIMS

5.1 Secured Creditors

All of the securities that were registered against the company on the PPSR as at the date of liquidation have now been discharged.

No dividend has been paid to any secured creditors.

5.2 Preferential Creditors

The applicant creditor was awarded costs and disbursements totalling \$5,911 in respect of its application to put the company into liquidation.

Employee preferential claims received for unpaid wages or salary, holiday pay, and redundancy amount to \$45,677.

The Inland Revenue Department has submitted a preferential claim for \$290,384 in respect of unpaid GST, PAYE, and other employee deductions.

No dividend has been paid to any preferential creditors.

5.3 Unsecured Creditors

The liquidators have received 10 unsecured creditors' claims, which total \$644,754.

6 LIQUIDATORS' FEES

The liquidators have taken fees totalling \$50. The unpaid liquidators' fees and disbursements to the cut-off date of this report are \$48,466 excluding GST. The fees are based on 190.9 hours of work undertaken as follows:

Work Category	Hours	\$
Commencement, initial attendances, and statutory requirements	49.7	11,210
Asset realisations	13.7	4,410
Creditors	18.9	4,490
Investigations and legal	85.3	22,560
Taxation	5.9	1,035
Management	17.4	2,661
Disbursements		2,100
Total	190.9	48,466

Liquidators' fees in a Court ordered liquidation are to be approved by the Court. If required, a retrospective application for fee approval will be made by the liquidators. Section 284 (1) of the Act provides that, with leave of the High Court, an application to review or fix the liquidators' remuneration may be made by a creditor, shareholder, or director of a company in liquidation.

7 FUNDS / LIKELY OUTCOME

It is too early for the liquidators to determine whether there will be any distribution to creditors.

8 MATTERS DELAYING THE COMPLETION OF THE LIQUIDATION

The following matters are outstanding:

- Further investigations into the affairs of the company.
- Recovery or other legal action, if appropriate.

9 ESTIMATED DATE OF COMPLETION

It is too early for the liquidators to estimate the completion date of this liquidation.

10 CONTACT DETAILS

Enquiries should be directed to Iain McLennan on DDI (09) 303 9512 or Marisa Brugeyroux on DDI (09) 306 3340 or by email to imclennan@mvp.co.nz and mbrugeyroux@mvp.co.nz.

The Liquidators can be contacted at:

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IAIN MCLENNAN
LIQUIDATOR

DATED this 20th day of June 2019

Realisations and Distributions

Chemsafe Group Limited (In Liquidation) 5 May 2017 to 4 May 2019

	As Per Statement of Affairs \$	Cash Received \$
Realisations		
Bank Account Closure	50	50
Total Realisations		\$50
Payments		
Liquidators' Fees		
Liquidators' Fees		50
Disbursements		Nil
Total Liquidators' Fees		\$50
Total Payments		\$50
BALANCE HELD		\$0

Note: the above figures are GST exclusive