



McDonald
Vague

business recovery partners

Forex (NZ) Limited (In Liquidation)

Liquidators' First Report

McDonald Vague Limited

Level 10, 52 Swanson Street,
Auckland Central

PO Box 6092, Wellesley Street,
Auckland 1141, New Zealand

p: 09 303 0506

f: 09 303 0508

e: insol@mvp.co.nz

www.mvp.co.nz

1 INTRODUCTION AND APPOINTMENT

Forex (NZ) Limited ("the company") was placed into liquidation by a special resolution of the shareholders pursuant to Section 241(2)(a) of the Companies Act 1993 ("the Act") on 22 June 2017 at 9:42 a.m. Peri Micaela Finnigan and Iain McLennan, CAANZ Accredited Insolvency Practitioner, of Auckland, were appointed as joint and several liquidators of the company.

2 RESTRICTIONS

In preparing this report and its appendices, we have relied upon information provided to us. We have not independently verified or audited that information. Whilst all care and attention has been taken in compiling this report, we do not accept any liability whatsoever to any party as a result of 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, amend this report to take into account any information existing at the date of this report that becomes known to us after this report is published.

3 ATTACHMENTS

The following documents are attached to this report:

- Appendix 1: Schedule of company creditors' names and addresses
- Appendix 2: Notice of Liquidators' decision to dispense with meeting of creditors
- Appendix 3: Notice to creditors to prove debts or claims
- Appendix 4: Creditors claim form

4 COMPANY STRUCTURE AND BACKGROUND

Date of incorporation:	15 April 1997
Company number:	851770
Date ceased trading:	May 2017
Nature of business:	Foreign Exchange Trading
Registered Office:	2/58 Takutai Avenue, Half Moon Bay, Auckland, 2012

Share capital:	2,000 Shares	
Shareholders:	Kelvin Clive Wood (Bankrupt)	1,000 Shares
	Kelvin Clive Wood (Bankrupt)	1,000 Shares
Director:	Kelvin Clive Wood (Bankrupt) sole director since 20 January 2015	
Prior Director	Adam Kelvin Wood: 15 April 1997 - 20 January 2015	
Related companies:	Forex NZ 2000 Limited (In Liquidation)	

The director has advised that the company ceased trading in May 2017 around the time of his debtor application adjudicating himself bankrupt. The director has admitted wrong doing with respect to the treatment of investment funds for the period he operated the business as sole director. We understand that the director is waiting for the relevant authorities to complete their investigations in relation to this wrong doing.

5 STATEMENT OF AFFAIRS

A Statement of Affairs showing the company's estimated financial position as at the date of our appointment has not been prepared as there is currently insufficient information available. The books and records of the company have been requested.

6 ASSETS AND PROPOSALS FOR CONDUCTING THE LIQUIDATION

As at the date of liquidation we unaware of any assets belonging to the company.

We will complete a thorough review of the company's books, records and affairs to:

- ensure that all assets and funds have been properly accounted for,
- determine if there are any other avenues of recovery for creditors,
- determine if the company's officers have properly carried out their duties, and take appropriate steps where necessary.

If there are funds available for distribution to creditors, we will verify creditors' claims and make a distribution. We will then complete the liquidation and request that the Registrar of Companies remove the company from the register.

7 LIABILITIES AND CREDITOR CLAIMS

A schedule of known creditors and their addresses is provided at Appendix 1, as required by Section 255(2)(c) of the Act.

A notice to creditors to prove debts or claims is provided at Appendix 3. Also provided is a creditor's claim form at Appendix 4 for completion and return to this office by Friday, 11 August 2017. Creditors that have not made a claim by the date on the notice may be excluded from any distribution made. If you believe that you are a secured creditor, please contact us and the appropriate form will be sent to you.

7.1 Secured Creditors

As at the date of liquidation there are no secured parties that have registered security interests against the company on the Personal Property Securities Register.

Personal Property Securities Act / Reservation of Title

If any creditor believes that they hold a Purchase Money Security Interest entitling them to any goods or proceeds from realisation of goods, they should contact us immediately.

If any creditor believes that they have a Reservation of Title over goods and they have not perfected their interest, they should also contact us immediately.

7.2 Preferential Creditors

At this time we are unaware of any preferential claims.

7.3 Unsecured Creditors

The liquidators are working through the books and records of the company to clarify the amount that is due to unsecured creditors and determine if the creditor's claims fall into the liquidation of Forex (NZ) Limited or Forex NZ 2000 Limited.

8 CREDITORS' MEETING / LIQUIDATION COMMITTEE

A notice of the Liquidators' decision to dispense with the meeting of creditors is provided at Appendix 2.

Any creditor or shareholder may at any time in the course of the liquidation request that the liquidators call a meeting pursuant to Section 314 of the Companies Act 1993, for the purpose of appointing a liquidation committee. Any request for a meeting must be submitted to the liquidators in writing.

9 FURTHER INFORMATION

If you are aware of any information that would assist the Liquidators, please set the details out in writing, attach any supporting evidence, and send it to us. Please note that it can be difficult for liquidators to act in reliance on information that is not provided in writing.

If any creditor wishes to receive the six monthly reports by email as and when they are published, please ensure that an email address is provided on your creditors' claim form.

This report and all subsequent reports will be available on the Liquidators' website at www.mvp.co.nz

10 ESTIMATED DATE OF COMPLETION

It is currently too early to estimate a date of completion for the liquidation.

11 CONTACT DETAILS

Enquiries should be directed to Keaton Pronk on DDI (09) 969 1518 or by email to kpronk@mvp.co.nz.

The Liquidators can be contacted at:

McDonald Vague Limited
Level 10, 52 Swanson Street
Auckland 1010

P O Box 6092
Wellesley Street
Auckland 1141



IAIN McLENNAN
LIQUIDATOR

DATED this 29th day of June 2017

Appendix 1

Forex (NZ) Limited (In Liquidation)

Schedule of Creditors' Names and Addresses

Pursuant to Section 255(2)(c) of the Companies Act 1993

Creditor Names	Address 1	Address 2	Address 3
Accident Compensation Corporation			
Bio Floor / Sew Hoy	P O Box 3248		WELLINGTON 6140
C & D Hegarty			
Canash / Sew Hoy			
D Klein			
F / Tr Bradbury			
Fletch Chandlar			
G & A Gupta			
G Beran			
Graeme McIntosh		P O Box 5967	Auckland 1142
G Tolhopf			
Inland Revenue Department		Wellington Mail Centre	LOWER HUTT 5045
J McPhee	P O Box 39 010		
Keith Barr			
K Henderson	C/ Lowndes Jordan	P O Box 5966	Auckland 1141
L Pfizenamier			
M Fitzpatrick			
M Franchi			
M Jurilij			

Appendix 1

2

Creditor Names	Address 1	Address 2	Address 3
Michael Farr Ng Teck R Cull R Jones R Townsend Zenomac Trust	Unit 46, 20 Newstead Terrace	Newstead, QLD 4006	AUSTRALIA
	C/ Lowndes Jordan	P O Box 5968	Auckland 1143

Appendix 2

Notice of Liquidators' Decision to Dispense with Meeting of Creditors

After having regard to the assets and liabilities of Forex (NZ) Limited (In Liquidation) and the likely result of the liquidation, the liquidators propose to dispense with a meeting of creditors pursuant to Section 245 of the Companies Act 1993.

The liquidators do not, however, wish to preclude creditors from expressing their views. Please contact Keaton Pronk of this office on DDI (09) 969 1518 if you have any specific enquiries.

If you wish to request that a creditor's meeting be called, notice in writing is required within 10 working days of receiving this notice. Your notice you must also state the reason you require a meeting so that an agenda can be prepared and circulated to creditors and creditors can be given the opportunity to vote on any proposed resolutions by voting letter.



IAIN McLENNAN
LIQUIDATOR

DATED this 29th day of June 2017

Appendix 3

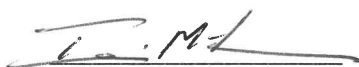
IN THE MATTER of The Companies Act 1993

and

IN THE MATTER of Forex (NZ) Limited (In Liquidation)

Notice to Creditors to Prove Debts or Claims

Notice is given that the liquidator of Forex (NZ) Limited (In Liquidation) ("the company"), fix Friday, 11 August 2017, as the day on or before which the company's creditors are to make their claims and establish any priority their claims may have under Section 312 of the Companies Act 1993. Creditors not having made a claim by this date may be excluded from any distribution made.



IAIN McLENNAN
LIQUIDATOR

DATED this 29th day of June 2017

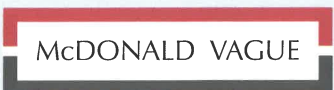
ADDRESS OF LIQUIDATOR

McDonald Vague Limited
Level 10, 52 Swanson Street
AUCKLAND 1010

PO Box 6092
Wellesley Street
AUCKLAND 1141

Telephone: (09) 303 0506
Facsimile: (09) 303 0508
Website: www.mvp.co.nz

DATE OF LIQUIDATION: 22 June 2017



The Insolvency & Business Recovery Specialists

McDONALD VAGUE LIMITED

PO Box 6092, Wellesley St, Auckland 1141, New Zealand.
Telephone 0-9-303 0506, Facsimile 0-9-303 0508

Unsecured Creditor's Claim

(Also for use by Preferential Creditors)

SECTION 304(1) COMPANIES ACT 1993
(For help see www.mvp.co.nz or email
claims@mvp.co.nz)

<p>NAME AND POSTAL ADDRESS OF CREDITOR IN FULL</p> <p>Telephone Numbers: ()</p> <p> ()</p> <p>E-Mail</p> <p>My Reference is: (if applicable)</p>	<p>* Any personal information collected is for the purpose of administering the liquidation in accordance with the Companies Act 1993.</p> <p>The information will be used and retained by the liquidators and McDonald Vague and will be released to other parties only with your authorisation or in compliance with the Privacy Act 1993.</p> <p>Under Section 304(1) of the Companies Act 1993 any claim by an unsecured creditor against a company in liquidation must be in this prescribed form and must –</p> <p>(a) Contain full particulars of the claim; and</p> <p>(b) Identify any documents that evidence or substantiate the claim.</p> <p>You may have access to and request correction of any personal information.</p> <p>(*Not applicable, if creditor is not an individual within the meaning of the Privacy Act 1993.)</p>
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<p>NAME OF COMPANY IN LIQUIDATION:</p> <hr/> <p style="text-align: right;">(IN LIQUIDATION)</p> <hr/> <p>I _____</p> <p>(If claim is made on behalf of creditor, specify relationship to creditor and authority)</p> <p>claim that the company was at the date it was put into liquidation indebted to the abovenamed creditor for the sum of (Amount in words):</p> <hr/> <hr/>

STATUS OF CLAIM:		
<p>1. I am an unsecured creditor for (Also applicable to secured creditors who hereby surrender their security)</p>	\$	
<p>2. I am a preferential creditor for (Refer details on reverse)</p>	\$	
<p>3. My total claim is for (State currency if other than \$NZ)</p>	NZ \$	
<p>4. I have claimed retention/reservation of title rights pursuant to rights held by me <small>Note: If you are a secured creditor contact this office and a Secured Creditors Claim Form will be sent to you.</small> Tick if Applicable <input type="checkbox"/></p>		
<p>Full particulars of the claim are set out, and any supporting documents that substantiate the claim, are identified on the reverse of this form. (The liquidator may require the production of a document under Section 304(2) of the Companies Act 1993. You are not required to attach any supporting documents at this stage, but you may attach them now, if you think it would expedite the processing of the claim.)</p>		

SIGNED:	Date: / /
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<h2>WARNING —</h2>	<p>It is an offence under Section 304(6) of the Companies Act 1993 to –</p> <p>Make or authorise the making of, a claim that is false or misleading in a material particular knowing it to be false or misleading; or</p> <p>Omit, or authorise the omission from a claim of any matter knowing that the omission makes the claim false or misleading in a material particular.</p>
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<p style="text-align: center;">Received (Date Stamp)</p>	<p>RESERVED FOR OFFICE USE:</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 40%;">Claim admitted/rejected for voting purposes: (Delete one)</td> <td style="width: 30%;">Signed: _____</td> <td style="width: 30%;">Date: / /</td> </tr> <tr> <td>CLAIM REJECTED FOR PAYMENT:</td> <td>\$ _____</td> <td>Ordinary Claim for: \$ _____</td> </tr> <tr> <td>or CLAIM ADMITTED FOR PAYMENT:</td> <td>\$ _____</td> <td>Ordinary Claim for: \$ _____</td> </tr> <tr> <td></td> <td>Signed Liquidator: _____</td> <td>Date: / /</td> </tr> </table> <p>Note: If the decision to admit or reject a claim is amended, regulation 8 of the Companies Act 1993 Liquidation Regulations 1994 requires that it be recorded in writing.</p>			Claim admitted/rejected for voting purposes: (Delete one)	Signed: _____	Date: / /	CLAIM REJECTED FOR PAYMENT:	\$ _____	Ordinary Claim for: \$ _____	or CLAIM ADMITTED FOR PAYMENT:	\$ _____	Ordinary Claim for: \$ _____		Signed Liquidator: _____	Date: / /
Claim admitted/rejected for voting purposes: (Delete one)	Signed: _____	Date: / /													
CLAIM REJECTED FOR PAYMENT:	\$ _____	Ordinary Claim for: \$ _____													
or CLAIM ADMITTED FOR PAYMENT:	\$ _____	Ordinary Claim for: \$ _____													
	Signed Liquidator: _____	Date: / /													





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If the creditor owes money to the company, please give full details.

Date	Details of Claim and Identification of Documents that Evidence or Substantiate the Claim	Amount \$

CLAIMS AGAINST INVENTORY (Romalpa Claims)(Consignment Goods) (Retention of Title) etc.

Please provide details of the basis of the retention of title claim filed by you and/or details of entry on the Personal Property Securities Register.

PREFERENTIAL CLAIMANTS ONLY

Guideline
The Seventh Schedule of the Companies Act 1993 sets out those claims which are regarded as preferential and shows their extent and order of priority. For example, wages and salary of any employee in respect of services rendered to the company during the four months preceding the commencement of liquidation are preferential AND the total sum to which priority is to be given in the case of any one employee for wages, holiday pay, deductions, redundancy and child support must not exceed \$20,340 or such greater amount as is prescribed at the commencement of the liquidation.

1. Why do you believe you are a preferential creditor?
(eg. employee, GST, etc) _____

2. Details of your claim: _____

If applicable please record here your GST Registration number: _____

and total GST included in your tax invoice: \$ _____