

# Meltzer Mason Heath

Chartered Accountants practising as insolvency specialists

Refer to: Rachel Mason

## Liquidators' Final Report

*Section 257 (1) of the Companies Act 1993*

### Max Plan New Zealand Limited (In Liquidation)

Max Plan New Zealand Limited was placed in liquidation by a Resolution of Members dated 1 August 2008.

Jeffrey Philip Meltzer and Rachel Karen Mason were appointed Liquidators of the company.

The liquidation of the company is now complete. A Statement of Realisations and Distributions is attached. All amounts are shown on a GST exclusive basis.

The Liquidators report to the Creditors that:

1. The company's fixed assets have been realised by auction, and debtors have been collected.
2. The Liquidators received claims from 32 creditors amounting to \$83,040.90, however there were insufficient funds available for distribution.

All known assets of the company have been realised.

All proceeds of realisation have been distributed and the company is now ready to be removed from the register.

### General Comments

The Liquidators will now advertise Notice of Intention to have the company removed from the register as per section 318 of the Companies Act 1993. The advertisement will appear in the New Zealand Gazette and The New Zealand Herald.

The attention of all creditors or shareholders is drawn to section 321 of the Companies Act 1993 which provides that where public notice is given of an intention to remove a company from the register any person may send or deliver to the Registrar, not later than the date specified in the notice, an objection to the removal on any one or more of the following grounds:

\_\_\_\_\_  
Jeff Meltzer

\_\_\_\_\_  
Karen Mason

\_\_\_\_\_  
Arron Heath



- (a) That the company is still carrying on business or there is other reason for it to continue in existence; or
- (b) That the company is a party to legal proceedings; or
- (c) That the company is in receivership, or liquidation, or both; or
- (d) That the person is a creditor, or a member, or a person who has an undischarged claim against the company; or
- (e) That the person believes that there exists, and intends to pursue, a right of action on behalf of the company under Part IX of the Companies Act 1993; or
- (f) That for any reason, it would not be just and equitable to remove the company from the Register.

**Note:** Section 321 of the Companies Act 1993 provides that:

1. A claim by a creditor is not an undischarged claim if a liquidator or receiver has notified the creditor that the assets of the company are not sufficient to enable any payment to be made to the creditor;
2. A claim by a shareholder (or any other person) against a company is not an undischarged claim if a liquidator or receiver has notified the shareholder (or that person) that the company has no surplus assets.

This report constitutes such notice.

The date by which objection must be lodged with the Registrar is 12 August 2011.

Dated at Auckland this 1<sup>st</sup> day of July 2011.



R K Mason  
**Liquidator**

**Statement pursuant to s257 of the Companies Act 1993  
of Realisations and Distributions in the Liquidation of  
Max Plan New Zealand Limited (In Liquidation)**

<i>Particulars of Realisation</i>	\$
Debtors	5,400
Plant and Equipment Realisation	4,948
Pre-liquidation GST Refund	9,227
Interest Received	555
GST Income	2,168
<b>Total Realisations</b>	<u>22,297</u>

<i>Particulars of Distribution</i>	\$
Liquidators Remuneration	13,987
Liquidators Disbursements	959
Bank Fees	1
Auctioneer's Commission	1,649
Professional Fees	2,063
Mail Redirection	111
Preferential Holiday Pay and PAYE	1,360
GST Expense	2,168
<b>Total Distributions</b>	<u>22,297</u>