

# Meltzer Mason Heath

Chartered Accountants practising as insolvency specialists

**Refer to: Karen Mason**

## **Liquidators' Final Report**

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

### **12345 Limited (In Liquidation)**

12345 Limited was placed in Liquidation by a Resolution of Members dated 5 July 2004.

Jeffrey Philip Meltzer and Karen Betty 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 had no realisable assets, therefore no funds were available for distribution in terms of the share capital.
2. No creditors submitted a claim to the liquidation.
3. No issues arose in the liquidation.

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:



- (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(2)(b)(ii) of the Companies Act 1993 provides that a claim by a shareholder or any other person against a company is not an "undischarged claim" if a Receiver or Liquidator 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 29 October 2004.

Dated at Auckland this 30<sup>th</sup> day of September 2004.

K B Mason  
**Liquidator**

**Statement pursuant to s257 of the Companies Act 1993  
of Realisations and Distributions in the Liquidation of  
12345 Limited (In Liquidation)**

<i>Particulars of Realisation</i>	\$
<b>Total Realisations</b>	<u>NIL</u>

<i>Particulars of Distribution</i>	\$
<b>Total Distributions</b>	<u>NIL</u>