

# Meltzer Mason Heath

Chartered Accountants practising as insolvency specialists

**Refer to: Mike Lamacraft**

## **Liquidators' Final Report**

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

#### **Alltrade Autoparts (NZ) Limited (In Liquidation)**

Alltrade Autoparts (NZ) Limited was placed in liquidation by a Resolution of Members dated 17 December 2007.

Jeffrey Philip Meltzer and Michael Lamacraft 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 debtor amount could not be collected as the company's records were not adequate to enable recovery.
2. A report was sent to the National Enforcement Office regarding the conduct of the directors.
3. We understand that one director has been adjudged bankrupt by the High Court and the other is subject to similar proceedings.

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:



- (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 30 May 2008.

Dated at Auckland this 23<sup>rd</sup> day of April 2008.

M Lamacraft  
**Liquidator**

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

<i>Particulars of Realisation</i>	<i>As Per Statement of Affairs \$</i>	\$
<b>Total Realisations</b>		<u>NIL</u>

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