



Excedo Contracting Pty Ltd (Administrators Appointed)
ACN 137 633 366
(ECL)

Initial Information for Creditors

Rob Kirman and I were appointed Administrators of ECL on 28 February 2018.

According to ECL's records, you may be a creditor of ECL.

The purpose of this document is to provide you with information about the voluntary administration and your rights as a creditor.

What is a voluntary administration?

A voluntary administration, or VA, is a process initiated by the directors of a company or a secured creditor of a company when they form the view the company is, or is likely to become, insolvent. 'Insolvent' means that the company is, or is likely to become, unable to pay its debts when they fall due. Less commonly, a VA is commenced by a liquidator of the company. In this case, the VA appointment was made by the directors of the company.

The objective of a voluntary administration is to preserve as much as possible of the business of the company or, if not, seek a better outcome for creditors than a liquidation of the company. The process involves the appointment of a voluntary administrator to the company to administer and investigate the business, property, affairs and financial circumstances of the company. A voluntary administrator must complete investigations, form an opinion about the company's financial position and its future and issue a detailed report to creditors of the company. Creditors are then given the opportunity to vote on the future of the company.

What happens to your debt?

All creditors of ECL are now creditors in the voluntary administration and your debt will be dealt with in the voluntary administration.

It is important to note that a voluntary administration creates restrictions on creditors being able to enforce their rights. You generally cannot enforce your claim, recover your property, enforce your security, commence an action to place the company into liquidation or act on a personal guarantee.

If you have leased property to ECL, have a retention of title claim or have a registered personal property security interest in relation to ECL, please contact Stuart Ball on (08) 6363 7600 as soon as possible.

We are continuing to trade the business of ECL. If you are a supplier or employee, you should have received a separate communication on how this appointment affects your ongoing dealings with ECL.

Your rights as a creditor

We enclose a copy of the information sheet "Creditor Rights in Voluntary Administrations" issued by the Australian Restructuring Insolvency & Turnaround Association (**ARITA**). It includes information on your rights to:

- make reasonable requests for information;
- give directions to the Administrators;
- appoint a reviewing liquidator; and
- replace us as Administrators.

Declaration of Independence, Relevant Relationships and Indemnities (DIRRI)

We enclose our DIRRI. The DIRRI assists you to understand any relevant relationships that we have, and any indemnities or upfront payments that have been provided to us. We have considered each relationship and it is our opinion that none of the relationships disclosed in the DIRRI result in a conflict of interest or duty, or affect our independence.



Meetings of creditors

As voluntary administrators, we are required to hold two meetings of creditors.

First meeting of creditors

The first meeting of creditors will be held as follows:

Date: 13 March 2018

Time: 10:00 AM

Address: Level 9, 40 St Georges Tce, Perth WA 6000

We enclose a notice of meeting. To participate in this meeting, you must submit a proof of debt and information to substantiate your claim. If the creditor is a person and will attend the meeting, this is all that is required. However, if the creditor is another type of entity (such as a company), they must also appoint a person – a “proxy” or person authorised under a power of attorney – to vote on behalf of the creditor at the meeting. A proxy should also be appointed if the creditor is a person, but is not available to attend the meeting.

You can appoint the chairperson of the meeting as your proxy and direct the chairperson how you wish your vote to be cast. If you choose to do this, the chairperson must cast your vote as directed.

Proof of debt and proxy forms are enclosed, together with guidance notes to assist you when you complete them. To ensure that the meeting is conducted as efficiently as possible, completed proof of debt and, if applicable, proxy forms must be returned to my office by post, fax or email by 4:00 PM on Monday 12 March 2018.

We also enclose general information for attending and voting at meetings of creditors.

Committee of Inspection

At the first meeting, creditors will consider whether a Committee of Inspection (**COI**) should be appointed. The role of a COI is to consult with the voluntary administrators and receive reports on the conduct of the administration. A COI can also approve the voluntary administrators’ fees.

It is our opinion that a COI is not required for this voluntary administration for the following reasons:

- there are a limited number of creditors; and
- there is a lack of complexity in the voluntary administration.

However, it is for creditors to decide if they would like to form a COI in this VA.

Second meeting of creditors

We will also in due course call a second meeting of creditors. Before that meeting you will be sent the notice of meeting and a detailed report which will set out the options for ECL’s future. We will also provide our opinion as to what option we think is in the best interests of creditors. At that second meeting, creditors will decide on the future of ECL.

You are encouraged to attend these meetings and participate in the voluntary administration process.

What happens next?

We will proceed with the voluntary administration, which will include:

- trading the business;
- preparing for and holding the meetings of creditors;
- investigating ECL’s affairs;
- analysing any offer for a Deed of Company Arrangement that is proposed; and
- preparing our report to creditors.

As discussed above, you will receive further correspondence from us before the second meeting of creditors.



Remuneration

We enclose our Initial Remuneration Notice which provides you with information about how we propose to be paid for undertaking the voluntary administration.

We will seek your approval of our remuneration at the second meeting of creditors, unless that remuneration is approved earlier by a COI (if one is appointed). We will provide you with detailed information about what tasks we have undertaken and the costs of those tasks.

Further information

ARITA provides information to assist creditors to understand voluntary administrations and insolvency. This information is available from ARITA's website at www.arita.com.au/creditors.

A copy of the information sheet, "Insolvency information for directors, employees, creditors and shareholders", issued by the Australian Securities and Investments Commission (**ASIC**) is also enclosed for your information.

What you should do next

You should:

- read the enclosed information;
- decide whether you are going to participate in the first meeting; and if so
- complete and return your proof of debt and proxy form (if required) by 4:00 PM on Monday 12 March 2018.

If you have any queries, please contact Stuart Ball on 08 6363 7600.

Dated: 2 March 2018

Rob Brauer
Administrator

Enclosures:

- 1 ARITA Information Sheet - Creditor Rights in Voluntary Administrations
- 2 Declaration of Independence, Relevant Relationships and Indemnities
- 3 Notice of Meeting
- 4 Proof of Debt (Form 535)
- 5 Proof of Debt Guidance Notes
- 6 Proxy Form
- 7 Proxy Form Guidance Notes
- 8 General information for attending and voting at meetings of creditors
- 9 ARITA Information Sheet – Committees of Inspection
- 10 Initial Remuneration Notice
- 11 ASIC Information Sheet - Insolvency information for directors, employees, creditors and shareholders