



McGrathNicol

**McGrathNicol
Partnership**

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**Samgris Resources Pty Ltd (In Liquidation)
ACN 147 457 181
(Samgris)**

Circular to Creditors

Pursuant to Orders of the Supreme Court of Queensland dated 8 May 2017 and Queensland Court of Appeal dated 23 March 2018, Anthony Connelly and I have been appointed Liquidators of Samgris.

While the liquidation date is 8 May 2017, as a result of a stay in the proceedings, the Liquidators had no ability to exercise their legal powers in relation to Samgris until the stay was lifted on 23 March 2018.

I advise that a final dividend is to be declared on or before 16 September 2019.

If you have not already done so, you are required to formally prove your debt or claim on or before 12 August 2019. If you do not, you will be excluded from the benefit of the dividend.

Accordingly, please find enclosed the following documents:

- Form 548 - Notice to Creditors of Intention to Declare a Final Dividend;
- Form 535 - Proof of Debt form (**Form**) for completion, should you have a claim against Samgris as at 8 May 2017; and
- Guidance notes to assist you complete the Form.

If you have any queries, please contact Georgia Wilson on (07) 3333 9818 or gwilson@mcgrathnicol.com.

Dated: 17 July 2019

Jamie Harris
Liquidator

Enclosures:

- 1 Notice to Creditors of Intention to Declare a Final Dividend (Form 548)
- 2 Proof of Debt form (Form 535)
- 3 Proof of Debt guidance notes

To the Recipient as Addressed

FORM 548

Subregulation 5.6.65(1)

Corporations Act (2001)

**NOTICE TO CREDITOR OR PERSON CLAIMING TO BE A CREDITOR OF
INTENTION TO DECLARE A FINAL DIVIDEND**

Samgris Resources Pty Ltd (In Liquidation) (**Samgris**)
A.C.N. 147 457 181

A final dividend is to be declared on 16 September 2019 for Samgris.

You are required formally to prove your debt or claim on or before 12 August 2019. If you do not, you will be excluded from the benefit of the dividend.

Dated: 17 July 2019



William James Harris
Joint & Several Liquidator

McGrathNicol
Level 7, 175 Eagle Street
Brisbane QLD 4000
Australia

FORM 535

Subregulation 5.6.49(2)

Corporations Act (2001)

**FORMAL PROOF OF DEBT OR CLAIM
(GENERAL FORM)**

To the Liquidators of Samgris Resources Pty Ltd (In Liquidation)

1. This is to state that the company was on 8 May 2017 (*date of court order in winding up by the Court, or date of resolution to wind up, if a voluntary winding up*), and still is, justly and truly indebted to:

_____ *(full name and address of the creditor and, if applicable, the creditor's partners. If prepared by an employee or agent of the creditor, also insert a description of the occupation of the creditor)*
for \$ _____ and _____ cents.

Date	Consideration (state how the Debt arose)	Amount \$ c	Remarks (include details of voucher substantiating payment)

2. To my knowledge or belief the creditor has not, nor has any person by the creditor's order, had or received any satisfaction or security for the sum or any part of it except for the following: *(insert particulars of all securities held. If the securities are on the property of the company, assess the value of those securities. If any bills or other negotiable securities are held, show them in a schedule in the following form).*

Date	Drawer	Acceptor	Amount \$c	Due Date

- *3. I am employed by the creditor and authorised in writing by the creditor to make this statement. I know that the debt was incurred for the consideration stated and that the debt, to the best of my knowledge and belief, remains unpaid and unsatisfied.
- *3. I am the creditor's agent authorised in writing to make this statement in writing. I know that the debt was incurred for the consideration stated and that the debt, to the best of my knowledge and belief, remains unpaid and unsatisfied.

.....
Signature
Occupation:
Address

Dated

*Do not complete if this proof is made by the creditor personally.



Proof of Debt Guidance Notes

(Please read carefully before filling in Form 535 or Form 536)

It is a creditor's responsibility to prove their claim to our satisfaction.

When lodging claims, creditors must ensure:

- the proof of debt form is properly completed in every particular; and
- evidence, as set out under "Information to support your claim", is attached to the Form 535 or Form 536.

Directions for completion of a Proof of Debt

1. Insert the full name and address of the creditor.
2. Under "Consideration" state how the debt arose, for example "goods sold to the company on _____".
3. Under "Remarks" include details of any documents that substantiate the debt (refer to the section "Information to support your claim" below for further information).
4. Where the space provided for a particular purpose is insufficient to contain all the information required for a particular item, please attach additional information.

Information to support your claim

Please note that unless you provide evidence to support the existence of the debt, your debt is not likely to be accepted. Detailed below are some examples of debts creditors may claim and a suggested list of documents that should accompany a proof of debt to substantiate the debt.

Trade Creditors

- Invoice(s) and statement(s) showing the amount of the debt; and
- Advice(s) to pay outstanding invoice(s) (optional).

Guarantees/Indemnities

- Executed guarantee/indemnity;
- Notice of Demand served on the guarantor; and
- Calculation of the amount outstanding under the guarantee.

Judgment Debt

- Copy of the judgment; and
- Documents/details to support the underlying debt as per other categories.

Deficiencies on Secured Debt

- Security Documents (eg. mortgage);
- Independent valuation of the secured portion of the debt (if not yet realised) or the basis of the creditor's estimated value of the security;
- Calculation of the deficiency on the security; and
- Details of income earned and expenses incurred by the secured creditor in respect of the secured asset since the date of appointment.

Loans (Bank and Personal)

- Executed loan agreement; and



- Loan statements showing payments made, interest accruing and the amount outstanding as at the date of appointment.

Tax Debts

- Documentation that shows the assessment of debts, whether it is an actual debt or an estimate, and separate amounts for the primary debt and any penalties.

Employee Debts

- Basis of calculation of the debt;
- Type of Claim (eg. wages, holiday pay, etc);
- Correspondence relating to the debt being claimed; and
- Contract of Employment (if any).

Leases

- Copy of the lease; and
- Statement showing amounts outstanding under the lease, differentiating between amounts outstanding at the date of the appointment and any future monies.