



McGrathNicol

26 July 2021

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**The Forum Group of Companies Pty Ltd (Administrators Appointed)  
ACN 151 964 626  
and its related entities listed in Annexure A  
(collectively, "Forum and its related entities" or "the Companies")**

**Circular to Creditors and Suppliers**

I advise that:

- on 21 July 2021, Kathy Sozou, Jason Preston and I were appointed Voluntary Administrators (**Administrators**) pursuant to s436E(4) of the Corporations Act 2001 (the **Act**) of the 24 entities listed in Appendix A, including The Forum Group of Companies Pty Ltd, replacing Domenico Alessandro Calabretta, Grahame Robert Ward and Thyge Trafford-Jones of Mackay Goodwin as administrators (**Former Administrators**) of these same entities; and
- on 22 July 2021, the Administrators were also appointed Voluntary Administrators pursuant to s436E(4) of the Act of Forum Group Pty Ltd, replacing the Former Administrators.

In addition to the above and as outlined in Annexure A, Jason Preston and I were previously appointed liquidators (**Liquidators**) over other related entities on 9 July 2021 and 15 July 2021 respectively.

**Immediate objectives**

The Administrators and Liquidators (collectively **the Appointees**) have assumed control of each of the Companies' affairs and have entered into possession of their assets.

The Appointees are presently undertaking an urgent financial and operational assessment on a business-by-business basis. The Appointees' objectives are to work closely with employees, suppliers and customers to quickly stabilise operations and to determine the appropriate strategy for each business unit.

Accordingly, suppliers and contractors are asked to not make any further supply or provision of services to the entity they trade with, without receipt of a purchase order signed by one of the Appointees, or their authorised signatories (**Appointees' Purchase Order**). Samples of authorised signatories are attached at Annexure B.

All supplies made against an Appointees' Purchase Order issued from the appointment date of the Appointees' (as outlined in Annexure A) and beyond will be paid on normal terms.

**Procedure for ongoing supply**

Please adopt the following procedures with regard to the Companies' accounts:

- close your present account as at the date of the Appointees' appointment, as noted for each specific entity in Annexure A; and
- open a new account in the name of the respective entity (or entities) with whom you trade, with "Administrators Appointed" or "Liquidators Appointed" noted on the account name (subject to the appointment type for the entity you trade with, as outlined in Annexure A). For example, if you

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In association  
with



Liability limited by a scheme approved  
under Professional Standards Legislation

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previously had an account with "Forum Direct Pty Ltd", a new account should be opened in the name of "Forum Direct Pty Ltd (Administrators Appointed)".

Payments made by the Appointees must be applied against debts incurred by the Appointees (i.e. against supplies made on or after the appointment date noted in Annexure A) and cannot be applied against any pre-appointment debt owed to you by the entity you trade with.

Additionally, if you are presently a customer of Forum and its related entities as well as a creditor, any goods or services supplied to you by the Companies following the Appointees' appointment must be paid for in full in accordance with the Companies' normal trading terms. Any goods or services provided by Forum and its related entities are provided in accordance with the above condition.

Please note the following in relation to Forum and its related entities:

- For entities in Administration, any further credit properly incurred for goods and services supplied to the respective entities in administration will be a liability of the Administrators. This will only be for goods and services ordered via a valid Appointee' Purchase Order, for the period following the Administrators' appointment.
- For entities in liquidation, any further credit properly incurred for goods and services supplied to the respective entities in Liquidation represents a priority cost of the winding up of this entity, but is not a liability of the Liquidators personally. This priority will only be for goods and services ordered via a valid Appointee' Purchase Order, for the period following the Liquidators' appointment.
- In the event you have a signed purchase order from the Former Administrators, the Former Administrators remain liable for any costs incurred by them for the period of their appointment. You will need to contact the Former Administrators regarding payment for any amounts incurred by them during the period of their appointment.
- Under the Pay As You Go regime, we will be obliged to withhold 46.5% from payments to suppliers who do not quote a current Australian Business Number (**ABN**). Please ensure that a current ABN is quoted for each supply made by you.
- Input tax credits for payments made to registered suppliers cannot be claimed until such time as a compliant tax invoice has been received. Accordingly, the Appointees expect suppliers to provide a GST compliant tax invoice prior to payment of supplies you make to the Companies.

For the avoidance of doubt, the Appointee's are not liable for any costs incurred prior to their respective appointment dates for each of the Companies, as outlined in Annexure A.



### **Court application to place certain of the Companies into liquidation**

The Administrators of the respective Companies in voluntary administration have filed an application in the Federal Court of Australia (**Court**) to have:

1. each of the Companies in voluntary administration listed in Annexure A (except for Autonomous Energy Pty Ltd) wound up pursuant to section 461(1)(k) of the Act (the 'just and equitable' ground);
2. Jason Preston and I appointed as joint and several liquidators (**Proposed Liquidators**) of these respective entities; and
3. the voluntary administrations of these respective entities end upon the appointment of the Proposed Liquidators.

In the event that the Court is minded to make those orders, the effect would be that the voluntary administrations would come to an end and these respective entities would go into liquidation.

The reasons for the Administrators seeking orders that these respective entities be placed into liquidation include that:

- the outcome of the voluntary administration process is, in the Administrators' view, in all likelihood that the creditors would vote to put these respective entities into liquidation; and
- by having these respective entities wound up now, the additional costs of the voluntary administration process (which arise from matters such as the costs of preparing reports to creditors and convening meetings) would be avoided.

In the event that you would like a copy of the materials that the Administrators have filed with the Court in support of that application, please let us know by return email and we will provide you with an electronic copy.

Please be advised that the hearing for the application is listed before the Honourable Justice Lee of the Federal Court of Australia on **Wednesday 28 July 2021 at 3:00pm.**

In the event that you wish to attend that hearing, whether to make submissions to the Honourable Justice Lee or to observe, please let us know and we will provide you with the details of the Federal Court hearing once they are made available. We expect that the hearing will take place over Microsoft Teams.

### **Other matters and contact details**

Details of the Second Meeting of Creditors will be provided to creditors separately (noting this will be subject to the outcome of the Court hearing discussed above).

We will liaise with the Former Administrators regarding transition of the Companies' books and records in their possession, including all creditor proofs of debt received. Notwithstanding, should you wish to submit a proof of debt with the Appointees, please contact my staff at [forum@mcgrathnicol.com](mailto:forum@mcgrathnicol.com) and a blank proof of debt can be provided to you.

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



Please direct any queries to Sarah Thompson of my staff on (03) 9038 3110 or via email at [forum@mcgrathnicol.com](mailto:forum@mcgrathnicol.com) and my staff will respond to your query as soon as possible.

Yours faithfully

*The Forum Group of Companies Pty Ltd and its related entities outlined in Annexure A*

Jason Ireland

*Voluntary Administrator and Liquidator (as outlined in Annexure A)*

Enclosure(s):

Annexure A – Forum and its related entities – external appointments

Annexure B – Authorised signatories

Annexure C – ASIC "Insolvency information for directors, employees, creditors and shareholders" Information Sheet



## Annexure A – Forum and its related entities - external appointments

Annexure A - Forum and its related entities - external appointments				
Entity	ACN	Appointment Type	Appointment date	Appointees
<b>Subject to appointment of Liquidators</b>				
Forum Finance Pty Limited (Receivers Appointed) (In Liquidation)	153 301 172	Court Appointed Liquidators	09-Jul-21	Jason Ireland and Jason Preston
<b>Subject to appointment of Provisional Liquidators</b>				
Forum Group Financial Services Pty Ltd (Provisional Liquidators Appointed)	623 033 705	Provisional Liquidation	15-Jul-21	Jason Ireland and Jason Preston
Forum Enviro (Aust) Pty Ltd (Provisional Liquidators Appointed)	607 484 364	Provisional Liquidation	15-Jul-21	Jason Ireland and Jason Preston
Forum Enviro Pty Ltd (Provisional Liquidators Appointed)	168 709 840	Provisional Liquidation	15-Jul-21	Jason Ireland and Jason Preston
<b>Subject to replacement appointment of Voluntary Administrators on 21 July 2021</b>				
The Forum Group of Companies Pty Limited (Administrators Appointed)	151 964 626	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Forum Group (QLD) Pty Ltd (Administrators Appointed)	103 609 678	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Forum Group (VIC) Pty Ltd (Administrators Appointed)	153 062 018	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Forum Fleet Pty Limited (Administrators Appointed)	155 440 994	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Forum Direct Pty Ltd (Administrators Appointed)	054 890 710	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Iugis Pty Ltd (Administrators Appointed)	632 882 243	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Iugis Investments Pty Ltd (Administrators Appointed)	647 627 745	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Iugis Waste Solutions Pty Ltd (Administrators Appointed)	647 212 299	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Imagetec Financial Services Pty Ltd (Administrators Appointed)	111 978 182	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Imagetec Solutions Australia Pty Ltd (Administrators Appointed)	074 715 718	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Onesource Australia Holdings Pty Limited (Administrators Appointed)	120 463 541	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Smartprint Fleet Management Pty Ltd (Administrators Appointed)	132 807 080	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Autonomous Energy Pty Ltd (Administrators Appointed)	113 593 383	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Orca Enviro Solutions Pty Ltd (Administrators Appointed)	626 552 645	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Orca Enviro Systems Pty Ltd (Administrators Appointed)	627 597 782	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
14 James Street Pty Ltd (Administrators Appointed)	638 449 206	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
26 Edmonstone Road Pty Ltd (Administrators Appointed)	622 944 129	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston




Annexure A - Forum and its related entities - external appointments

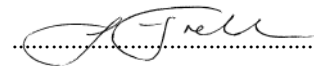
Entity	ACN	Appointment Type	Appointment date	Appointees
5 Bulkara Street Pty Ltd (Administrators Appointed)	630 982 160	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
6 Bulkara Street Pty Ltd (Administrators Appointed)	639 734 473	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Aramia Holdings Pty Ltd (Administrators Appointed)	114 958 717	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Eros Management Pty Ltd (Administrators Appointed)	622 298 346	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Intrashield Investment Group Pty Ltd (Administrators Appointed)	645 578 829	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Intrashield Pty Ltd (Administrators Appointed)	133 426 534	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
Spartan Consulting Group Pty Ltd (Administrators Appointed)	168 989 544	Voluntary Administration	21-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston
<b>Subject to replacement appointment of Voluntary Administrators on 22 July 2021</b>				
Forum Group Pty Ltd (Receivers Appointed) (Administrators Appointed)	153 336 997	Voluntary Administration	22-Jul-21	Jason Ireland, Kathy Sozou and Jason Preston




**Annexure B**


**Schedule of authorised Appointee signatories and specimen signatures**

  
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Jason Preston


  
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Jason Ireland

  
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Kathy Sozou

  
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Damien Pasfield

  
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Heather Matheson

  
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Christopher Hodge

  
.....  
Benjamin Young



**Annexure C**

**ASIC "Insolvency information for directors, employees, creditors and shareholders" Information Sheet**





**ASIC**  
Australian Securities &  
Investments Commission

## Insolvency information for directors, employees, creditors and shareholders

This information sheet (INFO 39) lists ASIC's information sheets for directors, employees, creditors and shareholders affected by a company's insolvency.

We have produced these with endorsement from the Australian Restructuring Insolvency & Turnaround Association (ARITA).

The information sheets give a basic understanding of the three most common company insolvency procedures – liquidation, voluntary administration and receivership – as well as the independence requirements for external administrators and approving external administrator remuneration. There is also a glossary of commonly used insolvency terms.

### List of information sheets

- [INFO 41](#) Insolvency: A glossary of terms
- [INFO 42](#) Insolvency: A guide for directors
- [INFO 43](#) Insolvency: A guide for shareholders
- [INFO 45](#) Liquidation: A guide for creditors
- [INFO 46](#) Liquidation: A guide for employees
- [INFO 54](#) Receivership: A guide for creditors
- [INFO 55](#) Receivership: A guide for employees
- [INFO 74](#) Voluntary administration: A guide for creditors
- [INFO 75](#) Voluntary administration: A guide for employees
- [INFO 84](#) Independence of external administrators: A guide for creditors
- [INFO 85](#) Approving fees: A guide for creditors

### Where can I get more information?

Further information is available from the [ARITA website](#). The ARITA website also contains the [ARITA Code of Professional Practice for Insolvency Practitioners](#).

This is **Information Sheet 39 (INFO 39)** updated on 1 September 2017. Information sheets provide concise guidance on a specific process or compliance issue or an overview of detailed guidance.