

PROXY FORM

Pacific HVAC Engineering Pty Ltd (Administrators Appointed)
ACN 087 430 715

APPOINTMENT OF PROXY

I/We (*if a firm, strike out "I" and set out the full name of the firm*) _____ of

(*insert address*)

a creditor of **Pacific HVAC Engineering Pty Ltd (Administrators Appointed)** appoint

(*insert name, address and description of the person appointed*)

or in his or her absence

(*insert name, address and description of the person appointed*)

as my/our (*choose one*):

general proxy

special proxy

to vote at the meeting of creditors to be held on Friday 30 August 2019 at 2:00PM AEST or at any adjournment of that meeting.

Resolution (only complete where appointing a special proxy)		For	Against	Abstain
1	That the Company be wound up at the close of the meeting and Robert Smith and Matthew Caddy be appointed Joint and Several Liquidators.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	That the Administration should end and control of the Company revert back to the Director.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

That the remuneration of the Administrators of Pacific HVAC Engineering Pty Ltd for the period 26 July 2019 to 16 August 2019, calculated at hourly rates as detailed in the Initial Remuneration Notice dated 31 July 2019 (or lower NZD hourly rates as is the case for McGrathNicol NZ remuneration), in the amounts of AUD 640,074.00 and NZD 64,613.50 (both exclusive of GST) is hereby approved for payment, and can be drawn immediately or as required.

That the prospective remuneration of the Administrators of Pacific HVAC Engineering Pty Ltd, to the maximum combined amounts of AUD 234,497.50 and NZD 20,220.00 (both exclusive of GST), calculated at hourly rates as detailed in the Initial Remuneration Notice dated 31 July 2019 (or lower NZD hourly rates as is the case for McGrathNicol NZ remuneration), for the period from 17 August 2019 until the work undertaken in the estimation of remuneration is complete, or the time charges for work undertaken exceeds the capped fee amount (whichever occurs first).

That the prospective remuneration of the liquidators of Pacific HVAC Engineering Pty Ltd (if appointed), to the maximum combined amounts of AUD 146,985.00 and NZD 10,400 (both exclusive of GST), calculated at hourly rates as detailed in the Initial Remuneration Notice dated 31 July 2019 (or lower NZD hourly rates as is the case for McGrathNicol NZ remuneration), for the period commencing on appointment of the Liquidators until the work undertaken in the estimation of remuneration is complete, or the time charges for work undertaken exceeds the capped fee amount (whichever occurs first).

That a committee of inspection be formed.

That despite the operation of IPS 80-55, members of the committee may directly or indirectly derive a profit or advantage from the external administration of the company if the profit or advantage is derived in the ordinary course of trading the business.

That so far as is necessary for the beneficial winding up of the company the Liquidator(s) is/are hereby authorised pursuant to subsections 506(1A), 477(2A) and 477(2B) of the *Corporations Act* to compromise any debt to the company greater than the prescribed amount (currently \$100,000) and to enter any agreement on the company's behalf involving a term or obligations extending for more than three months.

9 That the books and records of the Company may be destroyed following the deregistration of Pacific HVAC Engineering Pty Ltd (Administrators Appointed), subject to the consent of the Australian Securities & Investments Commission being obtained.

DATED this _____ day of _____ 20

Name _____

Signature _____

Select which of the below applies (choose one):

The creditor is a company and I am signing as a director of the company

The creditor is a partnership and I am signing as a partner of the partnership

The creditor is a company and I am signing as an authorised representative/duly constituted attorney of the company

I am signing in my personal capacity as a member or contributory of Pacific HVAC Engineering Pty Ltd (Administrators Appointed) (Administrators Appointed)

I am an individual and I am signing in my personal capacity (which includes employees)

Other: _____

The creditor is a sole trader and I am signing as the proprietor

Proxy forms should be completed and returned by no later than 4:00 PM on Wednesday, 28 August 2019.

RETURN TO: **Pacific HVAC Engineering Pty Ltd (Administrators Appointed)**

of care of McGrathNicol

Address: GPO Box 9986, Melbourne VIC 3001, Australia

Phone: +61 3 9038 3100

Fax: +61 3 9038 3199

Email: [PacifiHVAC_creditors@mcgrathnicol.com](mailto:PacificHVAC_creditors@mcgrathnicol.com)