



McGrathNicol

McGrathNicol Limited

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Plaman Resources Limited (In Receivership and In Liquidation) (Company) (company number 4960779)

Liquidators' report (pursuant to s255 of the Companies Act 1993) For the period 14 December 2019 to 13 June 2020

25 June 2020

1. Appointment

Conor McElhinney and Andrew Grenfell were appointed jointly and severally as Liquidators of the Company on 13 June 2019 by special resolution of its shareholders.

The appointment of liquidators followed the secured creditor appointing receivers and managers of the Company (**the Receivers**). The Receivers control the assets of the Company.

As Accredited Insolvency Practitioners, the Liquidators are bound by the Restructuring Insolvency and Turnaround Association of New Zealand Inc's (**RITANZ**) Code of Professional Conduct, a copy of which can be located on RITANZ's website (www.ritanz.org.nz).

2. Disclaimer

The purpose of this report is to report to the creditors and shareholders in accordance with Section 255 of the Companies Act 1993 (**Companies Act**).

This report has been prepared based on the information known to the Liquidators as at the date of this report. We reserve the right (but will be under no obligation) to review this report and, if we consider it necessary, to revise the report in the light of any information existing at the date of this report that becomes known to us after that date. We have not independently verified the accuracy of information provided to us, nor have we conducted an audit in respect of the Company. We express no opinion on the reliability, accuracy, or completeness of information provided to us and upon which we have relied.

The Liquidators do not accept responsibility or liability for any losses occasioned to any party as a result of the circulation, publication, reproduction, or use of this report.

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3. Company information

Date of incorporation:	13 February 2014
Trading address:	720 Moonlight Road, Middlemarch
Type of business:	Diatomite mining
Shareholders:	Iris Corporation Berhad and Burleigh Nominees Limited
Directors:	George Kerry Manolas, Panayiotis Plakidis, Yang Hong Poh and Shaiful Zahrin Subhan

4. Report on conduct of the liquidation

The Liquidators have attended to the following matters during the liquidation.

- a) Engaged with the Receivers, the Ministry of Business, Innovation & Employment and Dunedin City Council regarding the mining permits held by the Company. During this specific period, the Liquidators were required to assist the Receivers with securing the permits to realise value for the creditors. The Liquidators' time costs and legal fees associated with assisting the Receivers were funded by the Receivers.
- b) Called for, determined and admitted creditors' claims, including conducting searches of the Personal Property Securities Register and considering secured claims and responded to unsecured creditor queries. It is expected that preferential creditors' claims (if any) will be dealt with by the Receivers.
- c) Prepared and filed statutory reports to creditors.
- d) Prepared and filed GST returns and liaised with Inland Revenue.
- e) Considered the prospects of recoveries for creditors from voidable transactions (if any) and breaches of Directors duties (if any). Our assessment is that there are no potential recoveries from these avenues. However, we note that the Liquidators do not have funding available to conduct detailed investigations in relation to these matters.

Should any creditors have any information on any matter that they feel warrants investigation, please advise the Liquidators in writing.

A schedule of the receipts and payments for the period 14 December 2019 to 13 June 2020 is set out at Appendix 1.

5. Proposals for completing the liquidation

The Liquidators expect to be required to assist in dealing with the mining permits going forward, as these permits vest in the Liquidators personally in the event of insolvency.

The liquidation cannot be finalised until the receivership has concluded. The Liquidators expect that the liquidation conduct will therefore involve limited six-monthly reporting until the Receivers have realised and distributed the Company's assets.

6. Liquidators' Declaration of Independence, Relevant Relationships and Indemnities (**Declaration**)

The Liquidators provided a Declaration in the first report dated 19 June 2019 previously provided to creditors. There have been no changes since that report.

7. Liquidators' remuneration

The Liquidators' remuneration is charged on an hourly basis at their standard hourly rates. These rates, the qualifications and experience generally of staff at each level, and how we charge



disbursements, was set out in our first report dated 19 June 2019. There has been an increase in the Liquidators charge out rates effective 1 April 2020. The new rates appear in Appendix 2.

The Liquidators' remuneration received for the period 14 December 2019 to 13 June 2020 was \$6,471 plus GST. This time related solely to assisting the Receivers as noted in section 4 above. Although the Liquidators incurred other time costs undertaking statutory duties during the period, this time has not been billed due to a lack of funds in the liquidation. A breakdown of the remuneration charged is set out in Appendix 2.

8. Estimated date of completion of liquidation

It is not practicable to estimate the date of the completion of the liquidation at this stage or estimate when the liquidation will end, as this is dependent on the receivership.

9. Further information

Should you have any information that you believe would lead to realisations for the benefit of creditors, please set it out in writing, attaching copies of all documentary evidence, and send it to the Liquidators. Please note that the Liquidators can only act on written information as telephone, or other, conversations will be regarded as hearsay by the Court.

10. Prospect of a dividend

As set out in the first report to creditors, currently we do not expect there to be any surplus funds to distribute to unsecured creditors. Any distribution to unsecured creditors or shareholders will be dependent on the success of any voidable transactions or legal actions commenced by the Liquidators, of which none have been identified at this time.

11. Contact details

The Liquidators can be contacted at McGrathNicol, Level 17 AIG Building, 41 Shortland Street, Auckland (PO Box 106-733, Auckland 1143). Telephone enquiries should be directed to Priscilla Cooper, direct dial (09) 926 5107.

Dated: 25 June 2020

A handwritten signature in black ink, appearing to read 'Conor McElhinney', with a long horizontal flourish extending to the right.

Conor McElhinney
Liquidator



Appendix 1 – Receipts and payments

Schedule of receipts and payments for the period 14 December 2019 to 13 June 2020

Plaman Resources Limited (in Receivership and in Liquidation)	
Receipts and payments summary (GST excl)	\$
Funds on hand 14 December 2019	-
Receipts	
Funding from secured creditor	20,610
GST refund	2,145
Total receipts	22,755
Payments	
GST	2,688
Legal fees	11,257
Liquidators' fees	6,471
Liquidators' disbursements	194
Total payments	20,610
Balance of funds held as at 13 June 2020	2,145

As set out in our first report to creditors and our Declaration, the Liquidators were provided with funding by the secured creditor to fund the administrative costs of this liquidation. Consequently, the receipts above relate to funding provided by the secured creditor, and not from realising the assets of the Company. The Company's assets are under the control of the Receivers.



Appendix 2 – Liquidators' remuneration

Plaman Resources Limited											
Position	\$/hour (ex GST)	Administration		Trading		Creditors		Reporting		Total	
		Hours	Fees (\$)	Hours	Fees (\$)	Hours	Fees (\$)	Hours	Fees (\$)	Hours	Fees (\$)
Partner	640	9.6	6,144	-	-	-	-	-	-	9.6	6,144
Director	545	0.6	327	-	-	-	-	-	-	0.6	327
Total (ex GST)		10.2	6,471	-	-	-	-	-	-	10.2	6,471

Disbursements at cost	
\$	Total
Legal fees	11,257
Office services charge	194
Statutory advertising	349
Total (ex GST)	11,800

The Liquidators declare that all disbursements were necessary and proper

Liquidators charge out rates effective 1 April 2020	
	Hourly Rate NZ\$ (excl GST)
Partner	645
Director	550
Senior Manager	485
Manager	425
Assistant Manager	375
Senior Analyst	300
Analyst	285
Administrator	275
Secretaries	170