



McGrathNicol

**McGrathNicol Limited**

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## RCR Energy Limited (In Liquidation) (Company) (company number 159951)

### Liquidators' report (pursuant to s255 of the Companies Act 1993) For the period 7 November 2019 to 6 May 2020

#### 1. Appointment

Conor McElhinney and Andrew Grenfell (**Liquidators**) were appointed jointly and severally as liquidators of the Company on 7 May 2019 by a resolution of the Company's creditors at the Watershed Meeting.

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](http://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:	23 August 1954
Trading address:	6 Albion Street, Napier 4110, NZ
Type of business:	Thermal Energy Plant Construction
Shareholders:	RCR Energy Service Pty Limited
Directors:	Andrew Robert Stevens, Bruce Maxwell James

### 4. Report on conduct of the liquidation

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

- a) Responding to creditor queries re status of the liquidation.
- b) Filing and tabulation of creditor claim forms.
- c) Collecting residual debtors' balances and contract retention payments together with the resolution of disputed debts.
- d) Recording all receipts and payments into the Liquidation accounting system.
- e) Preparing and filing of statutory reports.
- f) Compiling and filing of Inland Revenue (**IR**) returns.
- g) Liaising with the IR re finalisation of its preferential claim.
- h) Determining validity of Personal Property Securities Register (**PPSR**) registrations and settling valid security interests.

A schedule of the receipts and payments for the period 7 November 2019 to 6 May 2020 is set out at Appendix 1.

### 5. Proposals for completing the liquidation

The Liquidators are continuing to collect residual debtors' balances and resolving the Inland Revenue's preferential claim. The Liquidators will comply with all statutory reporting requirements during the period of the liquidation.

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

The Liquidators provided a Declaration in the Watershed Report dated 30 April 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 Watershed Report 30 April 2019. These rates remained in effect to 31 March 2020, however there has been an increase in Liquidators charge out rates effective 1 April 2020 and these new rates are set out in Appendix 2.

The Liquidators' remuneration received for the period 7 November 2019 to 6 May 2020 was \$21,170 plus GST. A breakdown of the remuneration charged in New Zealand dollars 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.

## 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.

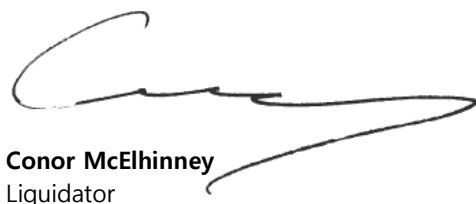
## 10. Prospect of a dividend

As set out in the watershed report to creditors, 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 (if any).

## 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 Leanne de Seymour, direct dial (09) 926 5104.

Dated: 3 June 2020



**Conor McElhinney**  
Liquidator



## Appendix 1 – Receipts and payments

### Schedule of receipts and payments for the period 7 November 2019 to 6 May 2020

RCR Energy Limited (In Liquidation)	
Receipts and payments summary 7 November 2019 to 6 May 2020	
	\$
<b>Funds on hand 7 November 2019</b>	<b>3,527,961</b>
<b>Receipts</b>	
Debtor collections	86,166
GST received	8,134
Hire and leasing	20
Insurance refund	11,812
Interest	11,853
Reimbursements for staff expenses	5,543
Sales	2,904
Sundry expenses	4,025
Operational costs recharged to purchaser	70,742
<b>Total receipts</b>	<b>201,199</b>
<b>Payments</b>	
Bank fees	236
Cleaning and laundry	548
Distribution to secured lender	2,000,000
Document storage	495
Electricity and gas	4,129
GST paid	14,456
Legal disbursements	83
Legal fees	1,800
Liquidators' disbursements	694
Liquidators' fees	21,170
Recharge of head office accounting, IT, insurance and software licence costs	789,567
Retentions held	80,207
<b>Total payments</b>	<b>2,913,386</b>
<b>Balance held as at 6 May 2020</b>	<b>815,774</b>



## Appendix 2 – Liquidators’ remuneration

Liquidators’ time costs invoiced in the period from 7 November 2019 to 6 May 2020, relating to time incurred from 1 October 2019 to 28 February 2020.

RCRE time costs								
# staff	Position	\$/hour (excl GST)	Administration		Asset realisation		Creditors	
			Hours	Fees (\$)	Hours	Fees (\$)	Hours	Fees (\$)
2	Partner	640	0.6	405	1.5	960	1.4	917
2	Director	545	0.2	91	0.3	164	2.9	1,562
2	Manager	420	0.7	294	-	-	1.6	658
2	Senior Analyst	295	1.2	364	3.5	1,033	2.6	767
1	Administrator	275	-	-	-	-	-	-
1	Secretary	170	1.0	170	-	-	-	-
<b>Total (excl GST)</b>			<b>3.7</b>	<b>1,324</b>	<b>5.3</b>	<b>2,156</b>	<b>8.5</b>	<b>3,905</b>

RCRE time costs								
# staff	Position	\$/hour (excl GST)	Reporting		Trading		Total	
			Hours	Fees (\$)	Hours	Fees (\$)	Hours	Fees (\$)
2	Partner	640	1.8	1,173	0.8	491	6.2	3,947
2	Director	545	2.0	1,108	2.1	1,163	7.5	4,088
2	Manager	420	-	-	1.1	462	3.4	1,414
2	Senior Analyst	295	5.0	1,485	26.7	7,877	39.1	11,525
1	Administrator	275	0.1	28	-	-	0.1	28
1	Secretary	170	-	-	-	-	1.0	170
<b>Total (excl GST)</b>			<b>9.0</b>	<b>3,794</b>	<b>30.7</b>	<b>9,992</b>	<b>57.2</b>	<b>21,170</b>

### Disbursements at cost for the period 7 November 2019 to 6 May 2020

\$	Total
Courier	59
Office service charge	635
<b>Total (excl GST)</b>	<b>694</b>

The Liquidators’ declare that all disbursements were necessary and proper



Liquidators charge out rates effective 1 April 2020

	<b>Hourly Rate NZ\$ (excl GST)</b>
Partner	645
Director	550
Senior Manager	485
Manager	425
Assistant Manager	375
Senior Analyst	300
Analyst	285
Administrator	275
Secretaries	170