



# ABT Construction Limited (In Liquidation)

## Liquidators' Final Report

McDonald Vague Limited  
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### 1 INTRODUCTION AND APPOINTMENT

Peri Micaela Finnigan and Boris van Delden, CAANZ Accredited Insolvency Practitioners, of Auckland, were appointed joint and several liquidators of ABT Construction Limited ("the company") on 9 December 2016 by the High Court at Auckland on the application made to the High Court by Multi-Trans Limited.

Pursuant to section 257(1)(a)(i) of the Companies Act 1993 ("the Act") the liquidators herewith report to all creditors and shareholders that the liquidation of the company has been completed. This final report should be read in conjunction with the liquidators' previous reports.

### 2 RESTRICTIONS

Whilst all care and attention has been taken in compiling this report, we do not accept any liability whatsoever to any party as a result of the circulation, publication, reproduction or use of this report.

We reserve the right (but are under no obligation) to review and, if we consider necessary, revise this report in respect of any information existing at the date of this report which becomes known to us after that date.

### 3 REALISATION OF ASSETS

#### *Asset Realisations*

#### **3.1 Debtors** **(Statement of Affairs: \$Unknown)**

All of the company's debts were disputes. The liquidators concluded that none of the disputed debts were recoverable.

#### **3.2 Fixed Assets and Inventory** **(Statement of Affairs: \$Unknown)**

The company had no known fixed assets or inventory as at the date of the company's liquidation.

#### **3.3 GST Refunds**

Pre-liquidation GST refunds totalling \$34,040 have been received.

## 4 CREDITORS' CLAIMS

No distributions were made to the company's creditors.

## 5 INVESTIGATIONS

The liquidators have completed their investigations into the books, records and affairs of the company.

### 5.1 *Related Party Transactions*

The liquidators' claims against the company's related parties were disputed. On a cost/benefit basis and due to a lack of litigation funding, the liquidators concluded that pursuing these recoveries further was not likely result in a recovery for the benefit of the company's creditors.

### 5.2 *Directors' Actions*

The company's director was made bankrupt in November 2017 and the company's former director passed away in September 2017 so no actions against them were pursued.

## 6 COMPLETION OF LIQUIDATION

The liquidation of the company is now complete. A statement of realisations and distributions is **attached**. All known assets have been disclaimed or realised, or distributed without realisation, and all proceeds of realisation have been distributed. The company is ready to be removed from the New Zealand Register ("the register").

## 7 REMOVAL OF COMPANY FROM THE REGISTER

The liquidators have given public notice pursuant to Section 320(4) of the Act of the intention to remove the company from the register.

The liquidators draw your attention to Section 321 of the Act, which provides that any person may, no later than the date specified in the notice, send to the Registrar of Companies an objection to the removal on any one or more of the following grounds:

- (a) That the company is still carrying on business or there is other reason for it to continue in existence; or
- (b) That the company is party to legal proceedings; or
- (c) That the company is in receivership, or liquidation, or both; or
- (d) That the person is a creditor, or a shareholder, or a person who has an undischarged claim against the company; or
- (e) That the person believes that there exists, and intends to pursue, a right of action on behalf of the company under Part 9 of the Act; or
- (f) That, for any other reason, it would not be just and equitable to remove the company from the register.

Please note that Section 321(2) of the Act provides that a claim by a creditor, shareholder, or any other person against a company is not an “undischarged claim” if a receiver or liquidator has notified that person that the company has no surplus assets.

The date by which objections must be lodged with the Registrar is 26 June 2020.

## 8 PREVIOUS REPORTS

All previous liquidators’ reports are available on the Companies Office website.

## 9 CONTACT DETAILS

Enquiries should be directed to Marisa Brugeyroux on DDI (09) 306 3340 or by email to [mbrugeyroux@mvp.co.nz](mailto:mbrugeyroux@mvp.co.nz).

The Liquidators can be contacted at:

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PERI M FINNIGAN  
LIQUIDATOR

DATED this 20<sup>th</sup> day of May 2020

# Realisations and Distributions

## ABT Construction Limited (In Liquidation) 9 December 2016 to 20 May 2020

Realisations	Cash Received \$
Interest	25
Pre-liquidation GST Refund	34,040
Sundry Recoveries	600
<b>Total Realisations</b>	<b>\$34,665</b>
<b>Payments</b>	
<b>Liquidators Fees</b>	
Liquidators Fees	33,211
Disbursements	1,454
<b>Total Liquidators Fees</b>	<b>\$34,665</b>
<b>Total Payments</b>	<b>\$34,665</b>
<b>BALANCE HELD</b>	<b>\$Nil</b>

**Note 1:** the above figures are GST exclusive