

**CSS Group Limited (In Liquidation)**  
**Trading As: CSS Group Construction Services & Solutions**  
**General Partner of CSS Group Partnership LP**  
**Liquidators' First Report**

**1 INTRODUCTION AND APPOINTMENT**

CSS Group Limited ("the company") was placed into liquidation by a special resolution of the sole shareholder pursuant to Section 241(2)(a) of the Companies Act 1993 ("the Act") on 11 December 2014. Tony Leonard Maginness and Jared Waiata Booth, Insolvency Practitioners of Auckland, were appointed as joint and several liquidators of the company.

**2 RESTRICTIONS**

In preparing this report and its appendices we have relied upon information provided to us. We have not independently verified or audited that information. 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 ATTACHMENTS**

The following documents are attached to this report:

- Appendix 1: Statement of Affairs setting out the company's estimated financial position
- Appendix 2: Schedule of company creditors' names and addresses
- Appendix 3: Notice of Liquidators' decision to dispense with meeting of creditors
- Appendix 4: Notice to creditors to prove debts or claims
- Appendix 5: Creditors claim form

**4 COMPANY STRUCTURE AND BACKGROUND**

Date of incorporation:	10 February 2009
Company number:	2209136
Date ceased trading:	26 November 2014
Nature of business:	Construction Services

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Trading address:	2 Westmere Crescent , Westmere, Auckland 1022
Trading names:	CSS Group Construction Services & Solutions
Share capital:	100 Shares
Shareholder:	Brendan Welch
Director:	Brendan Welch

Brendan Welch, the sole director of the company, has advised that the company ceased trading in November 2014. He advised that the company ran into financial difficulty following a protracted dispute with outstanding debtors from the company's final project.

CSS Group Limited is general partner to the CSS Group Partnership LP.

## **5 STATEMENT OF AFFAIRS**

A Statement of Affairs showing the company's estimated financial position as at the date of our appointment is provided at Appendix 1.

## **6 ASSETS AND PROPOSALS FOR CONDUCTING THE LIQUIDATION**

We will realise all available assets.

We will complete a thorough review of the company's books, records and affairs to:

- ensure that all assets have been properly accounted for,
- determine if there are any other avenues of recovery for creditors,
- determine if the company's officers have properly carried out their duties, and take appropriate steps where necessary.

If there are funds available for distribution to creditors we will verify creditors' claims and make a distribution. We will then complete the liquidation and request that the Registrar of Companies remove the company from the register.

## **7 LIABILITIES AND CREDITOR CLAIMS**

### **7.1 Secured Creditors**

As at the date of liquidation five secured parties had registered security interests against the company on the Personal Property Securities Register.

This includes a General Security Agreement registered against CSS Group Limited by Carter Holt Harvey Limited. The liquidators have contacted all listed creditors. Carter Holt Harvey Limited have advised the liquidators that there is no outstanding debt. Three of the remaining creditors have advised that they do not have an outstanding claim and have discharged their financing statement.

*Personal Property Securities Act / Reservation of Title*

Should any creditor believe that they are entitled to any goods, or proceeds from realisation of goods, due to holding a Purchase Money Security Interest, they should contact us immediately.

If any creditor believes that they have a Reservation of Title over goods and they have not perfected their interest, they should also contact us immediately.

**7.2 Preferential Creditors**

We are in the process of determining if there are any unpaid wages, holiday pay or redundancy pay owing to former employees.

The Inland Revenue Department has not yet provided us with a creditor's claim form but we understand that there are amounts due in respect of GST, PAYE and other payroll deductions.

**7.3 Unsecured Creditors**

From our review of the company's accounting records and other information we estimate that the amount due to unsecured creditors is approximately \$130,000. A schedule of known creditors and their addresses is provided at Appendix 2, as required by Section 255(2)(c) of the Act.

A notice to creditors to prove debts or claims is included at Appendix 4. Also enclosed is a creditor's claim form for completion and return to this office by Friday, 30 January 2015. Creditors that have not made a claim by the date on the notice may be excluded from any distribution made. If you believe that you are a secured creditor please contact us and the appropriate form will be sent to you.

**8 CREDITORS' MEETING / LIQUIDATION COMMITTEE**

A notice of the Liquidators' decision to dispense with the meeting of creditors is provided at Appendix 4.

Pursuant to Section 314 of the Companies Act 1993, creditors are advised that at any time in the course of the liquidation the Liquidator shall, at the request in writing of any creditor or shareholder, call a meeting for the purpose of appointing a liquidation committee.

## 9 FURTHER INFORMATION

If you are aware of any information that would assist the Liquidators, please set the details out in writing, attach any supporting evidence and send it to us. Please note that the Liquidators are more able to act on written information.

If any creditor wishes to receive the six monthly reports by email as and when they are published, please ensure that an email address is provided on the attached creditor claim form. This report and all subsequent reports will be available on the Liquidators' website at [www.mvp.co.nz](http://www.mvp.co.nz)

## 10 ESTIMATED DATE OF COMPLETION

It is currently too early to estimate a date of completion for the liquidation.

## 11 CONTACT DETAILS

Enquiries should be directed to Keaton Pronk on DDI (09) 969 1518 or by email to [kpronk@mvp.co.nz](mailto:kpronk@mvp.co.nz).

The Liquidators can be contacted at:

McDonald Vague Limited  
Level 10, 52 Swanson Street  
Auckland 1010

P O Box 6092  
Wellesley Street  
Auckland 1141



TONY L MAGINNESS  
LIQUIDATOR

DATED this 18 day of December 2014

**CSS Group Limited (In Liquidation)**  
**Trading As: CSS Group Construction Services & Solutions**  
**General Partner of CSS Group Partnership LP**  
**Statement of Affairs**

Statement of Affairs for the above named company as at 11 December 2014 (being the date of liquidation) showing assets at estimated realisable values and liabilities expected to rank.

	<i>Estimated to Realise</i>
<b>ASSETS</b>	
Debtors	unknown
Retentions	500
	<hr/> <b>\$500</b>
<b>LESS PREFERENTIAL CREDITORS</b>	
Employees	unknown
Inland Revenue Department	unknown
	<hr/> <b>\$unknown</b>
<b>LESS UNSECURED CREDITORS</b>	
Inland Revenue Department	unknown
Accident Compensation Corporation	5,973
Trade Creditors	124,027
	<hr/> <b>\$130,000</b>
 <b><i>Estimated deficiency as regards preferential, and unsecured creditors</i></b>	 <hr/> <b><u>\$129,500</u></b>

**Notes:**

1. The above estimates are subject to the costs of the liquidation.
2. Assets held may be subject to Purchase Money Security Interest ("PMSI") or Reservation of Title claims.

**Disclaimer of Liability:**

The information contained in the Statement of Affairs has been supplied by the company. We have not verified the information supplied. The Statement of Affairs has been prepared for the purpose of the liquidation and we do not accept any responsibility on any grounds whatsoever, including liability in negligence, to any party.

**CSS Group Limited (In Liquidation)**  
**Trading As: CSS Group Construction Services & Solutions**  
**General Partner of CSS Group Partnership LP**

**Schedule of Creditors' Names and Addresses**

Pursuant to Section 255(2)(c) of the Companies Act 1993

<b>Creditor Names</b>	<b>Address 1</b>	<b>Address 2</b>	<b>Address 3</b>
Accident Compensation Corporation	P O Box 3248	WELLINGTON 6140	
Brendan Welch	51 Tane Road	Laingholm	AUCKLAND 0604
Stoanz Limited	72 Abel Smith Street	Te Aro	WELLINGTON 6011
Access One Limited	54 Leonard Road	Mt Wellington	AUCKLAND
Ade Plastering Limited	170 Hibiscus Coast Highway	OREWA	
AWF Group	2 Walls Road	Penrose	AUCKLAND
Dulux New Zealand Limited	P O Box 30 749	LOWER HUTT 5040	
Genesis Computer Supplies Limited	7 Rose Road	Ponsonby	AUCKLAND 1021
Hirepool Limited	P O Box 12 048	Penrose	AUCKLAND 1642
Honda New Zealand Limited	105 Wiri Station Road	Manukau	AUCKLAND 2104
Inland Revenue Department	P O Box 39 010	Wellington Mail Centre	LOWER HUTT 5045
Innertech Limited	T/As Plastering Services	55 Maple Street, Avondale	AUCKLAND 1026
iPayroll Limited	P O Box 25 216	Featherston Street	WELLINGTON 6146
Kennards Hire	P O Box 72 286	Papakura	AUCKLAND 2244
Kiwibank Business Banking	Private Bag 39 888	WELLINGTON 5045	
Matt Sainsbury			
Orcon	P O Box 302 362	North Harbour	AUCKLAND 0751
Perry Construction	9-36 Marau Crescent	Mission Bay	AUCKLAND
Pete Smith Contracting			
Placemakers Mt Wellington	102 Lunn Avenue	Mt Wellington	AUCKLAND 1072
PSL Innovative Aluminium	PO Box 109 310	Newmarket	AUCKLAND

## Appendix 2

Render Services			
Resene	P O Box 38 242	Wellington Mail Centre	LOWER HUTT 5045
Rockcote Supplier Panels	3 Glenmore Drive	Warkworth	North Auckland 0941
Tradextra	86 Lunn Avenue	Mt Wellington	AUCKLAND 1072
Transpacific Waste Management	8 Mcdonald Street	Kingsland	AUCKLAND 1025
Trowel Trades Morningside			

## Notice of Liquidators' Decision to Dispense with Meeting of Creditors

After having regard to the assets and liabilities of CSS Group Limited (In Liquidation) and the likely result of the liquidation, it is proposed to dispense with a meeting of creditors pursuant to Section 245 of the Companies Act 1993.

We do not, however, wish to preclude creditors from expressing their views. Please contact Keaton Pronk of this office on DDI (09) 969 1518 if you have any specific enquiries.

You are advised that should you desire a creditor's meeting, notice in writing is required within 10 working days of receiving this notice.

At the time of giving notice you must also state the reason you require a meeting so that an agenda can be prepared and advertised and creditors can be given the opportunity to vote on any issue by voting letter.



TONY L MAGINNESS  
LIQUIDATOR

DATED this 18 day of December 2014



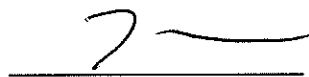
IN THE MATTER of                      The Companies Act 1993

and

IN THE MATTER of                      CSS Group Limited (In Liquidation)  
Trading As: CSS Group Construction Services & Solutions  
General Partner of CSS Group Partnership LP

### **Notice to Creditors to Prove Debts or Claims**

Notice is hereby given that the undersigned, the liquidator of CSS Group Limited (In Liquidation) ("the company"), does hereby fix Friday, the 30<sup>th</sup> day of January 2015, as the day on or before which the company's creditors are to make their claims, and to establish any priority their claims may have under Section 312 of the Companies Act 1993. Creditors not having made a claim by this date may be excluded from any distribution made.



TONY L MAGINNESS  
LIQUIDATOR

DATED this 18 day of December 2014

#### **ADDRESS OF LIQUIDATOR**

McDonald Vague Limited  
Level 10, 52 Swanson Street  
Auckland 1010

PO Box 6092  
Wellesley Street  
AUCKLAND 1141

Telephone: (09) 303 0506  
Facsimile: (09) 303 0508  
Website: [www.mvp.co.nz](http://www.mvp.co.nz)

**DATE OF LIQUIDATION:** 11 December 2014

## Unsecured Creditors Claim

(Also for use by Preferential Creditors)

SECTION 304(1) COMPANIES ACT 1993

(For help see [www.mvp.co.nz](http://www.mvp.co.nz) or email  
[claims@mvp.co.nz](mailto:claims@mvp.co.nz))


NAME AND POSTAL ADDRESS OF CREDITOR IN FULL

Telephone Numbers: ( )

( )

E-Mail

My Reference is:  
(if applicable)

\* Any personal information collected is for the purpose of administering the liquidation in accordance with the Companies Act 1993.

The information will be used and retained by the liquidators and McDonald Vague and will be released to other parties only with your authorisation or in compliance with the Privacy Act 1993.

Under Section 304(1) of the Companies Act 1993 any claim by an unsecured creditor against a company in liquidation must be in this prescribed form and must –  
(a) Contain full particulars of the claim; and  
(b) Identify any documents that evidence or substantiate the claim.

You may have access to and request correction of any personal information.

(\*Not applicable, if creditor is not an individual within the meaning of the Privacy Act 1993.)

NAME OF COMPANY IN LIQUIDATION:

(IN LIQUIDATION)

I

(If claim is made on behalf of creditor, specify relationship to creditor and authority)

claim that the company was at the date it was put into liquidation indebted to the abovenamed creditor for the sum of (Amount in words):

## STATUS OF CLAIM:

1. **I am an unsecured creditor for**  
(Also applicable to secured creditors who hereby surrender their security)

\$

2. **I am a preferential creditor for**  
(Refer details on reverse)

\$

3. **My total claim is for**  
(State currency if other than \$NZ)

Other  
Currency

NZ \$

4. I have claimed retention/reservation of title rights pursuant to rights held by me

Note: If you are a secured creditor contact this office and a Secured Creditors Claim Form will be sent to you. Tick if Applicable ☐ (Refer details on reverse)

Full particulars of the claim are set out, and any supporting documents that substantiate the claim, are identified on the reverse of this form.

(The liquidator may require the production of a document under Section 304(2) of the Companies Act 1993. You are **not required to attach any supporting documents** at this stage, but you may attach them now, if you think it would expedite the processing of the claim.)

SIGNED:

Date: / /

## WARNING —

It is an offence under Section 304(6) of the Companies Act 1993 to –

Make or authorise the making of, a claim that is false or misleading in a material particular knowing it to be false or misleading; or

Omit, or authorise the omission from a claim of any matter knowing that the omission makes the claim false or misleading in a material particular.

Received  
(Date Stamp)

## RESERVED FOR OFFICE USE:

Claim admitted/rejected  
for voting purposes:  
(Delete one)

Signed:

Date: / /

Preferential Claim for:

Ordinary Claim for:

CLAIM REJECTED  
FOR PAYMENT:

\$

\$

or  
CLAIM ADMITTED  
FOR PAYMENT:

Preferential Claim for:

Ordinary Claim for:

\$

\$

Signed  
Liquidator:

Date: / /

**Note:** If the decision to admit or reject a claim is amended, regulation 8 of the Companies Act 1993 Liquidation Regulations 1994 requires that it be recorded in writing.





The Insolvency & Business Recovery Specialists

PO Box 6092, Wellesley St, Auckland 1141, New Zealand.  
Telephone 0-9-303 0506, Facsimile 0-9-303 0508

## Particulars of Claim

If the creditor owes money to the company, please give full details.

Date	Details of Claim and Identification of Documents that Evidence or Substantiate the Claim	Amount \$

### CLAIMS AGAINST INVENTORY (Romalpa Claims)(Consignment Goods) (Retention of Title) etc.

Please provide details of the basis of the retention of title claim filed by you and/or details of entry on the Personal Property Securities Register.

### PREFERENTIAL CLAIMANTS ONLY

#### Guideline

The Seventh Schedule of the Companies Act 1993 sets out those claims which are regarded as preferential and shows their extent and order of priority. For example, wages and salary of any employee in respect of services rendered to the company during the four months preceding the commencement of liquidation are preferential AND the total sum to which priority is to be given in the case of any one employee for wages, holiday pay, deductions, redundancy and child support must not exceed \$20,340 or such greater amount as is prescribed at the commencement of the liquidation.

1. Why do you believe you are a preferential creditor?  
(eg. employee, GST, etc) \_\_\_\_\_
2. Details of your claim: \_\_\_\_\_  
\_\_\_\_\_

If applicable please record here your GST Registration number: \_\_\_\_\_

and total GST included in your tax invoice: \_\_\_\_\_

\$