

**DML Resources Limited (In Liquidation)**  
**Liquidators' Thirty Second Report**  
**For the period from 7 May 2014 to 6 November 2014**

**1 PROGRESS OF THE ADMINISTRATION OF THE LIQUIDATION**

On 7 May 1998, DML Resources Limited ("the company") was placed in liquidation by the High Court at Auckland.

Pursuant to Section 255(2)(d) of the Companies Act 1993 ("the Act"), the liquidators herewith report on the progress of the liquidation. This thirty second report should be read in conjunction with the liquidators' previous reports. This report is being filed with the Registrar of Companies only, and is also on our website.

We attach below a statement of receipts and payments for the last six months and also for the period of the liquidation.

**2 RESTRICTIONS**

This report has been prepared in accordance with section 255(2)(d) of the Act. 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 CONDUCT OF THE LIQUIDATION DURING THE PRECEDING SIX MONTHS**

***Asset Realisations***

**3.1** All assets of DML have been realised other than the ongoing recovery from Malaysia detailed in section 4 of this report.

**4 DML MALAYSIA**

The liquidators and their joint venture partners have negotiated a confidential settlement of the outstanding legal proceedings. The liquidators confirm that six instalments of the settlement amount have been received. There are four instalments remaining. The next instalments are due in January 2015, July 2015, January 2016, and the last instalment is due to be paid in July 2016.

The funds received to date have funded the recent further distributions to unsecured creditors. Most unsecured creditors have as a result received 100 cents in the dollar. The distributions have been paid as follows:

• First Distribution	5 cents in the dollar	\$662,627
• Second Distribution	60 cents in the dollar	\$7,869,675
• Third Distribution	29 cents in the dollar	\$1,311,613
• Fourth Distribution	3 cents in the dollar	\$393,361
• Fifth Distribution	3 cents in the dollar	\$393,361
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	100 cents in the dollar	\$10,630,637
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As described in detail below those unsecured creditors that have not were in a separate class relating to voidable preference and they are now entitled to future distributions until they have received 100 cents in the dollar.

## 5 DISTRIBUTIONS

The fifth distribution to unsecured creditors was paid in September 2014 for \$393,361. \$11,000 of this was cleared after the date of this report.

As a result, most unsecured creditors (the exceptions being those creditors who agreed to contribute to the voidable preference trust) have been paid 100 cents in the dollar on their accepted claims.

As those creditors have been paid 100 cents in the dollar, and the Act requires that all unsecured creditors have to be paid 100 cents in the dollar before interest can be paid on amounts claimed, future distributions will from now on be paid pro rata to those remaining creditors that contributed to the voidable preference trust. The liquidators however do not expect that those remaining creditors will receive 100 cents in the dollar.

We advise that the purpose of the Voidable Preference Trust is now over.

## 6 INVESTIGATIONS and CREDITOR CLAIMS

There is nothing new to report.

## 7 FUNDS

As at 6 November 2014 the liquidation has approximately \$38 in funds and IBTA of \$126,289.

We attach below a statement of receipts and payments for the last six months.

## 8 ESTIMATED DATE OF COMPLETION

The completion of this liquidation is dependent upon conclusion of the settlement with the Malaysian joint venture company. This is expected to be within the next 18 months.

The last settlement payment from Malaysia is due in July 2016 and then the Malaysian entity can be wound up and finalisation can commence.

## 9 CONTACT DETAILS

Enquiries should be directed to Boris van Delden on DDI (09) 306 3342 or by email to [bvandelden@mvp.co.nz](mailto:bvandelden@mvp.co.nz).

The Liquidators can be contacted at:

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Auckland 1010

P O Box 6092  
Wellesley Street  
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BORIS VAN DELDEN  
LIQUIDATOR

DATED this 7<sup>th</sup> day of April 2016

# Realisations and Distributions

## DML Resources Limited (In Liquidation) 7 May 2014 to 6 November 2014

Realisations	Cash Received \$
Opening Balance of Funds (per 31 <sup>st</sup> report)	314,841
Settlement with DML MRP	168,264
Interest Received	5,864
<b>Total Realisations</b>	<b>\$488,969</b>
<b>Payments</b>	
<b>Liquidators Fees</b>	
Liquidators Fees	37,904
Disbursements	142
<b>Total Liquidators Fees</b>	<b>\$38,046</b>
<b>Other Costs of Liquidation</b>	
Legal Fees - General	(522)
DML Resources (Malaysia) Sdn Bhd	Financial Support - Repaid (62,400)
Legal Fees - DML Resources (Malaysia) Sdn Bhd	685
Bank Fees	50
Residents Withholding Tax	1,597
Accounting - DML Minerals	1,440
Accounting Fees - Other	1,386
<b>Total Costs of Liquidation</b>	<b>(\$57,764)</b>
<b>Distribution</b>	
Fifth Distribution to Unsecured Creditors	382,361
<b>Total Distribution to Unsecured Creditors</b>	<b>\$382,361</b>
<b>Total Payments</b>	<b>\$362,643</b>
<b>BALANCE HELD</b>	<b>\$126,327</b>

Note: the above figures are GST exclusive

# Realisations and Distributions

## DML Resources Limited (In Liquidation) 7 May 1998 to 6 November 2014

Realisations		Cash Received \$
Funds from Receiver	1,114,159	
Funds from Debentureholder	240,000	1,354,159
<b>New Zealand Assets</b>		
Debtors	32,791	
Plant and Equipment	342,150	
Truck Sales	129,200	
Sundry Assets	5,424	509,565
<b>Overseas Assets</b>		
Chile	177,563	
Hong Kong	84,286	
Indonesia	72,077	333,926
<b>Settlements</b>		
Settlement with DML MRP	732,858	
Intercompany Loan Repayment	526,023	
Settlement – Action against Director	7,850,000	
Auriferous Settlement	100,000	
Coeur Gold (Excluding GST)	2,440,641	
Diesel Propulsion/Wiri Land	140,000	
DML Pty Australia Dividend	1,061,138	
Glencoal Settlement	27,500	
Solid Energy	375,000	13,253,160
<b>Refunds from Inland Revenue Department</b>		
Pre-Liquidation GST Refunds	1,774,228	
Residents Withholding Tax Refund	106,829	
Income Tax Refund	390,859	
DML Minerals GST Refund	602	2,272,518
<b>Miscellaneous</b>		
Insurance Refund	55,696	
Interest Received	973,375	
Legal Costs Recovered	14,412	
Sale of Shares	27,293	
Sundry	14,004	
Recovery of Financial Support to Cobalt SG Limited	26,953	1,111,733
<b>Total Realisations</b>		<b>\$18,835,061</b>

**Payments****Liquidators Fees**

Liquidators Fees	3,623,578
Disbursements	207,887

<b>Total Liquidators Fees</b>	<b>\$3,831,465</b>
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**Other Costs of Liquidation****Legal Fees**

Actions against Directors	1,098,598	
Auriferous	32,059	
Chile Funds	27,958	
China Receivables	83,471	
Coeur Gold (Including Consultants)	1,071,431	
Creditor Claims	45,636	
Debenture	40,099	
Diesel Propulsion	47,477	
DML Pty Limited (In Liquidation)	30,419	
Solid Energy	42,937	
Voidable Transactions	33,523	
General	169,144	2,722,752

**Other Professional Fees**

Accounting – DML Minerals	4,018	
Accounting	19,568	
Consulting Fees	41,337	
Computer Support	2,388	
Tax Advice	94,308	161,619

**Financial Support to Related Companies**

Financial Support – Cobalt SG Limited	37,952	
DML Resources (Asia) Limited	144,548	
DML Resources (Malaysia) Sdn Bhd	71,670	254,170

**Liquidation Operating Costs**

Accident Compensation Corporation Costs	14,856	
Advertising	4,640	
Bank Fees	3,116	
Insurance	21,532	
Printing and Photocopying	29,705	
Storage – Vehicles, Records and Engines	95,451	
Vehicle Expenses and Transportation Costs	15,287	
Wages	7,822	
Sundry	19,942	212,351

**Inland Revenue Department**

Fringe Benefit Tax	2,460	
Residents Withholding Tax	70,941	73,401

<b>Total Costs of Liquidation</b>		<b>\$3,424,293</b>
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**Settlements and Distributions to Creditors**

Applicant Creditor Costs ors	2,155	
Inland Revenue Department – PAYE, GST	1,035	
Settlement of Creditors' Claims	830,147	
First Distribution to Unsecured Creditors	662,627	
Second Distribution to Unsecured Creditors	7,869,675	
Third Distribution to Unsecured Creditors	1,311,613	
Fourth Distribution to Unsecured Creditors	393,362	
Fifth Distribution to Unsecured Creditors	382,362	
<b>Total Settlements and Distributions to Creditors</b>		<b>\$11,452,976</b>
<b>Total Payments</b>		<b>\$18,708,734</b>
<b>BALANCE HELD</b>		<b>\$126,327</b>

Note: the above figures are GST exclusive