

Section 106

Return of Final Meeting in a
Creditors' Voluntary Winding UpPursuant to Section 106 of the
Insolvency Act 1986

To the Registrar of Companies

S.106

Company Number

02857842

Name of Company

Protol Developments Limited

I/We David R Acland
Red Hill House
Hope Street
Saltney
Chester
CH4 8BUNote: The copy account must be
authenticated by the written signature(s)
of the Liquidator(s)

1 give notice that a general meeting of the company was duly ~~held on~~/summoned for 20 December 2012 pursuant to section 106 of the Insolvency Act 1986, for the purpose of having an account (of which a copy is attached) laid before it showing how the winding up of the company has been disposed of, and that ~~the same was done accordingly~~ / no quorum was present at the meeting,

2 give notice that a meeting of the creditors of the company was duly held on/~~summoned for~~ 20 December 2012 pursuant to Section 106 of the Insolvency Act 1986, for the purpose of having the said account laid before it showing how the winding up the company has been conducted and the property of the company has been disposed of and that the same was done accordingly/~~no quorum was present at the meeting~~

The meeting was held at Red Hill House, Hope Street, Chester, CH4 8BU

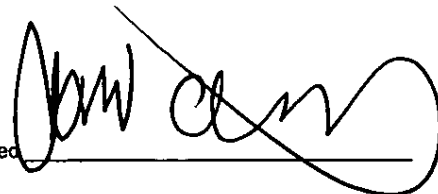
The winding up covers the period from 20 October 2010 (opening of winding up) to the final meeting (close of winding up)

The outcome of any meeting (including any resolutions passed) was as follows

The final report and account was laid before the meeting and was approved by the Chairman acting on the general proxies

No creditor resolved against the liquidators release

Signed



Date 20 December 2012

Beggies Traynor (Central) LLP
Red Hill House
Hope Street
Saltney
Chester
CH4 8BU

Ref PR070CVL/DRA/PLA/LB/PP

WEDNESDAY

COMPANIES HOUSE



A21

A1ZOTV0Y

09/01/2013

#235

Protol Developments Limited (In Creditors' Voluntary Liquidation)

Final report and account of the liquidation pursuant
to Section 106 of the Insolvency Act 1986 and Rule
4.126 of the Insolvency Rules 1986

Period: 20 October 2010 to 20 December 2012

Important Notice

This report has been produced solely to comply with my statutory duty to report to creditors and members of the Company pursuant to Section 106 of the Insolvency Act 1986. This report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors and members for any purpose other than this report to them, or by any other person for any purpose whatsoever.

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1 INTERPRETATION

<u>Expression</u>	<u>Meaning</u>
"the Company"	Protol Developments Limited (In Creditors' Voluntary Liquidation)
"the liquidation"	The appointment of a liquidator pursuant to Section 98 of the Insolvency Act 1986 on 20 October 2010
"the liquidator", "I", "me" and "my"	David Robert Acland of Begbies Traynor (Central) LLP, 1 Winckley Court, Chapel Street, Preston, PR1 8BU
"the Act"	The Insolvency Act 1986 (as amended)
"the Rules"	The Insolvency Rules 1986 (as amended)
"secured creditor" and "unsecured creditor"	Secured creditor, in relation to a company, means a creditor of the company who holds in respect of his debt a security over property of the company, and "unsecured creditor" is to be read accordingly (Section 248(1)(a) of the Act)
"security"	<ul style="list-style-type: none">(i) In relation to England and Wales, any mortgage, charge, lien or other security (Section 248(1)(b)(i) of the Act), and(ii) In relation to Scotland, any security (whether heritable or moveable), any floating charge and any right of lien or preference and any right of retention (other than a right of compensation or set off) (Section 248(1)(b)(ii) of the Act)
"preferential creditor"	Any creditor of the Company whose claim is preferential within Sections 386, 387 and Schedule 6 to the Act

2. COMPANY INFORMATION

Trading name(s)	N/A
Company registered number	02857842
Company registered office	1 Winckley Court, Chapel Street, Preston, PR1 8BU
Former trading address	1 Vitesse Road, Triumph Trading Park, Speke Hall Road, Liverpool, L24 9BB

3 DETAILS OF APPOINTMENT OF LIQUIDATOR

Date winding up commenced	20 October 2010
Date of liquidator's appointment	20 October 2010
Changes in liquidator (if any)	None

4 PROGRESS SINCE APPOINTMENT

Attached at Appendix 1 is my abstract of receipts and payments for the period from 20 October 2010 to 20 December 2012. This report should be read in conjunction with an annual progress report issued under Section 104A of the Insolvency Act 1986 and issued to creditors on 15 November 2011, reference should be made to that report. My comments upon items appearing in the receipts and payment account are as follows:

RECEIPTS

Note	Item	Book Value	Estimated in SOA*	Realised
1	Goodwill	Nil	Nil	250
2	Property improvements	5,046	Nil	Nil
3	Work in Progress	24,874	Uncertain	5,250
4	Tax refund	Nil	Nil	3,000
5	Book Debts	142	142	Nil
6	Cash at Bank	7,278	7,278	7,512
7	Refunds	Nil	Nil	1,423
8	Bank interest	Nil	Nil	25
		37,340	7,420	17,460

* Statement of Affairs ("SOA") presented on 20 October 2010

Book values were extracted from the company's book and records. The company's goodwill was valued by Mr David Kay FNAVA, FICBA, FBAEA, AABRP, of independent agents Robson Kay & Co, Limited, ("RKC").

1. An offer of £250 was made for the goodwill and IPR of the company from the parent company Protol Holdings Limited. On RKC's advice I accepted the offer and instructed them to attend to the sale formalities on my behalf.
2. Property improvements were scheduled in the Company's books and records with a value of £5,046. As the property was owned by a third party the estimated to realise value was listed as £nil and as anticipated no recoveries were made.
3. As previously advised the Company's work in progress represented unbilled sales in the final month prior to liquidation. The book value was extracted from the Company records. The estimated to realise value was listed as uncertain as Protol Comar Limited ("Comar") had discharged certain WIP costs and had agreed to discharge certain site clearance costs. After evaluation of the costs incurred an element was accepted as valid offset. Thereafter, the sum of £5,250 was agreed with Comar for the net value of the WIP and received in full.
4. Corporation tax returns for the group were submitted by the Company's accountant for the periods 01 April 2009 to 31 March 2010 and 01 April 2010 to 20 October 2010 (date of liquidation). The losses enabled the associated companies to receive a group loss relief payment and the Company was paid an agreed percentage of the tax refund.

- 5 The scheduled book debt of £142 was received into the company bank account prior to appointment and increased the balance of cash at bank
- 6 Cash at bank of £7,512 08 was received This exceeded the estimated to realise value as a result of the receipt referred to above
- 7 A refund of £1,423 20 was received from United Utilities regarding an overpayment of utility costs paid prior to liquidation
- 8 Bank interest gross totalled £25 02

5. OUTCOME FOR CREDITORS

Details of the sums owed to each class of the Company's creditors were provided in my progress report for the period 20 October 2010 to 19 October 2011 and are as follows

Secured / Preferential Creditors

As anticipated in the statement of affairs, there were no secured or preferential creditor claims

Unsecured creditors

	£ Estimated in SOA	£ Received
Trade & expense creditors*	93,638	196,089
Crown non preferential claims	58,974	19,723
Protol Holdings Limited	317,037	0
Protol Comar Limited	23,662	0
	493,311	215,812

Creditor claims were received as detailed above. As there were insufficient funds to permit a distribution to unsecured creditors no claims were formally reviewed

Prescribed Part for unsecured creditors pursuant to Section 176A of the Act

As detailed in the director's statement of affairs and to the best of my knowledge and belief, there are no floating charges created or registered on or after 15 September 2003 and, consequently, there is no net property as defined in Section 176A (6) of the Act and, therefore, no prescribed part of net property is available for distribution to the unsecured creditors

Notice that no dividend will be declared

In the context of the information herein presented, notice is hereby given pursuant to Rule 4.186 of The Insolvency Rules 1986 that no dividend was declared in respect of any class of creditor in this matter for the reason that the funds realised have already been distributed or used or allocated for defraying the expenses of the liquidation. In this connection, the particulars prescribed by Rule 11.7 of the Insolvency Rules 1986 are contained within this report and accompanying account of receipts and payments

6 REMUNERATION & DISBURSEMENTS

My remuneration has been fixed by a resolution of creditors at the meeting held pursuant to Section 98 of the Insolvency Act 1986 on 20 October 2010, by reference to the time properly given by me (as

liquidator) and the various grades of my staff calculated at the prevailing hourly charge out rates of Begbies Traynor (Central) LLP in attending to matters arising in the liquidation and I am authorised to draw disbursements, including disbursements for services provided by our firm (defined as category 2 disbursements in Statement of Insolvency Practice 9) in accordance with my firm's policy, details of which accompanied the Statement of Affairs and other information presented to the meeting of creditors convened pursuant to Section 98 of the Act, and which is attached at Appendix 2 of this report

Begbies Traynor (Central) LLP professional fees for assisting the company and its directors' in fulfilling the statutory requirement for placing the company into creditors' voluntary liquidation was fixed at £5,000 plus disbursements plus VAT. Additionally the sum of £2,000 plus VAT was resolved to be paid to the company accountants Pierce C A Limited for their assistance in the preparation of the statement of affairs. Total pre appointment time spent on this assignment amounted to 32.60 hours at an average composite rate of £165.59 per hour resulting in total time costs of £5,398.50. The sum of £5,000 plus VAT has been paid to Begbies Traynor (Central) LLP with the remaining time costs of £398.50 being written off. The costs of Pierce C A Limited have been paid in full.

Post appointment time costs totalled £18,540 which represents 106.9 hours with an average charge out rate (through various grades) of £173.43 per hour. Liquidator's fees totalling £9,007.80 have been drawn. The remaining post appointment time costs totalling £9,532.20 have been written off as irrecoverable.

The following further information as regards time costs is set out at the appendices

- ☐ Begbies Traynor (Central) LLP policy for re-charging expenses
- ☐ Begbies Traynor (Central) LLP charge-out rates
- ☐ Summary of time costs by staff grade and work activity for the periods 20 October 2010 to 20 December 2012
- ☐ Cumulative summary of time costs by staff grade and work activity for the period 20 October 2010 to December 2012

A statement of the expenses incurred throughout the period of the liquidation is attached at the appendices. The sum of £99.20 has been drawn in respect of Mileage / Parking costs which is deemed to be a category 2 expense (as defined in Statement of Insolvency Practice 9).

7. LIQUIDATOR'S EXPENSES

A statement of the expenses incurred since our last progress report is attached at Appendix 3. I would comment on specific items as follows:

Agent's Fees

Robson, Kay & Co Limited were paid the sum of £250 plus VAT for their assistance in the valuation and sale of the Company's Assets.

Accountancy Fees

Pierce C A Limited was paid the sum of £500 plus VAT for work completed in relation to the calculation and submission of the corporation tax loss relief claim.

Advertising Costs

Courts Advertising Services Limited was paid the sum of £454.50 for statutory advertising.

8 UNREALISABLE ASSETS

There are no assets that have proved to be unrealisable

9 OTHER RELEVANT INFORMATION

You may be aware that liquidators have a duty to investigate generally the affairs of an insolvent company to determine its property and liabilities, and to identify any actions which could lead to the recovery of funds. In addition, liquidators are also required to consider the conduct of the company's directors (including shadow directors) in the three years prior to the liquidation, and to make an appropriate submission to the Department for Business, Innovation and Skills ("DBIS"). I made my report to the DBIS although I am not at liberty to disclose the nature or contents of the report submitted.

The detailed investigation matters as set out in Statement of Insolvency Practice 2* were completed.

There were no matters arising from the investigations which required further action which would provide additional funds for the creditors.

The books and records of the company are being held by the directors to my order. I intend to order their destruction twelve months after the company's dissolution is recorded at Companies House. Insolvency Practitioners case files are retained for a period of six years commencing upon the holding of the final meeting of the company.

* Statements of Insolvency Practice (SIPs) are a series of guidance notes issued to licensed insolvency practitioners with a view to maintaining standards by setting out required practice. The purpose of SIPs are to set out basic principles with which insolvency practitioners are required to comply. Departure from the standards set out in the SIPs are matters that may be considered by a practitioner's regulatory authority for the purposes of possible disciplinary or regulatory action. The library of SIPs can be accessed at www.R3.org.uk

Connected party transactions

In accordance with Statement of Insolvency Practice 13, I confirm that the following assets were sold to a director of the company:

Date of sale	Asset sold and nature of transaction	Consideration paid and date	Name of Purchaser	Relationship with the Company
19 November 2010	Goodwill / IPR	£250 paid on 2 December 2010	Protol Holdings	Company connected by common ownership

10 CONCLUSION

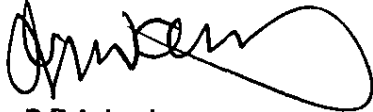
This report and account of receipts and payments will be laid before final meetings of the Company and the creditors to be held on 20 December 2012 in accordance with Section 106 of the Act. Formal notice of the meetings and a proxy form are enclosed with the covering letter accompanying this report.

The meetings are a formal requirement of liquidation procedure and are a prelude to the formal dissolution of the Company, which will occur automatically, approximately three months later. Unless creditors otherwise resolve, pursuant to Section 173(2) of the Act I will be released from liability at the time that we vacate office.

Although the meetings are rarely attended, if any creditor wishes to attend the meeting, it would assist me in making the necessary administrative arrangements if you would inform the case manager by

telephone. This is particularly important for any creditor wishing to attend who considers that the proposed venue is inconvenient. In that event I will consider reconvening the meetings at an alternative venue to be agreed. Any such request should be made within the next seven days so that we may inform all creditors of the revised arrangements. Alternatively, if you wish a proxy to attend on your behalf, the proxy form should be returned by 12 noon on the business day before the meeting.

Should you require further explanation of any matters contained within this report, you should contact my office and speak to the case manager, Paul Austin the first instance, who will be pleased to assist.

A handwritten signature in black ink, appearing to read 'D R Acland', with a large, sweeping loop at the end.

D R Acland
Liquidator

Dated 8 October 2012

ACCOUNT OF RECEIPTS AND PAYMENTS

Period 20 October 2010 to 20 December 2012

Protol Developments Limited
(In Liquidation)
Liquidator's Abstract of Receipts & Payments

Statement of Affairs		From 20/10/2011 To 18/10/2012	From 20/10/2010 To 18/10/2012
ASSET REALISATIONS			
	Goodwill	NIL	250 00
Uncertain	Work in Progress	5,250 00	5,250 00
142 00	Book Debts	NIL	NIL
NIL	Property Improvements	NIL	NIL
	Tax Refund	3,000 00	3,000 00
7,278 00	Cash at Bank	NIL	7,512 08
	Sundry Refunds	NIL	1,423 20
	Bank Interest Gross	11 98	25 02
		<u>8,261 98</u>	<u>17,460 30</u>
COST OF REALISATIONS			
	Specific Bond	40 00	40 00
	Preparation of S of A	5,000 00	7,000 00
	Office Holders Fees	9,007 80	9,007 80
	Office Holders Expenses	99 20	99 20
	Accountancy Fees	NIL	500 00
	Agents/Valuers Fees	NIL	250 00
	Stationery & Postage	50 77	50 77
	Company Search	4 00	4 00
	Storage Costs	54 03	54 03
	Statutory Advertising	76 50	454 50
		<u>(14,332 30)</u>	<u>(17,460 30)</u>
UNSECURED CREDITORS			
(93,638 00)	Trade & Expense Creditors	NIL	NIL
(43,741 00)	HM Revenue & Customs - PAYE	NIL	NIL
(15,233 00)	HM Revenue & Customs - VAT	NIL	NIL
(23,662 00)	Protol Comar Limited	NIL	NIL
(317,037 00)	Protol Holdings Limited	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
DISTRIBUTIONS			
(9,000 00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(494,891.00)</u>		<u>(6,070.32)</u>	<u>NIL</u>
REPRESENTED BY			<u>NIL</u>

TIME COSTS AND DISBURSEMENTS

- a Begbies Traynor (Central) LLP's policy for re-charging expenses/disbursements,
- b Begbies Traynor (Central) LLP's charge-out rates
- c Table of time spent and charge-out value for the period from 20 October 2011 to 20 December 2012
- d Cumulative table of time spent and charge-out value for the period from 20 October 2010 to 20 December 2012

TIME COSTS AND DISBURSEMENTS

BEGBIES TRAYNOR CHARGING POLICY

INTRODUCTION

This note applies where a licensed Insolvency Practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the basis of the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees following the passing of a resolution for the office holder to be remunerated on a time cost basis. Best practice guidance¹ requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the cost of facilities provided by the firm and also where payments are to be made to outside parties in which the office holder or his firm or any associate has an interest. Best practice guidance requires that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

OFFICE HOLDER'S FEES IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

The office holder has overall responsibility for the administration of the estate. He/she will delegate tasks to members of staff. Such delegation assists the office holder as it allows him/her to deal with the more complex aspects of the case and ensures that work is being carried out at the appropriate level. There are various levels of staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows staff working on the case along with the office holder to allocate their time to the case. The time is recorded at the individual's hourly rate in force at that time which is detailed below.

EXPENSES INCURRED BY OFFICE HOLDERS IN RESPECT OF THE ADMINISTRATION OF INSOLVENT ESTATES

Best practice guidance classifies expenses into two broad categories.

- *Category 1 disbursements (approval not required)* - specific expenditure that is directly related to the case usually referable to an independent external supplier's invoice. All such items are charged to the case as they are incurred.
- *Category 2 disbursements (approval required)* - items of incidental expenditure directly incurred on the case which include an element of shared or allocated cost and which are based on a reasonable method of calculation.

(A) The following items of expenditure are charged to the case (subject to approval)

- Internal meeting room usage for the purpose of statutory meetings of creditors is charged at the rate of £100 per meeting,
- Car mileage is charged at the rate of 40 pence per mile,
- Storage of books and records (when not chargeable as a *Category 1 disbursement*) is charged on the basis that the number of standard archive boxes held in storage for a particular case bears to the total of all archive boxes for all cases in respect of the period for which the storage charge relates.

¹ Statement of Insolvency Practice 9 (SIP 9) – Remuneration of insolvency office holders in England & Wales (Effective 1 April 2007)

- Telephone and facsimile
- Printing and photocopying
- Stationery

BEGBIES TRAYNOR CHARGE-OUT RATES

Begbies Traynor is a national firm. The rates charged by the various grades of staff that may work on a case are set nationally, but vary to suit local market conditions. The rates applying to the Preston office as at the date of this report are as follows:

	Standard 1 May 2011 – until further notice Regional
Partner	395
Director	345
Senior Manager	310
Manager	265
Assistant Manager	205
Senior Administrator	175
Administrator	135
Trainee Administrator	110
Support	110

Prior to 1 May 2011, the following rates applied

Grade of staff	Charge-out Rate (£ per hour)
Partner 1	395
Partner 2	350
Director	325
Senior Manager	295
Manager	250
Assistant Manager	195
Senior Administrator	160
Administrator	130
Trainee Administrator	100
Support	100

Time spent by support staff for carrying out shorter tasks, such as typing or dealing with post, is not charged to cases but is carried as an overhead. Only where a significant amount of time is spent at one time on a case is a charge made for support staff.

Time is recorded in 6 minute units.

Staff Grade	Partner	Director	Snr Mngr	Mngr	Asst Mngr	Snr Admin	Admin	Jnr Admin	Support	Total Hours	Time cost £	Average hourly rate £
Administration and Planning				16		14	58			860	1,376 00	180 00
				23		18	65	12	79	2020	2,638 50	130 62
	Administration and Banking	07										
				14		60	05	94	11	1930	2,944 00	152 54
Investigations				12			41			560	951 50	189 91
Realisation of assets				18		29	14			810	1,154 50	189 28
				29		17	24			870	2,041 50	234 66
	Property business and asset sales	17										
Retention of Title/Third party assets												
Trading												
Creditors												
	Secured											
				42		38	129	18		2480	4,470 00	180 24
Others	21											
Creditors committee												
Other matters				05			08			250	703 00	281 20
	Meetings	12										
	Other											
				20			17			170	221 00	130 00
Tax	24						21	23	08	940	2,040 00	217 02
Litigation												
Total hours by staff grade				179		174	380	147	96	1089		
Total time cost by staff grade £												18,540 00
Average hourly rate £												60 00
Total fees drawn to date £												9 007 80
												173 43

[illegible]

STATEMENT OF EXPENSES

Type of expense	Name of party	Amount incurred up to 19 October 2011	Amount incurred 20 October 2011 to 20 December 2012	Amount discharge d
		£	£	£
Agent's Fees	Robson Kay & Co Limited	250 00	-	250 00
Accountancy Fees	Pierce C A Limited	500 00	-	500 00
Statutory Advertising	Courts Advertising Services Limited	378 00	76 50	454 50
Postage	Royal Mail plc	36 21	14 56	50 77
Bonding premium	AUA Insolvency Risk Services Limited	25 00	15 00	40 00
Company searches	Companies House	4 00	-	4 00
Storage costs	IBEX IM Limited	-	54 03	54 03
		<u>1,193 21</u>	<u>160 09</u>	<u>1,353 30</u>

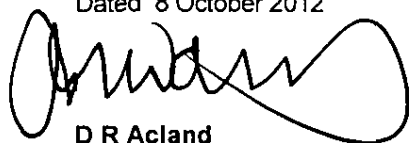
IN THE MATTER OF PROTOL DEVELOPMENTS LIMITED (IN LIQUIDATION)
AND IN THE MATTER OF THE INSOLVENCY ACT 1986

NOTICE IS HEREBY GIVEN pursuant to Section 106 of the Insolvency Act 1986, that meetings of the members and creditors of the above-named Company, summoned by the liquidator, will be held at the offices of Begbies Traynor (Central) LLP, Red Hill House, Hope Street, Saltney, Chester, CH4 8BU on 20 December 2012 at 10 15a m and 10 30a m respectively, for the purpose of receiving an account of the winding up

A member or creditor entitled to attend and vote is entitled to appoint a proxy to attend and vote instead of him and such proxy need not also be a member or creditor

A proxy form is enclosed which must be returned (together with a completed proof of debt form if you have not already lodged one) to the liquidator at the offices of Begbies Traynor (Central) LLP, Red Hill House, Hope Street, Saltney, Chester, CH4 8BU no later than 12 noon on the business day before the meetings to entitle you to vote by proxy at the meeting

Dated 8 October 2012

A handwritten signature in black ink, appearing to read 'D R Acland', written over a horizontal line.

D R Acland
Liquidator

Proxy (Members' or Creditors' Voluntary Winding Up)

Protol Developments Limited

Name of Creditor / Member _____

Address _____

Please insert name of person (who must be 18 or over) or the chairman of the meeting (see note below) if you wish to provide for alternative proxy holders in the circumstances that your first choice is unable to attend please state the name(s) of the alternatives as well

Name of Proxy Holder

1 _____

2 _____

3 _____

Please delete words in brackets if the proxy holder is only to vote as directed i.e. he has no discretion

I appoint the above person to be my/the creditor's/member's proxy holder at the meeting of creditors/members to be held on 20 December 2012 or at any adjournment of that meeting. The proxy holder is to propose or vote as instructed below (and in respect of any resolution for which no specific instruction is given, may vote or abstain at his/her discretion)

Please complete these paragraphs

* Delete as appropriate

Voting Instructions for resolutions

1 THAT the liquidator's final report and account of receipts and payments be approved
IN FAVOUR / AGAINST*

2 THAT the liquidator obtains his release
IN FAVOUR / AGAINST*

Any other resolutions which the proxy-holder is to propose or vote in favour of or against should be set out in numbered paragraphs in the space provided below paragraph 1. If more room is required please use other side of this form

This form must be signed

Signature _____ Date _____

Name in CAPITAL LETTERS _____

Only to be completed if the creditor/member has not signed in person

Position with creditor/member or relationship to creditor/member or other authority for signature _____

Please note that if you nominate the chairman of the meeting to be your proxy-holder he will either be a director of the Company or the current liquidator
Remember there may be resolutions on the other side of this form