

The Insolvency Act 1986

Liquidator's Progress
ReportPursuant to section 192 of the
Insolvency Act 1986

To the Registrar of Companies

S.192

For official use

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Company Number

03610034

Name of Company

(a) Insert full name of
company

(a) Cetelem (UK) Limited

(b) Insert full name(s) and
address(es)

We, (b)

Kerry Lynne Trigg

Ernst & Young LLP
1 More London Place
London
SE1 2AF

Samantha Jane Keen

Ernst & Young LLP
1 More London Place
London
SE1 2AFthe liquidators of the company attach a copy of our Progress Report under section 192 of
the Insolvency Act 1986

Signed

Kerry Trigg

Date 21 July 2015

Presenter's name,
address and reference
(if any)Pascale Murray
Ernst & Young LLP
1 More London Place
London
SE1 2AF

For Official Use

Liquidation Section

Post Room

THURSDAY



A30

30/07/2015
COMPANIES HOUSE

#238

TO ALL MEMBERS

21 July 2015

Ref KLT/PH/PM/ML 7E
Direct line 020 7806 9278
Pascale Murray

pheddell@uk.ey.com

Dear Sirs

**Cetelem (UK) Limited
(in Members' Voluntary Liquidation) ("the Company")**

S J Keen and I were appointed as Joint Liquidators of the Company on 27 May 2011. I now write to provide you with our report on the progress of the liquidation for the period 27 May 2014 to 26 May 2015.

In accordance with the provisions of the Insolvency Rules 1986 we are required to provide certain information about the Company and the liquidators. The information can be found in Appendix A of this report. A copy of our receipts and payments account for the period from 27 May 2014 to 26 May 2015 is attached at Appendix B.

Progress during the period of the report

Receipts and Payments

There were no receipts or payments made by the Company during the year.

Other matters

As previously reported, it is customary in a liquidation to seek confirmation from the relevant Crown bodies that they have no claim in respect of corporation tax, PAYE and National Insurance Contributions.

The appropriate clearances have been received from HM Revenue & Customs that they have no claim, there are no outstanding corporation tax matters and that there is no objection to the closure of the liquidation.

Joint liquidators' remuneration

The Joint Liquidators' remuneration was fixed on a time-cost basis by a resolution of the members on 27 May 2011.

Since the commencement of the liquidation to 26 May 2015, the Joint Liquidators have incurred fees of £160,260, of this sum £35,269 has been incurred in the period covered by this report. The Joint Liquidators have received a total of £130,812 in relation to their time costs. £28,743 has been approved by the shareholder and paid from the funds held in the liquidation estate, £102,069 has been approved and paid by the shareholder directly.

At Appendix D to this report there is a statement of our policy in relation to charging time and at Appendix E there is an analysis of the time spent.

Joint liquidators' statement of expenses incurred

Since the commencement of the liquidation the Joint Liquidators have incurred £711 of expenses. The Joint Liquidators have received the full amount in relation to the expenses they have incurred. During the period covered by this report, the Joint Liquidators have not incurred any expenses.

Outstanding issues

During the year, the Company has continued to receive a number of PPI claims which have either been forwarded by your legal team or sent directly to my offices. My colleagues Philip Heddell, Jonny Hopes, Stanley Bijura and Pascale Murray have continued to liaise with your colleagues Jon Ford and Caroline D'Arcy in order to respond to the claims. As at the date of this report all claims received have been responded to. We have previously proposed to you a strategy to deal with the PPI claims that will enable us to conclude the liquidation.

In addition, as you are aware, Pinnacle Insurance plc ("Pinnacle") entered into an Agency Agreement ("the Agreement") with the Company on 23 October 2003 in which both parties indemnified each other for any claims which the other party may incur arising out of or in connection with any breach of the Agreement (including PPI claims). I understand from your legal team that there is currently on-going discussion regarding Pinnacle and confirmation is required that it will not claim/does not have a claim under the Agreement entered into with Company.

Once your agreement to the strategy to deal with the PPI claims and confirmation has been received from Pinnacle that it will not/does not have a claim in the Company, I will be able to proceed with the conclusion of the liquidation.

Members' rights to further information about, and challenge, remuneration and expenses

In certain circumstances, members are entitled to request further information about our remuneration or expenses, or to apply to court if members consider the costs to be excessive. Further information is provided in Appendix C.

Should you have any queries, please do not hesitate to contact my colleague, Pascale Murray, on the above direct line.

Yours faithfully
for the Company



K L Trigg
Joint Liquidator

Kerry Lynne Trigg and Samantha Jane Keen are licensed in the United Kingdom to act as insolvency practitioners by The Insolvency Practitioners Association.

We may collect, use, transfer, store or otherwise process (collectively, "Process") information that can be linked to specific individuals ("Personal Data"). We may Process Personal Data in various jurisdictions in accordance with applicable law and professional regulations including (without limitation) the Data Protection Act 1998.

Appendix A

**Cetelem (UK) Limited
(in Members' Voluntary Liquidation) ("the Company")**

Information about the company and the liquidators

Registered office address of the company	1 More London Place, London, SE1 2AF
Registered number	03610034
Full names of the liquidators	Kerry Lynne Trigg and Samantha Jane Keen
Liquidators' address(es)	Ernst & Young LLP 1 More London Place, London, SE1 2AF
Date of appointment of the joint liquidators	27 May 2011
Details of any changes of liquidator	None



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Appendix B

Cetelem (UK) Limited (in Members' Voluntary Liquidation) ("the Company")

Joint liquidators' receipts and payments account for the period from 27 May 2014 to 26 May 2015

Declaration of Solvency Estimated to Realise Values		In this report period 27 May 2014 to 26 May 2015	In the period since commencement 27 May 2011 to 26 May 2015
£	Receipts	£	£
38,369	Balance at bank	-	56,528
1,443	Interest receivable on bank balance	-	-
17,464	VAT recoverable	-	-
	Debtors	-	355
	Book debts	-	861
	Business rates refund	-	1,489
57,276	TOTAL	-	59,234
	Payments		
11,000	Accruals	-	-
	Legal Fees	-	19,726
	Liquidation Fees	-	28,744
	Liquidation expenses	-	683
	Irrecoverable VAT	-	9,831
11,000	TOTAL	-	58,984
	Balance at bank at 26 May 2015		250

Notes

- 1 Receipts and payments are stated net of VAT
- 2 The balance in hand is held as follows
Non-interest bearing accounts £250

Appendix C

Members' rights to request further information about remuneration or expenses or to challenge a liquidator's remuneration – Rules 4.49E and 4.148C of the Insolvency Rules 1986 (as amended)

4 49E Creditors' and members' request for further information

(1) If—

(a) within the period mentioned in paragraph (2)—

(i) a secured creditor, or

(ii) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question), or

(iii) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company, or

(b) with the permission of the court upon an application made within the period mentioned in paragraph (2)—

(i) any unsecured creditor, or

(ii) any member of the company in a members' voluntary winding up,

makes a request in writing to the liquidator for further information about remuneration or expenses set out in a progress report in accordance with Rule 4 49B(1)(e) or (f) (including by virtue of Rule 4 49C(5)) or in a draft report under Rule 4 49D, the liquidator must, within 14 days of receipt of the request, comply with paragraph (3) except to the extent that the request is in respect of matter in a draft report under Rule 4 49D or a progress report required by Rule 4 108 which (in either case) was previously included in a progress report not required by Rule 4 108

(2) The period referred to in paragraph (1)(a) and (b) is—

(a) 7 business days of receipt (by the last of them in the case of an application by more than one member) of the progress report where it is required by Rule 4 108, and

(b) 21 days of receipt (by the last of them in the case of an application by more than one member) of the report or draft report in any other case

(3) The liquidator complies with this paragraph by either—

(a) providing all of the information asked for, or

(b) so far as the liquidator considers that—

(i) the time or cost of preparation of the information would be excessive, or

(ii) disclosure of the information would be prejudicial to the conduct of the liquidation or might reasonably be expected to lead to violence against any person, or

(iii) the liquidator is subject to an obligation of confidentiality in respect of the information, giving reasons for not providing all of the information

(4) Any creditor, and any member of the company in a members' voluntary winding up, who need not be the same as the creditors or members who asked for the information, may apply to the court within 21 days of—

(a) the giving by the liquidator of reasons for not providing all of the information asked for, or

(b) the expiry of the 14 days provided for in paragraph (1),

and the court may make such order as it thinks just

(5) Without prejudice to the generality of paragraph (4), the order of the court under that paragraph may extend the period of 8 weeks or, as the case may be, 4 weeks provided for in Rule 4 131(1B) or 4 148C(2) by such further period as the court thinks just

(6) This Rule does not apply where the liquidator is the official receiver



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Appendix C

4 148C Members' claim that remuneration is excessive

- (1) Members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or any member with the permission of the court, may apply to the court for one or more of the orders in paragraph (6) on the grounds that—
 - (a) the remuneration charged by the liquidator,
 - (b) the basis fixed for the liquidator's remuneration under Rule 4 148A, or
 - (c) expenses incurred by the liquidator,is or are, in all the circumstances, excessive or, in the case of an application under sub-paragraph (b), inappropriate
- (2) Application must, subject to any order of the court under Rule 4 49E(5), be made no later than 8 weeks (or 4 weeks when the liquidator has resigned in accordance with Rule 4 142) after receipt by the applicant of the report or account which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report")
- (3) The court may, if it thinks that no sufficient cause is shown for a reduction, dismiss the application, but it must not do so unless the applicant has had the opportunity to attend the court for a hearing of which the applicant has been given at least 5 business days' notice but which is without notice to any other party
- (4) If the application is not dismissed under paragraph (3), the court must fix a venue for it to be heard and give notice to the applicant accordingly
- (5) The applicant must at least 14 days before the hearing send to the liquidator a notice stating the venue and accompanied by a copy of the application and of any evidence which the applicant intends to adduce in support of it
- (6) If the court considers the application to be well-founded, it must make one or more of the following orders—
 - (a) an order reducing the amount of remuneration which the liquidator was entitled to charge,
 - (b) an order fixing the basis of remuneration at a reduced rate or amount,
 - (c) an order changing the basis of remuneration,
 - (d) an order that some or all of the remuneration or expenses in question be treated as not being expenses of the liquidation,
 - (e) an order that the liquidator or the liquidator's personal representative pay to the company the amount of the excess of remuneration or expenses or such part of the excess as the court may specify,and may make any other order that it thinks just, but an order under sub-paragraph (b) or (c) may be made only in respect of periods after the period covered by the relevant report
- (7) Unless the court orders otherwise, the costs of the application must be paid by the applicant and are not payable as an expense of the liquidation

Rules 4 49E and 4 148C are reproduced from the Insolvency (Amendment) Rules 2010 under the terms of Crown Copyright Guidance issued by HMSO

**Cetelem (UK) Limited
(in Members' Voluntary Liquidation) ("the Company")**

Joint liquidators' time costs for the period from 27 May 2014 to 26 May 2015

Liquidators' charging policy for remuneration

The members have determined that the liquidators' remuneration should be fixed on the basis of time properly spent by the liquidators and their staff in attending to matters arising in the liquidation

The liquidators have engaged a manager and other staff to work on the cases. The work required is delegated to the most appropriate level of staff taking account of the nature of the work and the individual's experience. Additional assistance is provided by accounting and treasury executives dealing with the company's bank accounts and statutory compliance diaries. Work carried out by all staff is subject to the overall supervision of the liquidators.

All time spent by staff working directly on case-related matters is charged to a separate time code established for each case. Each member of staff has a specific hourly rate, which is subject to change over time. The average hourly rate for each category of staff over the period is shown below, as are the current hourly rates used. The current hourly rates may be higher than the average rates, if hourly rates have increased over the period covered by this report. Time is recorded in units of six minutes.

Current Charge Out Rate (£)		2011	2012	2013	2014	2015
Partner / Director	Partner	735	770	810	895	895
	Executive Director	705	740	775	835	855
	Director	600	630	660	730	810
Manager	Assistant Director	515	540	565	625	625
	Senior Executive	380	400	420	460	460
Other Senior Professionals	Executive	280	295	310	340	340
	Assistant Executives	215	225	235	310	310
Assistants & Support	Business Trainee	150	160	170	190	190
	Global Talent Hub		-	140	140	150
	Accounting & Treasury Executives	205	215	225	245	245



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Appendix E

Summary of time costs for the period 27 May 2014 to 26 May 2015

Classification of work function	Hours			Total Hours	Total Average hourly rate (£)	Total Time Costs (£)
	Partner / Director	Manager	Assistants & Support			
Debtors		0 2		0 2	625 00	125 00
Legal Issues		1 2		1 2	611 25	733 50
Members		2 0	1 6	3 6	418 93	1,508 16
Other Matters		1 4	0 5	1 9	507 89	965 00
Property		1 0		1 0	613 00	613 00
Statutory Duties	0 5	1 3	6 0	7 8	313 33	2 444 00
Accounting and Administration	0 2	0 5	19 2	19 9	207 66	4 132 50
Creditors (Mandatory)	0 5	25 0	45 2	70 7	350 05	24 748 50
Grand Total	1 2	32 6	72 5	106 3	331 79	35 269 66

Less billed for period 31 May 2014 – 24 October 2014 16,625 50
Outstanding 18,644 16

Summary of time costs for the period 27 May 2011 to 26 May 2015

Classification of work function	Hours				Total Hours	Total Average hourly rate	Total Time Costs
	Partner / Director	Manager	Other Senior Professionals	Assistants & Support			
Accounting and Administration	0 2	6 0	24 7	48 9	79 8	255 40	20,380 90
Bank & Statutory Reporting				2 7	2 7	180 37	487 00
Creditors	2 5	63 8	15 6	78 5	160 4	359 22	57,618 17
Debtors		3 7		8 6	12 3	292 89	3,602 50
Legal Issues	2 2	44 6	29 6	65 5	141 9	336 55	47,756 50
Members		17 0	9 8	4 7	31 5	422 04	13 294 16
Other Assets		0 3			0 3	540 00	162 00
Other Matters		8 9		0 5	9 4	549 04	5,161 00
Property		1 6		0 6	2 2	475 68	1,046 50
Statutory Duties	0 5	2 4		28 4	31 3	219 82	6,880 50
VAT & Taxation		4 2	2 8	3 6	10 6	365 24	3,871 50
Grand Total	5 4	152 5	82 5	242 0	482 4	332 22	160,260 73

Summary of Work Undertaken during the period 27 May 2014 to 26 May 2015

- Completion of statutory tasks, in particular completing the annual progress report and ensuring all files are kept in compliance with the act and rules,
- Providing updates to Keith Schrod on the progress of the liquidation,
- Correspondence with the legal team (Jon Ford and Caroline D'Arcy) in relation to the PPI claims
- Discussion amongst EY team and with BNPP with regards to the closure strategy for the liquidation,
- Extensive correspondence with claimants in relation to PPI claims,
- Maintenance of the liquidation bank account and sundry administration matters,
- Handling correspondence and income from IVA debtors