

LIQ03

Notice of progress report in voluntary winding up



Companies House

FRIDAY



A8YA1D60

A09

07/02/2020

#398

COMPANIES HOUSE

1 Company details

Company number 0 5 7 6 9 3 2 4

Company name in full Premier FX Limited

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) Jonathan David

Surname Bass

3 Liquidator's address

Building name/number Lynton House

Street 7 - 12 Tavistock Square

Post town London

County/Region

Postcode WC 1 H 9 L T

Country

4 Liquidator's name ①

Full forename(s) Freddy

Surname Khalastchi

① Other liquidator
Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number Lynton House

Street 7 - 12 Tavistock Square

Post town London

County/Region

Postcode WC 1 H 9 L T

Country

② Other liquidator
Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6 Period of progress report

| | | | | | | | | |
|-----------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| From date | ^d 0 | ^d 7 | ^m 1 | ^m 2 | ^y 2 | ^y 0 | ^y 1 | ^y 8 |
| To date | ^d 0 | ^d 6 | ^m 1 | ^m 2 | ^y 2 | ^y 0 | ^y 1 | ^y 9 |

7 Progress report

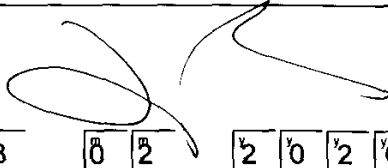
☐ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

| | | | | | | | |
|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| ^d 0 | ^d 3 | ^m 0 | ^m 2 | ^y 2 | ^y 0 | ^y 2 | ^y 0 |
|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|

**Premier FX Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments
To 06/12/2019**

| | £ | £ |
|---|-------------|-------------------|
| POST ADMINISTRATION PSU TRANSACTIONS | | |
| Receipts received during ADM | 26,630.94 | |
| Receipts received during CVL | 24,749.49 | |
| Return of post ADM receipts | (40,657.49) | |
| | | 10,722.94 |
| ASSET REALISATIONS | | |
| Office equipment | 305.00 | |
| Funds received from Administrators | 529,770.39 | |
| Bank interest gross | 339.56 | |
| | | 530,414.95 |
| COST OF REALISATIONS | | |
| Bank charges | 25.00 | |
| | | (25.00) |
| | | 541,112.89 |
| REPRESENTED BY | | |
| Lloyds Bank (Interest bearing) | | 541,112.89 |
| | | 541,112.89 |

Additional notes:

Barclays Bank plc is holding ₱90,099,800. These monies represent funds held in Philippine Peso by the Company as at the date of the Administration. These monies are being held to order of the Joint Liquidators hence not being reflected on the receipts & payments account.

As at the date of this report these funds have yet to be converted in to Pound Sterling. Currency exchange rates are constantly fluctuating, but to provide an indication as to the value of Philippine Peso in Pounds Sterling it is anticipated that these funds would convert to circa £1,300,000.

PREMIER FX LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION

**JOINT LIQUIDATORS' PROGRESS REPORT PURSUANT TO SECTION 104A OF THE INSOLVENCY ACT
1986 AND RULE 18.2 OF THE INSOLVENCY (ENGLAND & WALES) RULES 2016**

FOR THE PERIOD 7 DECEMBER 2018 TO 6 DECEMBER 2019

DATED 3 FEBRUARY 2020

MENZIES

PREMIER FX LIMITED - IN CREDITORS' VOLUNTARY LIQUIDATION - ("THE COMPANY")

ANNUAL PROGRESS REPORT

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2. Asset realisations and case progression
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3. Joint Liquidators' analysis of time costs
- 3a. Joint Liquidators' narrative to time costs incurred
4. Menzies LLP disbursements recovery policy

1. INTRODUCTION AND EXECUTIVE SUMMARY

This report should be read in conjunction with the Joint Administrators' proposals together with the final report issued by the Joint Administrators.

I would also draw creditors' attention to previously issued Frequently Asked Questions ("FAQs") which have been circulated to creditors in the post and are available to download on the creditor portal.

I was appointed Joint Liquidator of the Company on 7 December 2018. I now present my progress report for the first year of the liquidation, pursuant to Section 104A of the Insolvency Act 1986 ("the Act") and Rule 18.2 of the Insolvency (England & Wales) Rules 2016 ("the Rules").

The Company's statutory information is attached at Appendix 1 of this report.

Executive summary

The Company was incorporated on 4 April 2006 and the principle activity of the Company was that of a payment service provider which was authorised and supervised by the Financial Conduct Authority ("FCA") to perform money remittance services under the Payment Services Regulation 2017 ("the PSRs").

The sole director and shareholder, namely Peter Rextrew, passed away on 16 June 2018. Katy Grogan and Charles Peter Rextrew were appointed directors of the Company on 18 June 2018 following their father's death. The Company continued to trade for a period of time and then subsequently ceased to trade on 27 July 2018.

The Company entered administration on 13 August 2018 following an application to Court made by the FCA with Dina Devalia and Peter Hart of PKF Geoffrey Martin & Co being appointed Joint Administrators.

On 18 October 2018, a physical first meeting of creditors was held. At this meeting it was resolved by creditors that the Administrators' proposals would be approved but with modifications. These modifications were that the administration would end within six weeks and the Company would be moved to a creditors' voluntary liquidation, with Freddy Khalastchi and Jonathan Bass both of Menzies LLP being appointed as Joint Liquidators.

At the date of my appointment, I took steps to review the assets and company information, including the 73 bank accounts, together with commencing my investigations. Further details can be found in the investigations section of this report.

I attach at Appendix 2 a receipts and payments account for the period ended 6 December 2019. Details of progress during the period under review are set out below.

2. ASSET REALISATIONS AND CASE PROGRESSION

I attach at Appendix 2 a receipts and payments account for the period ended 6 December 2019, but please see below a summary of matters arising:

Office equipment:

Upon my appointment, I secured the Company's office equipment. A number of items such as the TV, keyboards and computer mice have been sold to unconnected parties with a total of £305 being realised.

Post administration payment service users ("PSUs") transactions:

Following a review the bank account transactions, it was noted that a sum of £51,380.43 was received by the Company after the administration order. The sum of £26,630.94 of these monies were received in the administration and were subsequently transferred to me as Joint Liquidator which were included within the £556,401.33 detailed in the Joint Administrators' final report.

In February 2019, Barclays Bank plc ("Barclays") transferred a further £24,749.49 which had accumulated in the Company's bank account from PSUs who had continued to transfer monies into the Company's bank account.

Legal advice was sought on how to treat these monies and it was confirmed that if the PSUs could demonstrate and evidence that the payment was made in error and that these were not monies due to the Company, their funds could be duly returned. To date a sum totalling £40,657.49 has been returned to those relevant PSUs who made payments in error.

If you have paid monies to the Company after the date of the administration, being 13 August 2018 and not previously been in contact, I would urge you to contact my office.

Funds received from the Administrators:

£556,401.33 was transferred from the administration to the liquidation.

As referred to above of the £556,401.33 received, £26,630.44 represented funds received into the Company's bank account after the date of administration. Therefore for the purposes of the receipts and payments account a net figure of £529,770.39 is detailed as the funds received from the administration.

Bank interest gross:

The funds are held in an interest-bearing account and during the reporting period, gross bank interest of £339.56 has accumulated.

Philippine Pesos:

A sum of ₱90,099,800 Philippine Pesos is held on an account at Barclays. These funds represent monies held in this currency denomination as at the date of the administration order. Barclays are currently holding these funds to my order, but they have yet to be converted into Pounds Sterling.

Currency exchange rates are constantly fluctuating but to provide creditors with an indication as to the Philippine Peso value, if the funds were to be converted to Pounds Sterling, these funds would be worth circa £1,300,000.

Bank charges:

Bank charges of £25 have been incurred in respect of transfers.

Court application as regard to the treatment of the funds:

The Company was authorised by the FCA to perform money remittance services under the PSRs. In accordance with the legislation the Company was required to take steps to protect and safeguard the PSUs's funds, if those funds were not being remitted to the desired beneficiary forthwith.

The purpose of the safeguarding provisions in the PSRs is to protect customer funds that are held pending onward transfer. For example, where funds are received and an agreement is reached for a

future dated payment order, these funds should be placed in a safeguarding account until the execution date.

The Company was authorised to perform money remittance services and it was not authorised by the FCA to accept deposits. In providing money remittance services, a company like this can only hold funds for the purpose of the payment transactions. However, these funds must be accompanied by a payment instruction for onward forward transfer. A payment institution cannot hold funds indefinitely and, in any event, can only hold funds for a payment transaction, which distinguishes it from being a deposit taker.

In the first instance and in accordance with insolvency legislation, any claims for monies paid by PSUs to the Company prior to it being placed into administration would normally rank as an unsecured creditor for the purposes of the liquidation as they were not held in a clearly defined safeguarding account.

Given the nature of the business, the circumstances in which PSUs transferred monies to the Company and how they were administered, further analysis was required to determine how the remaining funds should be treated.

As at the date of the administration the Company held funds of circa £1.8m, against which there was claims of anything up to £10.6m. It is unclear whether all or some of those funds belong to the Company should be distributed *pari passu* to creditors, and / or whether certain funds are subject to propriety claims of specific individual creditors, i.e. monies do not belong to the Company because they are held on trust for those individual creditors and should be returned to them.

As alluded to above some of the monies paid to the Company may be subject to claims from a number of the parties that deposited funds with it and this could mean that they effectively rank ahead of the unsecured creditor claims.

Solicitors' and Counsel advice has been sought in this regard and it was identified that an application to Court by the Joint Liquidators for directions pursuant to Section 112 of the Insolvency Act 1986 was required in relation to the payment of the costs and expenses in investigating the beneficial ownership of the monies held by the Company as at the date of the administration.

The application's drafting is reaching a conclusion with a view to it being issued imminently. As part of this application, a request will be made to the Court for the Joint Liquidators to utilise monies realised to pay for certain costs associated with furthering the investigation and evaluating the beneficial ownership of the monies. These costs will include paying for third party specialists to gain access to the Company's electronic data and also the Joint Liquidators' time costs in undertaking the forensic work required.

Subject to the outcome of the Court application and once further analysis has been completed to include all the available information, a subsequent Court application may need to be made for further directions on the treatment of the monies held in the estate.

The Joint Liquidators will be obliged to follow the directions handed down by the Court which may direct that certain parties have a propriety claim over the monies. If that transpires to be the case, steps will be taken to agree their specific claims and return these monies.

The Court application has not been made within the reporting period, however the draft application and witness statement has been shared with the FCA and the Liquidation Committee ("Committee") and a number of conference calls and meetings have taken place to finalise its content.

As detailed above, the application will be issued imminently with the relevant parties and creditors being served notice. For creditors, a supplementary FAQs will also be issued at the same time in order to address potential specific queries creditors may have.

3. INVESTIGATIONS

Following our appointment we commenced our enquiries in to the demise of the Company and the conduct of a number of parties. In this process we contacted the directors, former employees, contractors, solicitors, accountants, bankers and other professional firms engaged by the Company. These individuals/parties have been interviewed and various avenues of investigation arising from these discussions have been explored.

The bank statements have been obtained in various formats from the FCA, Barclays and the Joint Administrators. The Company operated 73 bank accounts and during the Company's last six years of trading circa 300,000 banking transactions were carried out across these accounts.

These statements have been extensively analysed by our forensics department as part of the initial tracing exercise with a view to highlighting potential claims for the Joint Liquidators to pursue. In reviewing these transactions a number of contemporaneous records and documents secured have also been reviewed.

As referred to previously, the Company's IT equipment has been secured but to date these have yet to be accessed and forensically analysed. As set out above, the purpose of the proposed Court application in respect of the monies, includes the request to pay for third party costs to gain access to the Company's electronic data which could be used to advance potential claims as well as deal with the treatment of the funds in the estate.

The FCA are currently conducting their own investigations into the demise of the Company and the Joint Liquidators are assisting the FCA where appropriate by sharing information, findings and attending regular conference calls / meetings.

I have complied with my obligations pursuant to the Company Directors Disqualification Act 1986 as well as liaising with the appropriate authorities.

The above is not an exhaustive list of the work undertaken by the Joint Liquidators and the creditors should appreciate that certain aspects will not be disclosed in full as to do so may prejudice the outcome of future investigations and potential claims.

During the period under review we have held numerous meetings and calls with the Committee and provided them with a summary of our findings to date. Similarly they have provided us with lots of information and assisted us in focusing our investigations.

4. JOINT ADMINISTRATORS' REMUNERATION, COSTS AND DISBURSEMENTS

It is for a Committee to approve the basis of the office holders' remuneration. If no Committee is established or the Committee fails to determine the basis of our remuneration, it will be for the creditors to determine.

In the event that no Committee is formed a decision is sought from the general body of creditors.

In this matter a Committee was formed at the first meeting of creditors held on the 18 October 2018 and therefore it is for the Committee to approve the basis of the Joint Administrators' remuneration.

The Joint Administrators' remuneration was approved by the Creditors Committee on 14 November 2018 and fees were fixed by reference to the time given by them and their staff in attending to

matters in the Administration, such time to be charged at the hourly charge out rate of the grade of staff undertaking the work at the time it was undertaken.

Following discussions between the Joint Administrators and proposed Joint Liquidators and taking the views of the Committee in to account, the time costs incurred were capped in the sum of £170,000 plus disbursements plus VAT. This represented a full and final settlement of all pre and post appointment time costs incurred by the Joint Administrators.

A breakdown of the Joint Administrators time costs and disbursements can be found in their final report.

These costs are an expense of the liquidation and to date the Joint Administrators have not been paid any of these costs as they are also covered by the application to Court.

5. JOINT LIQUIDATORS' REMUNERATION

On 8 March 2019, the Committee passed the following resolution: 'For the approval of the Liquidators' remuneration of £120,000 plus VAT for stage one of the liquidation, as defined within the Liquidator's fees and expenses report dated 8 February 2019 and initially presented to the Committee on the same date.'

The next stage of approval as regards to the liquidators' remuneration will be presented to the Committee when it is appropriate to do so and after the outcome of the Court application referred to the above.

For disclosure purposes, my total time costs incurred for the period amount to £452,112.35, made up of 1,775.83 hours at an average charge out rate of £254.59 per hour.

I attach at Appendix 3 a breakdown of these time costs by work category and staff grade.

You will note that included in these time costs is the time my forensics team has spent investigating the bank transactions, reviewing both physical and electronic records secured and accessed, whilst assisting with the analysis to be utilised in the proposed Court application. The total time for the forensics team amounts to £177,555.85, made up of 816.33 hours at an average charge out rate of £217.50.

To date a significant time has been spent on investigations and it is envisaged that further time will be spent as the case progresses. Given the size and technical nature of the liquidation, much of the work described in the sections above has been undertaken at partner and director level, whilst a manager and a senior administrator has provided the appropriate support. Additional assistance was provided by cashiers dealing with banking and statutory duties, and administrators offering various support services. All time spent on administering various duties was charged directly to the case in 6 minute units.

No remuneration has been drawn in the reporting period.

A further narrative of work done during the period is set out at Appendix 3a.

An explanatory note "A Creditors' Guide to Liquidators' Fees" can be found on the following link - <https://www.menzies.co.uk/helping-you/business-recovery/fees-guide/>. Alternatively, it is available free of charge by contacting Menzies LLP. Please note that there are different versions and you should refer to the version for appointments after September 2015.

6. JOINT LIQUIDATORS' EXPENSES AND DISBURSEMENTS

Subject to the outcome of the Court application expenses are payable by the officeholder from the liquidation estate as these are not the officeholder's remuneration nor a distribution to creditors.

These include disbursements in connection with an appointment and please see the receipts and payments account detailed at Appendix 2, which shows the payments made from the estate during the liquidation. Given the position as regards the monies in the estate, no expenses have been paid as yet.

For the purposes of disclosure I have incurred total expenses and disbursements of £100,170.91 plus VAT during this period, as detailed in the table below:

| Type of expense | Original estimate (Included in report to the Committee) (£) | Incurred during the period (£) | Total paid from the liquidation (£) | Remains outstanding (£) |
|--|--|--------------------------------------|---|----------------------------|
| Statutory advertising | 83.00 | 80.10 | Nil | 80.10 |
| Specific penalty bond | 800.00 | 800.00 | Nil | 800.00 |
| Travel, accommodation and meeting room hire | 1,300.00 | 1,845.40 | Nil | 1,845.40 |
| Storage & shipping | 450.00 | 71.68 | Nil | 71.68 |
| Insurance | 480.00 | Nil | Nil | Nil |
| Legal fees / time costs | 66,500.00 | 87,336.00 | Nil | 87,336.00 |
| Solicitors' disbursements | - | 902.73 | Nil | 902.73 |
| Counsel's fees | - | 9,135.00 | Nil | 9,135.00 |
| Total | 69,613.00 | 100,170.91 | Nil | 100,170.91 |

Please note that all costs, expenses and disbursements are shown as net of VAT in the body of this report. As the Company was not registered for VAT purposes VAT cannot be recovered and is therefore an expense of the insolvent estate.

Please note that I have not been able to discharge any expenses in the matter and all the expenses excluding the legal time costs, solicitors' disbursements and Counsel's fees have been met by my firm in the first instance. These expenses will hopefully be reimbursed following the outcome of the Court application.

Professional advisors

I have used the following agents or professional advisors in the reporting period:

| Professional advisor | Nature of work | Basis of fees |
|----------------------|----------------|--|
| JMW Solicitors LLP | Solicitors | Time costs (Conditional fee agreement) |
| Guildhall Chambers | Counsel | Time costs (Conditional fee agreement) |

Legal fees / time costs:

The Joint Liquidators have instructed JMW Solicitors LLP ("JMW") to deal with the following matters:

- Assisting with making a Court application in respect of the monies held by Barclays at the date the administration order vis-à-vis potential proprietary claims to these funds;
- Drafting confidentiality agreements for the Committee;
- Attending conference calls with the Committee;

- Advising on potential claims identified by our investigations; and
- Assisting and corresponding with individuals and professional firms as part of our investigations.

As reflected above time costs of £87,336.00 has been incurred by JMW and Counsel has incurred time costs of £9,135, both these figures are net of VAT.

The choice of professionals was based on my perception of their experience and ability to perform this type of work and the complexity and nature of the assignment. I also considered that the basis on which they will charge their fees represented value for money. I have reviewed the charges they have incurred and I am satisfied that they are reasonable in the circumstances of this case.

Statutory advertising:

The Joint Liquidators have a statutory obligation to advertise their appointment.

Specific penalty bond:

The Joint Liquidators are obliged to take out a specific bond insurance, based on the value of the estimated assets in the liquidation.

Travel, accommodation and meeting room hire:

These costs relate to travel to the Company's former offices in the UK, Portugal and Mallorca to interview the directors, key members of staff and third-party professionals / advisors.

Storage and shipping:

Past and future costs will be incurred in storing the Company's books and records as well as shipping the records and computers back from Portugal and Mallorca.

No disbursements have or will be claimed which, while directly referable to this matter, do not involve a payment to a third party. Neither will any cost be reimbursed which included an element of shared or allocated cost (e.g. photocopying). A statement with regard to my firm's disbursements recovery policy is attached at Appendix 4.

As at 6 December 2019, as you can see from the information provided in this report, the expenses I have incurred in this matter have exceeded the total expenses I estimated I would incur when my remuneration was authorised by the Committee. The reasons for this are the extensive investigations carried out to date and the the process of dealing with the Court application referred to previously.

7. CREDITORS' CLAIMS AND OUTCOME FOR CREDITORS

Secured creditor

Following an examination of the Company's mortgage register held by the Registrar of Companies, it showed that the Company has granted the Barclays a deed of charge over credit balances, which was created on 4 July 2006 and registered at Companies House on 12 July 2006.

It is understood that most of the Company's accounts were operated on a cash positive basis and only a relatively small number of accounts were overdrawn at the date of the administration. During the administration and prior to transferring the balance of funds to the Joint Administrators, Barclays applied an offset against the overdrawn balances and the accounts that held positive cash balances.

Preferential creditors

Preferential employee related claims have been paid by Redundancy Payments Office ("RPO") who will have a corresponding preferential claim against the Company. The employee information was submitted to the RPO by the Joint Administrators. The RPO has yet to submit their claim but per the statement of affairs, it is estimated that the preferential claim is in the region of £1,812.

To date a claim has not been received from the RPO. In any event we are not able to pay a preferential dividend until the outcome of the Court application is handed down.

Unsecured creditors

During the administration unsecured claims were estimated at £10,631,654. To date I have received claims from 121 creditors with a claim value of £6,769,314.64. Please note that these claims have not been admitted for dividend purposes at this stage.

HM Revenue & Customs may have a claim in the liquidation but have yet to lodge one.

The prospect of a dividend to creditors as well as in terms of timing and quantum is heavily dependent on the outcome of the Court application referred to previously. Further to this, the potential return to creditors is also heavily dependent on our ongoing investigations.

Please note that the claims which have been received have not been adjudicated on for dividend purposes. Once the we are in a position to distribute monies or to pay a dividend, then claims will be fully reviewed and adjudicated.

The Committee

Since the formation of the Committee there has been a number of changes in its membership. The Committee currently consists of three members, namely:

- Graham Dyke;
- Keith Carre; and
- Pauline Creasey.

As the Committee has been a link between the creditors and the Joint Liquidators, if you have query that you would like to raise with the Committee and you have not previously been in contact with them their email address is: pfxliquidationcommittee@gmail.com.

8. CREDITORS' RIGHTS TO FURTHER INFORMATION AND TO CHALLENGE LIQUIDATORS' REMUNERATION AND EXPENSES

Further information about creditors' rights can be obtained by visiting the creditors' information micro-site published by the Association of Business Recovery Professionals (R3) at <http://www.creditorinsolvencyguide.co.uk/>. A copy of 'A Creditors Guide to Liquidators' Fees' also published by R3, is available at the link <http://www.menzies.co.uk/helping-you/business-recovery/fees-guide/>. Please refer to the version for appointments after September 2015.

Creditors' right to request information

Any secured creditor, or an unsecured creditor with the support of at least 5% in value of unsecured creditors or with the leave of court, may (in writing) request me to provide additional information regarding remuneration or expenses already supplied within this report. In accordance with rule 18.9(2) of the Rules, such a request or application for leave must be made within 21 days of receipt of this report.

Creditors' right to challenge remuneration and/or expenses

Any secured creditor, or an unsecured creditor with the support of at least 10% in value of the unsecured creditors or with permission of the court, may apply to court for one or more orders under Rule 18.36(4) or 18.37(4) of the Rules. In accordance with rule 18.34(3) such applications must be made within eight weeks of receipt of this report.

9. DATA PROTECTION NOTICE

The Joint Liquidators are data controllers of personal data as defined by the relevant provisions of the applicable data protection legislation. Menzies LLP will act as a data processor on their instructions. Personal data will be kept secure and processed only for matters relating to the insolvency appointment. Full details of our privacy notice is at the following link:
<https://www.menzies.co.uk/legal/>.

10. CONCLUDING REMARKS

The liquidation will remain open until the ongoing investigations have been completed and at this stage, I am unable to provide an estimate as regard to timings.

I am required in accordance with insolvency legislation to formally report again on the progress of the liquidation within two months of the next anniversary of the liquidation or in the draft final account, whichever is earlier. However given the imminent Court application, I will be providing creditors with notice of the application which will be accompanied by a further FAQs.

Should you require further information, or if you want hard copies of any of the documents made available on-line, please contact my office by email at PFX@menzies.co.uk, or by phone on +44 (0)29 2044 7514.



Jonathan David Bass
Joint Liquidator

MENZIES

APPENDIX 1

STATUTORY INFORMATION

| | |
|--------------------------------------|---|
| Company name: | Premier FX Limited |
| Company number: | 05769324 |
| Registered office: | Lynton House 7-12 Tavistock Square London WC1H 9LT |
| Former registered office: | Castle Court 41 London Road Reigate RH2 9RJ |
| Former trading addresses: | Castle Court, 41 London Road, Reigate, RH2 9RJ Rua Sacudra Cabral, Elifício Golfe 1A, Almancil, Portugal, 8135-034 Carrer de la Protectora, 10 Local 9, 007012 Palma de Mallorca, Spain |
| Principal trading activity: | Payment service provider |
| Joint Liquidators' names | Jonathan David Bass and Freddy Khalastchi |
| Joint Liquidators' address | Lynton House 7-12 Tavistock Square London WC1H 9LT |
| Date of appointment | 7 December 2018 |
| Contact details of Joint Liquidators | +44 (0)29 2044 7514 or at PFX@menzies.co.uk |
| Details of any changes of Liquidator | There have been no changes of Liquidator during the winding up. |

**Premier FX Limited
(In Liquidation)
Joint Liquidators' Summary of Receipts & Payments
To 06/12/2019**

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| REPRESENTED BY | | |
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| | | 541,112.89 |

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Premier FX Limited
(In Creditors' Voluntary Liquidation)

Analysis of Joint Liquidators' Time Costs
Period 7 December 2018 to 6 December 2019

| | Partner / Director | Manager | Administrator | Cashier | Total Hours | Charge £ | Average rate £ |
|-----------------------------|--------------------|------------|---------------|---------|-------------|-------------|-------------------|
| Administration and planning | 47.60 | 56.10 | 92.30 | 4.40 | 200.40 | 51,741.50 | 258.19 |
| Creditors | 121.00 | 84.50 | 255.00 | - | 460.50 | 110,470.00 | 239.89 |
| Realisation of assets | 41.50 | 2.10 | 0.60 | - | 44.20 | 18,474.00 | 417.96 |
| Investigations | 118.50 | 117.10 | 18.80 | - | 254.40 | 93,871.00 | 368.99 |
| Forensics | 138.25 | 264.50 | 413.58 | - | 816.33 | 177,555.85 | 217.50 |
| Hours | 468.85 | 524.30 | 780.28 | 4.40 | 1,775.83 | 452,112.35 | |
| Charge (£) | 199,529.50 | 151,793.50 | 99,926.35 | 860.00 | | | 254.59 |

CHARGE OUT RATES OF INSOLVENCY TEAM MEMBERS
From 1 Oct 2019

| | £ per hour |
|------------------|------------|
| Partner/Director | 400 - 525 |
| Manager | 260 - 350 |
| Senior | 230 - 250 |
| Administrator | 100 - 205 |
| Support Staff | 100 - 135 |

There may have been a number of promotions through the various grades during the period of the administration.

Overhead costs are reflected in the charge out rates detailed.

The charge-out rate of the Insolvency Practitioners for this assignment is currently £525 and £465 per hour, with additional staff at different levels and charge out rates.

Time is recorded in minimum units of 6 minutes.

- Note 1**
Note 2
Note 3
Note 4

JOINT LIQUIDATORS' NARRATIVE TO TIME COSTS INCURRED

A summary description of the work undertaken since my appointment as Joint Liquidator is as follows:

1 Administration and planning

There are certain aspects of the case that are required by statute and for the efficient running of the case. These are not expected to provide a direct quantifiable benefit to creditors; however, without them, other aspects of the case which do provide a quantifiable benefit to creditors would be less efficient. They include:

- The maintenance of physical case files and electronic case management information;
- Periodic review of files;
- Strategic case planning and the routine administration of the case; and
- Preparation of documentation and reports, dealing with correspondence and statutory advertising.

Specifically:

Reporting

- We are obliged to prepare a report to the Committee setting out the basis of our fee proposal, which will include work done to date and anticipated to be undertaken during liquidation.

Cashiering

- Setting up an estate bank accounts;
- Lodging receipts;
- Preparing and processing invoices for payments;
- Reconciling the bank accounts and producing the receipts and payments accounts;
- Arranging the specific penalty bonding;
- Preparation and submission of corporation tax returns; and
- Liaising with the bank in respect the liquidation estate account.

2 Asset realisations

Net asset realisations provide the financial benefit to creditors and their quantum directly contributes to any dividend ultimately available to creditors.

The only immediate Company assets which we were aware of were the cash at bank balances and the office equipment.

The cash at bank which was held by the Joint Administrators, having previously been transferred by Barclays was transferred to us. Since our appointment further monies have been received from Barclays. It should be noted that the Philippine Pesos are still held by Barclays to our order and we are continuing to liaise with Barclays in this regard.

Computer equipment was collected from the Joint Administrators and individuals in Portugal and Mallorca who were storing it.

This equipment will not be realised in the immediate future, due to it potentially containing information regarding the Company's financial affairs, which will form part of our investigations.

3 Investigations

The vast majority of the Joint Liquidators' time has been incurred in investigating the Company's financial affairs. Below is a summary of the areas where work has been undertaken or is continuing to be undertaken in liquidation:

Company books and records:

It is the officeholder's statutory obligation to ensure that the books and records of the Company are secured. Time has been spent recovering and reviewing these records from the Joint Administrators, Barclays, directors and the former employees based in Portugal and Mallorca. Time has been incurred in reviewing these records to identify any matters for further investigations or recovery.

Forensic analysis:

The Joint Liquidators have obtained bank statements in various formats from the FCA, Barclays and the Joint Administrators. The statements have been analysed by my forensics department as part of the initial tracing exercise with a view to highlighting potential claims for the Liquidators to pursue. We will continue to liaise with Barclays in this respect.

Interview of directors, former employees and professional firms:

We have contacted the directors and former key employees, together with solicitors, accountants, bankers and other professional firms engaged by the Company. These individual/parties have subsequently been interviewed by the Joint Liquidators. Further meetings/interviews maybe undertaken as part of the on-going investigations.

Financial Conduct Authority (FCA):

We have been liaising with the FCA regarding their concurrent investigations. This has involved meetings and conference calls, as well as written correspondence with the FCA. This is to share relevant information amongst us and to avoid duplication where possible.

Director's conduct report:

It is a statutory requirement that a report is prepared on the conduct of each person who acted as a director or shadow director of the Company within the three years prior to a company's insolvency. This report was submitted by the Joint Administrators, but we have continued to liaise with the Insolvency Service. This correspondence is confidential and its content is not disclosable to stakeholders.

The above is not an exhaustive list of the work undertaken and creditors should appreciate that certain aspects will not be disclosed in full as they may prejudice the outcome of future investigations.

4 Creditors (claims and distribution)

Time spent in this category included the following:

- Maintaining creditor information on the electronic case management files as well as the physical case files;
- Reviewing creditor claims and documents that have been submitted;
- Analysing creditors' supporting documentation in conjunction with the bank transactions;
- Dealing with routine correspondence and queries;
- Taking telephone calls from creditors and addressing queries they may have;
- Dealing with PSUs who transferred funds to the Company after the commencement of the administration in error.

MENZIES

- Dealing with constitution of the Committee, convening meetings and reporting to the Committee and dealing with correspondence and queries;
- Regular meetings with the Committee; and
- Corresponding with the Committee on a regular basis.

APPENDIX 4

MENZIES LLP DISBURSEMENTS RECOVERY POLICY

Category 1 Disbursements

Specific expenditure relating to the administration of the insolvent estate and payable to an independent third party is recoverable without creditor approval. Such expenditure is made if funds are available from the insolvent estate. If funds are not available then payment is made from this firm's office account and reimbursed from the estate should funds become available.

Category 1 disbursements will generally comprise external supplies of incidental services specifically identifiable to the case. Typical items include legal fees, agents' fees, statutory advertising, insurance of assets, search fees, specific penalty bonding, telephone calls, postage, invoiced travel and properly reimbursed expenses incurred by personnel in connection with the case.

Category 2 Disbursements

These are expenses that are directly referable to the administration of the insolvent estate but not involve a payment to an independent third party. They may include shared or allocated costs that may be incurred and that can be allocated to an estate on a proper and reasonable basis (e.g. photocopying).

Category 2 disbursements require creditor approval.

LIQ03

Notice of progress report in voluntary winding up



Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name **Rona Bharania**

Company name **Menzies LLP**

Address **Lynton House**

7 - 12 Tavistock Square

Post town **London**

County/Region

Postcode **W C 1 H 9 L T**

Country

DX

Telephone **020 7387 5868**



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.



Important information

All information on this form will appear on the public record.



Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.



Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse