

Return of Final Meeting in a Creditors' Voluntary Winding Up

S.106

Pursuant to Section 106 of the Insolvency Act 1986

To the Registrar of Companies

Company Number

06703255

Name of Company

(a) Insert full name of company

(a) A BETTER PROFAB

Limited

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

1/We (b) NICHELLE WILLIAMS OF BAILLAMS & CO
TY ANTOR, NAVIGATION PARK, ABERCROMBY, CF45 4SN

(c) Delete as applicable

(d) Insert date

(e) The copy account must be authenticated by the written signature(s) of the liquidator(s)

(f) Insert venue of the meeting

1 give notice that a general meeting of the company was duly (c) [held on] [summoned for] (d) 27TH NOVEMBER 2012 pursuant to Section 106 of the Insolvency Act 1986, for the purpose of having an account (of which a copy is attached (e) laid before it showing how the winding up of the company has been disposed of and (c) [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 (c) [held on] [summoned for] (d) 27TH NOVEMBER 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 of the company has been conducted and the property of the company has been disposed of and (c) [that the same was done accordingly] [no quorum was present at the meeting]

The meeting was held at (f) TY ANTOR NAVIGATION PARK, ABERCROMBY, CF45 4SN

The winding up covers the period from (d) 10TH AUGUST 2010 (opening of winding up) to the final meeting (close of winding up) (27TH NOVEMBER 2012)

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

- (1) FOR THE APPROVAL OF THE LIQUIDATOR'S DRAFT FINAL PROGRESS REPORT
- (2) FOR THE LIQUIDATOR BEING RELEASED FROM OFFICE
- (3) FOR THE LIQUIDATOR BEING AT LIBERTY TO DESTROY THE COMPANY'S BOOKS & RECORDS 12 MONTHS AFTER THE FINAL MEETING

Signed



Date

27/11/2012

Presenter's name, address and reference (if any)

THURSDAY



A1MPH4JV

A13

29/11/2012

#266

COMPANIES HOUSE

**A Better Profab Limited
(In Creditors Voluntary Liquidation)**

**Liquidators Final Progress Report pursuant to
Sections 104A and 106 of the Insolvency Act 1986 and Rule 4.49D of the
Insolvency Rules 1986**

Period of Report from 10th August 2010 to 27th November 2012

Notice:

This progress report has been produced solely to comply with our statutory duty to report to creditors and members of the Company and on the progress of the Liquidation. This report should not be relied upon by any individual or entity, or used for any other purpose, referred to, reproduced, or quoted from in whole or in part by creditors and/or members for any other purpose.

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Interpretation

"The Company"

A Better Profab Limited (In Creditors' Voluntary Liquidation)

"The Liquidator"

Michelle Williams, formerly of McAlister & Co Insolvency Practitioners, 10 St Helens Road, Swansea, SA1 4AW and now with Bailams & Co Insolvency Practitioners, Ty Antur, Navigation Park, Abercynon, CF45 4SN

"Secured creditor"

Secured creditor means a creditor of the company who holds security over property of the company in accordance with Section 248 of the Insolvency Act 1986

"Preferential creditor"

A creditor of the company whose claim is preferential in accordance with Sections 386, 387 and Schedule 6 of the Insolvency Act 1986

1. Introduction

On the 10th August 2010 a resolution was passed by the members of the company to place the company into Liquidation and appoint Michelle Williams as Liquidator

2. Company Information

Company Name	A Better Profab Limited
Company Number	6703255
Registered Office	c/o Ty Antur, Navigation Park, Abercynon, CF45 4SN
Trading Address	Unit 1, Llys Glas Park, Amanwy, New Road, Ammanford, SA18 3EZ

3. Appointment of Liquidator

The Liquidator was appointed by members and creditors on the 10th August 2010. There has not been any change in Liquidator, however the Liquidator has changed practice from McAlister & Co to Bailams & Co

4. Liquidator's Receipts and Payments

I attach at Appendix 1 to this report my receipts and payments from the 10th August 2010 to the 27th November 2012

5. Liquidator's Remuneration & Disbursements

At the creditors meeting held on the 10th August 2010, the Liquidator's remuneration had been fixed by a resolution of creditors at the meeting held pursuant to Section 98 of the Insolvency Act 1986 by reference to time properly spent by her and her staff at the appropriate charge out rates attached, in attending to matters arising in the liquidation. All remuneration shall be payable at the discretion of the Liquidator.

A resolution was also passed to authorise the Liquidator to draw disbursements (including category 2 disbursements in accordance with Statement of Insolvency Practice 9)

Time costs for the period from the 10th August 2010 to the 27th November amount to £17,749.25 which represents 81.45 hours at an average rate of £217.92 per hour.

No liquidators fees have been drawn

Category one disbursements in the sum of £130.00 and category two disbursements of £18.00 have been incurred during the period covered by this report, of which £62.03 and £20.34 respectively have been drawn. (Category one disbursements relate to case bonding of £120.00 and company searches of £10.00. Category two disbursements relate to postage, telephone and photocopying.)

In accordance with Statement of Insolvency Practice 9, I attach a time cost summary at Appendix 2 to this report. A creditors' guide to Liquidator's fees is attached at Appendix 3.

Summaries of charge out rates are attached at Appendices 4a and 4b.

6. Progress of the Liquidation during the period

Asset Realisations:

6.1 Book debts

The statement of affairs included two debtors with an estimated to realise value of £19,983.

One debtor, a sole trader, had become bankrupt and no dividends were recoverable.

Harding Evans solicitors were instructed to pursue the remaining debtor, which is a limited company that was subject to a Company Voluntary Arrangement (CVA). It appeared that the debt was outside of the debtor's CVA. A Statutory Demand was issued.

It was subsequently established that the CVA had failed and the Supervisor intended to petition for the Winding-Up of the debtor. Since my last report, I have received confirmation that the debtor was placed into liquidation on the 1st December 2011. The Statement of Affairs indicates that there is little prospect of a dividend and it is therefore no longer commercial to pursue this realisation further.

In conclusion, no sums have been recovered from the Company's book debts.

6.2 Cash at bank

The statement of affairs included cash at bank with an estimated realisable value of £742.00. At the date of this report, I have been unable to realise any monies held at bank and a decision has been made that it is not commercial to pursue.

6.3 Client account funds

The statement of affairs included the sum of £4,383.00 in relation to funds held in a client account. Following the closure of the account, the sum of £4,384.20 was realised.

6.4 Bank interest

The sum of £0.57 has been received, net of tax.

7. Assets remaining to be realised

There are no assets remaining.

8. Statement of expenses

8.1 The following expenses have been incurred during the period of this progress report

- Please see paragraph 5 in relation to liquidator's expenses
- Harding Evans was been instructed on a percentage of realisation basis in relation to the recovery of book debts detailed in paragraph 6.1. No recoveries have been made to date

9. Outcome for creditors

Fixed charge holders

9.1 There are no fixed charge holders

Preferential creditors

9.2 Asset realisations are insufficient to enable dividends to be paid to preferential creditors

The Prescribed Part

9.3 Section 176A of the Insolvency Act 1986 provides that, where the Company has created a floating charge on or after the 15th September 2003, the Liquidator must make a prescribed part of the Company's net property available for the unsecured creditors and not distribute it to the floating charge holder except in so far as it exceeds the amount required for the satisfaction of unsecured debts. Net property means the amount which would, were it not for this provision, be available to floating charge holders out of floating charge assets (i.e. after accounting for preferential debts and the costs of realising the floating charge assets). The prescribed part of the Company's net property is calculated by reference to a sliding scale of 50% of the first £10,000 of net property and 20% of net property thereafter up to a maximum amount to be made available of £600,000.

The prescribed part does not apply in this liquidation as there are no charges registered against the company.

Floating charge holder

9.4 There are no floating charge holders

Unsecured creditors

9.5 There are no dividends to unsecured creditors from this liquidation

10. Creditors' rights

Pursuant to Rule 4.49E of the Insolvency Rules 1986, a secured creditor, or unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question) or any unsecured creditor with less than 5% in value of unsecured creditors, but with permission of the court, may within 21 days of receipt of this report, request, in writing that I provide further information about our remuneration or expenses which have been detailed in this progress report


Pursuant to Rule 4.131 of the Insolvency Rules 1986, any secured creditor, or any unsecured creditor with the concurrence of at least 10% in value of the unsecured creditors including that creditor, or any unsecured creditors with less than 10% in value of the unsecured creditors, but with the permission of the court, may within 8 weeks of receipt of this report make an application to court on the grounds that the remuneration charged or the expenses incurred as set out in this progress report are excessive or inappropriate

11. Investigation

I confirm that I have discharged my duties in relation to reporting requirements under the Company Directors' Disqualification Act 1986

12. Conclusion

The liquidation will be closed and this is my final report



Michelle Williams
F.C.C.A., F.A.B.R.P
Liquidator

Dated: 27th November 2012

A Better Profab Limited
Liquidator's Receipt and Payments
For the period 10/8/2010 to 27/11/2012

Appendix 1

Receipts	Statement of Affairs £	10/8/2010 to 9/8/2011 £	10/8/2011 to 27/11/2012 £	Total £
Book debts	19,982 99	0 00	0 00	0 00
Cash at bank	742 00	0.00	0 00	0 00
Client account funds	4,383 00	4,384 20	0 00	4,384 20
Bank interest		0 57	0 00	0 57
VAT receivable		700 00	68 40	768 40
	25,107 99	5,084 77	68 40	5,153 17

Payments

Statutory advertising	302 40	0 00	302 40
Statement of affairs fee	4,000 00	0 00	4,000 00
Liquidator's fees	0 00	0 00	0 00
Liquidator's disbursements Category 1	5 00	57 03	62 03
Liquidator's disbursements Category 2	20 34	0 00	20 34
VAT payable	756 99	11 41	768 40
	5,084 73	68 44	5,153 17
Cash at bank	0 04	-0 04	0 00
	5,084 77	68 40	5,153 17

Time Entry - SIP9 Time & Cost Summary

Appendix 2

A Better Profab Limited - In Liquidation
From 10/8/2010 to 27/11/2012

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants and Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin and planning	5 40	9 30	0 00	5 75	20 45	3,570 25	174 58
Case specific matters	0 00	0 00	0 00	0 25	0 25	23 75	95 00
Creditors	2 90	0 30	0 00	4 75	7 95	1,230 25	154 75
Investigations	2 80	0 00	0 00	0 00	2 80	700 00	250 00
Realisation of assets	48 00	2 00	0 00	0 00	50 00	12,225 00	244 50
Trading	0 00	0 00	0 00	0 00	0 00	0 00	0 00
Total hours	59 10	11 60	0 00	10 75	81 45	17,749 25	217 92
Total fees claimed							

A CREDITORS' GUIDE TO LIQUIDATORS' FEES

ENGLAND AND WALES

1 Introduction

- 1 1 When a company goes into liquidation the costs of the proceedings are paid out of its assets. The creditors, who hope to recover some of their debts out of the assets, therefore have a direct interest in the level of costs, and in particular the remuneration of the insolvency practitioner appointed to act as liquidator. The insolvency legislation recognises this interest by providing mechanisms for creditors to fix the basis of the liquidator's fees. This guide is intended to help creditors be aware of their rights to approve and monitor fees, explains the basis on which fees are fixed and how creditors can seek information about expenses incurred by the liquidator and challenge those they consider to be excessive.

2 Liquidation procedure

- 2 1 Liquidation (or 'winding up') is the most common type of corporate insolvency procedure. Liquidation is the formal winding up of a company's affairs entailing the realisation of its assets and the distribution of the proceeds in a prescribed order of priority. Liquidation may be either voluntary, when it is instituted by resolution of the shareholders, or compulsory, when it is instituted by order of the court.
- 2 2 Voluntary liquidation is the more common of the two. An insolvent voluntary liquidation is called a creditors' voluntary liquidation (often abbreviated to 'CVL'). In this type of liquidation an insolvency practitioner acts as liquidator throughout and the creditors can vote on the appointment of the liquidator at the first meeting of creditors.
- 2 3 In a compulsory liquidation on the other hand, the function of liquidator is, in most cases, initially performed not by an insolvency practitioner but by an official called the official receiver. The official receiver is an officer of the court and an official belonging to The Insolvency Service. In most compulsory liquidations, the official receiver becomes liquidator immediately on the making of the winding-up order. Where there are significant assets an insolvency practitioner will usually be appointed to act as liquidator in place of the official receiver, either at a meeting of creditors convened for the purpose or directly by The Insolvency Service on behalf of the Secretary of State. Where an insolvency practitioner is not appointed the official receiver remains liquidator.
- 2 4 Where a compulsory liquidation follows immediately on an administration the court may appoint the former administrator to act as liquidator. In such cases the official receiver does not become liquidator. An administrator may also subsequently act as liquidator in a CVL.

3 The liquidation committee

- 3 1 In a liquidation (whether voluntary or compulsory) the creditors have the right to appoint a committee called the liquidation committee, with a minimum of 3 and a maximum of 5 members, to monitor the conduct of the liquidation and approve the liquidator's fees. The committee is usually established at the creditors' meeting which appoints the liquidator, but in cases where a liquidation follows immediately on an administration any committee established for the purposes of the administration will continue in being as the liquidation committee.
- 3 2 The liquidator must call the first meeting of the committee within 6 weeks of its establishment (or his appointment if that is later), and subsequent meetings must be held either at specified dates agreed by the committee, or when requested by a member of the committee, or when the liquidator decides he needs to hold one. The liquidator is required to report to the committee at least every 6 months on the

progress of the liquidation, unless the committee directs otherwise. This provides an opportunity for the committee to monitor and discuss the progress of the insolvency and the level of the liquidator's fees.

4 Fixing the liquidator's remuneration

4.1 The basis for fixing the liquidator's remuneration is set out in Rules 4.127 – 4.127B of the Insolvency Rules 1986. The Rules state that the remuneration shall be fixed

- as a percentage of the value of the assets which are realised or distributed or both,
- by reference to the time properly given by the liquidator and his staff in attending to matters arising in the liquidation, or
- as a set amount

Any combination of these bases may be used to fix the remuneration, and different bases may be used for different things done by the liquidator. Where the remuneration is fixed as a percentage, different percentages may be used for different things done by the liquidator.

It is for the liquidation committee (if there is one) to determine on which of these bases, or combination of bases, the remuneration is to be fixed. Where it is fixed as a percentage, it is for the committee to determine the percentage or percentages to be applied. Rule 4.127 says that in arriving at its decision the committee shall have regard to the following matters:

- the complexity (or otherwise) of the case,
- any responsibility of an exceptional kind or degree which falls on the liquidator in connection with the insolvency,
- the effectiveness with which the liquidator appears to be carrying out, or to have carried out, his duties,
- the value and nature of the assets which the liquidator has to deal with

4.2 If there is no liquidation committee, or the committee does not make the requisite determination, the liquidator's remuneration may be fixed by a resolution of a meeting of creditors. The creditors take account of the same matters as apply in the case of the committee. A resolution specifying the terms on which the liquidator is to be remunerated may be taken at the meeting which appoints the liquidator.

4.3 If the remuneration is not fixed as above, it will be fixed in one of the following ways. In a CVL, it will be fixed by the court on application by the liquidator, but the liquidator may not make such an application unless he has first tried to get his remuneration fixed by the committee or creditors as described above, and in any case not later than 18 months after his appointment. In a compulsory liquidation, it will be in accordance with a scale set out in the Rules.

4.4 Where the liquidation follows directly on from an administration in which the liquidator had acted as administrator, the basis of remuneration fixed in the administration continues to apply in the liquidation (subject to paragraph 8 below).

5. Review of remuneration

Where there has been a material and substantial change in circumstances since the basis of the liquidator's remuneration was fixed, the liquidator may request that it be changed. The request must be made to the same body as initially approved the remuneration, and the same rules apply as to the original approval.

6 What information should be provided by the liquidator?

6.1 When seeking remuneration approval

6.1.1 When seeking agreement to his fees the liquidator should provide sufficient supporting information to enable the committee or the creditors to form a judgement as to whether the proposed fee is reasonable having regard to all the circumstances of the case. The nature and extent of the supporting information which should be provided will depend on

- the nature of the approval being sought,
- the stage during the administration of the case at which it is being sought, and
- the size and complexity of the case

6.1.2 Where, at any creditors' or committee meeting, the liquidator seeks agreement to the terms on which he is to be remunerated, he should provide the meeting with details of the charge-out rates of all grades of staff, including principals, which are likely to be involved on the case

6.1.3 Where the liquidator seeks agreement to his fees during the course of the liquidation, he should always provide an up to date receipts and payments account. Where the proposed fee is based on time costs the liquidator should disclose to the committee or the creditors the time spent and the charge-out value in the particular case, together with, where appropriate, such additional information as may reasonably be required having regard to the size and complexity of the case. The additional information should comprise a sufficient explanation of what the liquidator has achieved and how it was achieved to enable the value of the exercise to be assessed (whilst recognising that the liquidator must fulfil certain statutory obligations that might be seen to bring no added value for creditors) and to establish that the time has been properly spent on the case. That assessment will need to be made having regard to the time spent and the rates at which that time was charged, bearing in mind the factors set out in paragraph 4.1 above. To enable this assessment to be carried out it may be necessary for the liquidator to provide an analysis of the time spent on the case by type of activity and grade of staff. The degree of detail will depend on the circumstances of the case, but it will be helpful to be aware of the professional guidance which has been given to insolvency practitioners on this subject. The guidance suggests the following areas of activity as a basis for the analysis of time spent

- Administration and planning
- Investigations
- Realisation of assets
- Trading
- Creditors
- Any other case-specific matters

The following categories are suggested as a basis for analysis by grade of staff

- Partner
- Manager
- Other senior professionals
- Assistants and support staff

The explanation of what has been done can be expected to include an outline of the nature of the assignment and the liquidator's own initial assessment, including the anticipated return to creditors. To the extent applicable it should also explain

- Any significant aspects of the case, particularly those that affect the amount of time spent
- The reasons for subsequent changes in strategy
- Any comments on any figures in the summary of time spent accompanying the request the liquidator wishes to make
- The steps taken to establish the views of creditors, particularly in relation to agreeing the strategy for the assignment, budgeting, time recording, fee drawing or fee agreement
- Any existing agreement about fees
- Details of how other professionals, including subcontractors, were chosen, how they were contracted to be paid, and what steps have been taken to review their fees

It should be borne in mind that the degree of analysis and form of presentation should be proportionate to the size and complexity of the case. In smaller cases not all categories of activity will always be relevant, whilst further analysis may be necessary in larger cases.

- 6.1.4 Where the fee is charged on a percentage basis the liquidator should provide details of any work which has been or is intended to be sub-contracted out which would normally be undertaken directly by a liquidator or his staff.

6.2 After remuneration approval

Where a resolution fixing the basis of fees is passed at any creditors' meeting held before he has substantially completed his functions, the liquidator should notify the creditors of the details of the resolution in his next report or circular to them. When subsequently reporting to creditors on the progress of the liquidation, or submitting his final report, he should specify the amount of remuneration he has drawn in accordance with the resolution (see further paragraph 7.1 below). Where the fee is based on time costs he should also provide details of the time spent and charge-out value to date and any material changes in the rates charged for the various grades since the resolution was first passed. He should also provide such additional information as may be required in accordance with the principles set out in paragraph 6.1.3. Where the fee is charged on a percentage basis the liquidator should provide the details set out in paragraph 6.1.4 above regarding work which has been sub-contracted out.

6.3 Disbursements and other expenses

There is no statutory requirement for the committee or the creditors to approve the drawing of expenses or disbursements, but there is provision for the creditors to challenge them, as described below. Professional guidance issued to insolvency practitioners requires that, where the liquidator proposes to recover costs which, whilst being in the nature of expenses or disbursements, may include an element of shared or allocated costs (such as room hire, document storage or communication facilities provided by the liquidator's own firm), they must be disclosed and be authorised by those responsible for approving his remuneration. Such expenses must be directly incurred on the case and subject to a reasonable method of calculation and allocation.

6.4 Realisations for secured creditors

Where the liquidator realises an asset on behalf of a secured creditor and receives remuneration out of the proceeds (see paragraph 11.1 below), he should disclose the amount of that remuneration to the committee (if there is one), to any meeting of creditors convened for the purpose of determining his fees, and in any reports he sends to creditors.

7. Progress reports and requests for further information

7 1 The liquidator is required to send annual progress reports to creditors. The reports must include

- details of the basis fixed for the remuneration of the liquidator (or if not fixed at the date of the report, the steps taken during the period of the report to fix it),
- if the basis has been fixed, the remuneration charged during the period of the report, irrespective of whether it was actually paid during that period (except where it is fixed as a set amount, in which case it may be shown as that amount without any apportionment for the period of the report),
- if the report is the first to be made after the basis has been fixed, the remuneration charged during the periods covered by the previous reports, together with a description of the work done during those periods, irrespective of whether payment was actually made during the period of the report,
- a statement of the expenses incurred by the liquidator during the period of the report, irrespective of whether payment was actually made during that period,
- a statement of the creditors' rights to request further information, as explained in paragraph 7 2, and their right to challenge the liquidator's remuneration and expenses

7 2 Within 21 days of receipt of a progress report (or 7 business days where the report has been prepared for the purposes of a meeting to receive the liquidator's resignation) a creditor may request the liquidator to provide further information about the remuneration and expenses set out in the report. A request must be in writing, and may be made either by a secured creditor, or by an unsecured creditor with the concurrence of at least 5% in value of unsecured creditors (including himself) or the permission of the court.

7 3 The liquidator must provide the requested information within 14 days, unless he considers that

- the time and cost involved in preparing the information would be excessive, or
- disclosure would be prejudicial to the conduct of the liquidation or might be expected to lead to violence against any person, or
- the liquidator is subject to an obligation of confidentiality in relation to the information requested,

in which case he must give the reasons for not providing the information.

Any creditor may apply to the court within 21 days of the liquidator's refusal to provide the requested information, or the expiry of the 14 days time limit for the provision of the information.

8 Provision of information – additional requirements

The liquidator must provide certain information about the time spent on the case, free of charge, upon request by any creditor, director or shareholder of the company.

The information which must be provided is –

- the total number of hours spent on the case by the liquidator or staff assigned to the case,
- for each grade of staff, the average hourly rate at which they are charged out,
- the number of hours spent by each grade of staff in the relevant period.

The period for which the information must be provided is the period from appointment to the end of the most recent period of six months reckoned from the date of the

liquidator's appointment, or where he has vacated office, the date that he vacated office

The information must be provided within 28 days of receipt of the request by the liquidator, and requests must be made within two years from vacation of office

9 What if a creditor is dissatisfied?

9 1 Except in cases where there is a liquidation committee it is the creditors as a body who have authority to approve the liquidator's fees. To enable them to carry out this function they may require the liquidator to call a creditors' meeting. In order to do this at least ten per cent in value of the creditors must concur with the request, which must be made to the liquidator in writing

9 2 If a creditor believes that the liquidator's remuneration is too high, the basis is inappropriate, or the expenses incurred by the liquidator are in all the circumstances excessive he may, provided certain conditions are met, apply to the court

9 3 Application may be made to the court by any secured creditor, or by any unsecured creditor provided at least 10 per cent in value of unsecured creditors (including himself) agree, or he has the permission of the court. Any such application must be made within 8 weeks of the applicant receiving the liquidator's progress report in which the charging of the remuneration or incurring of the expenses in question is first reported (see paragraph 7 1 above). If the court does not dismiss the application (which it may if it considers that insufficient cause is shown) the applicant must give the liquidator a copy of the application and supporting evidence at least 14 days before the hearing

9 4 If the court considers the application well founded, it may order that the remuneration be reduced, the basis be changed, or the expenses be disallowed or repaid. Unless the court orders otherwise, the costs of the application must be paid by the applicant and not out of the assets of the insolvent company

10. What if the liquidator is dissatisfied?

If the liquidator considers that the remuneration fixed by the liquidation committee, or in the preceding administration, is insufficient or that the basis used to fix it is inappropriate he may request that the amount or rate be increased, or the basis changed, by resolution of the creditors. If he considers that the remuneration fixed by the liquidation committee, the creditors, in the preceding administration or in accordance with the statutory scale is insufficient, or that the basis used to fix it is inappropriate, he may apply to the court for the amount or rate to be increased or the basis changed. If he decides to apply to the court he must give at least 14 days' notice to the members of the committee and the committee may nominate one or more of its members to appear or be represented at the court hearing. If there is no committee, the liquidator's notice of his application must be sent to such of the creditors as the court may direct, and they may nominate one or more of their number to appear or be represented. The court may order the costs to be paid out of the assets

11 Other matters relating to remuneration

11 1 Where the liquidator realises assets on behalf of a secured creditor he is entitled to be remunerated out of the proceeds of sale in accordance with a scale set out in the Rules. Usually, however, the liquidator will agree the basis of his fee for dealing with charged assets with the secured creditor concerned

11 2 Where two (or more) joint liquidators are appointed it is for them to agree between themselves how the remuneration payable should be apportioned. Any dispute between them may be referred to the court, the committee or a meeting of creditors

- 11 3 If the appointed liquidator is a solicitor and employs his own firm to act in the insolvency, profit costs may not be paid unless authorised by the committee, the creditors or the court
- 11 4 If a new liquidator is appointed in place of another, any determination, resolution or court order which was in effect immediately before the replacement continues to have effect in relation to the remuneration of the new liquidator until a further determination, resolution or court order is made
- 11 5 Where the basis of the remuneration is a set amount, and the liquidator ceases to act before the time has elapsed or the work has been completed for which the amount was set, application may be made for a determination of the amount that should be paid to the outgoing liquidator. The application must be made to the same body as approved the remuneration. Where the outgoing liquidator and the incoming liquidator are from the same firm, they will usually agree the apportionment between them
- 11 6 There may also be occasions when creditors will agree to make funds available themselves to pay for the liquidator to carry out tasks which cannot be paid for out of the assets, either because they are deficient or because it is uncertain whether the work undertaken will result in any benefit to creditors. Arrangements of this kind are sometimes made to fund litigation or investigations into the affairs of the insolvent company. Any arrangements of this nature will be a matter for agreement between the liquidator and the creditors concerned and will not be subject to the statutory rules relating to remuneration

12. Effective date

This guide applies where a company –

- goes into liquidation on a winding-up resolution passed on or after 6 April 2010,
- goes into voluntary liquidation immediately following an administration on or after 6 April 2010, except where the preceding administration began before that date,
- goes into compulsory liquidation as the result of a petition presented on or after 6 April 2010, except where the liquidation was preceded by
 - an administration which began before that date,
 - a voluntary liquidation in which the winding-up resolution was passed before that date

BAILAMS & CO INSOLVENCY PRACTITIONERS LIMITED

BAILAMS & CO CHARGE OUT RATES

POSITION	HOURLY CHARGE OUT RATE (£)
Director & Licensed Insolvency Practitioner	250 - 280
Manager	160-215
Case Administrator	110-205
Assistant	75 -140
Secretarial and cashiering	50 - 75

BAILAMS & CO DISBURSEMENT CHARGES

Category 2 disbursement rates:

Photocopying/Printing	15p per sheet
Fax	40p per sheet
Postage	Per current postal charges
IPS charge	£25 per quarter
Mileage	40p mile
Registered office fee	£125 pa
Storage of boxes internally	£4 per box per quarter
Destruction of boxes	£8 50 per box
Meeting Room Hire	£60 per meeting where held at Bailams & Co offices

Standard Activity

Example of Work

<i>Administration and Planning</i>	Statutory reporting and compliance Compliance with other regulatory requirements Case planning Administrative set up Appointment notification Maintenance of records and progress reviews
<i>Investigation</i>	SIP 2 review CDDA report Review of questionnaires Investigation of antecedence transactions Liaising with committee
<i>Realisation of Assets</i>	Identification, secure and insure assets Retention of property Debt collection Property, business and asset sales
<i>Trading</i>	Management of operation Accounting for trading On-going employee issues
<i>Creditors</i>	Communication with creditors Creditors' claim and queries Reservation of title claims Employee claims an Redundancy Payments claims Preferential Claims Reviewing and evaluating claims

All rates are subject to review annually. There may be a number of promotions throughout the various grades during the administration of cases. Should you require clarification on any of the above, do not hesitate to contact Bailams & Co on 01443 749 768

MCALISTER & CO INSOLVENCY PRACTITIONERS LIMITED

MCALISTER & CO CHARGE OUT RATES

POSITION	HOURLY CHARGE OUT RATE (£)
Director & Licensed Insolvency Practitioner	250 - 280
Manager	160-215
Case Administrator	110-205
Assistant	75 -140
Secretarial and cashiering	50 - 75

MCALISTER & CO DISBURSEMENT CHARGES

Category 2 disbursement rates:

Photocopying/Printing	15p per sheet
Fax	40p per sheet
Postage	Per current postal charges
IPS charge	£25 per quarter
Mileage	40p mile
Registered office fee	£125 pa
Storage of boxes internally	£4 per box per quarter
Destruction of boxes	£8 50 per box
Meeting Room Hire	£60 per meeting where held at McAlister & Co offices

Standard Activity

Example of Work

<i>Administration and Planning</i>	Statutory reporting and compliance Compliance with other regulatory requirements Case planning Administrative set up Appointment notification Maintenance of records and progress reviews
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All rates are subject to review annually There may be a number of promotions throughout the various grades during the administration of cases Should you require clarification on any of the above, do not hesitate to contact McAlister & Co on 01792 459600

