

Appointment of proxy

Actco-Pickering Metal Industries Pty Ltd (Administrators Appointed)
ACN 090 585 434 ('the Company')

1. Insert full name and contact details (please print)

Given name

Surname

Company name

Telephone number

Address

2. Appointment of a Proxy (please complete)

I/We, a creditor of the Company, appoint:

..... of

as my/our proxy, or in his/her absence _____, to vote at the meeting of creditors to be held on 21 January 2019 at KordaMentha, Rialto Tower South, Level 31, 525 Collins Street, Melbourne VIC 3000 at 2:30 pm or at any adjournment of that meeting.

3. Voting by your Proxy

Option 1: If appointed as a **general proxy**, as he/she determines on my/our behalf.

☐

and/or

Option 2: If appointed as a **special proxy** for some or all resolutions, specifically in the manner set out below (please tick).

☐

Resolution (please specify the particular resolution)	For	Against	Abstain	General proxy to vote
'That the remuneration of the Administrators for the period 5 December 2018 to 6 January 2019 in the amount of \$299,455.00, excluding GST, calculated on the basis of time as detailed in the Remuneration Approval Request report to creditors dated 14 January 2019, is approved for payment immediately or as required.'	☐	☐	☐	☐
'That the estimated remuneration of the Administrators for the period 7 January 2019 to 21 January 2019 is determined at a sum equal to the cost of time spent by the Administrators and KordaMentha staff, calculated at the hourly rates as detailed in the Remuneration Approval Request report to creditors dated 14 January 2019, up to a maximum of \$50,000.00, excluding GST, and approved for payment on a monthly basis in arrears or as required. However, if the value of the work performed exceeds the capped amount, then we reserve the right to seek further approval of fees from creditors.'	☐	☐	☐	☐
'That the internal disbursements of the Administrators, including those paid to staff, for the period 5 December 2018 to 6 January 2019 in the amount of \$1,804.78, excluding GST, calculated at the rates as detailed in the Remuneration Approval Request report to creditors dated 14 January 2019 are approved for payment immediately or as required.'	☐	☐	☐	☐

Resolution (please specify the particular resolution)	For	Against	Abstain	General proxy to vote
'That the estimated future internal disbursements of the Administrators, including those paid to staff, for the period 7 January 2019 to 21 January 2019 up to a maximum amount of \$5,000.00 excluding GST, calculated at the rates as detailed in the Remuneration Approval Request report to creditors dated 14 January 2019 are approved for payment to be made on a monthly basis in arrears or as required. However, if the amount of internal disbursements incurred exceeds the capped amount, then we reserve the right to seek further approval of internal disbursements from creditors.'	☐	☐	☐	☐
<i>Only mark your intention for one of the three resolution options below:</i>				
Option 1: That pursuant to Section 439C of the Corporations Act, the Company execute a deed of company arrangement	☐	☐	☐	☐
Option 2: That the administration should end	☐	☐	☐	☐
Option 3: That pursuant to Section 439C of the Corporations Act, the Company be wound up	☐	☐	☐	☐
If the Company is wound up:				
'That the estimated future remuneration of the Liquidators for the period 21 January 2019 to the finalisation of the Liquidation is determined at a sum equal to the cost of time spent by the Liquidators and KordaMentha staff, calculated at the hourly rates as detailed in the Remuneration Approval Request report to creditors dated 14 January 2019, up to a maximum of \$125,000.00, excluding GST, and approved for payment on a monthly basis in arrears or as required. However, if the value of the work performed exceeds the capped amount, then we reserve the right to seek further approval of fees from creditors.'	☐	☐	☐	☐
'That the estimated future internal disbursements of the Liquidators, including those paid to staff, for the period 21 January 2019 to the finalisation of the liquidation up to a maximum amount of \$2,500.00, excluding GST, calculated at the rates as detailed in the Remuneration Approval Request report to creditors dated 14 January 2019 are approved for payment to be made on a monthly basis in arrears or as required. However, if the amount of internal disbursements incurred exceeds the capped amount, then we reserve the right to seek further approval of internal disbursements from creditors.'	☐	☐	☐	☐
That a committee of inspection be appointed in the Liquidation of the Company	☐	☐	☐	☐
That in accordance with Section 80-55(3) of Schedule 2 of the Corporations Act, the members of the committee of inspection (or a related entity of those members) are permitted to continue dealing with the Company and its creditors on a business as usual basis during the period of the external administration	☐	☐	☐	☐
That the Liquidators be authorised to compromise debts of the Company under Section 477(2A) of the Corporations Act	☐	☐	☐	☐
That the Liquidators be authorised to enter into agreements that may take longer than three months to complete under Section 477(2B) of the Corporations Act	☐	☐	☐	☐
That, subject to obtaining ASIC approval pursuant to Section 70-35(3) of Schedule 2 of the Corporations Act, the books and records of the Company and of the Liquidators be disposed of by the Liquidators six months after dissolution of the Company	☐	☐	☐	☐

4. Signature section (in accordance with Sections 127 or 250D of the Corporations Act 2001)

Signature of individual or person authorised by corporate resolution to represent corporation

Print name

Dated

The common seal was affixed hereto in the presence of:

Director

Director/Company Secretary

Certificate of witness

Please Note: This certificate is to be completed only where the person giving the proxy is blind or incapable of writing. The signature of the creditor is not to be attested by the person nominated as proxy.

I _____ of _____

certify that the above instrument appointing a proxy was completed by me in the presence of and at the request of the person appointing the proxy and read to him before he attached his signature or mark to the instrument.

Signature of witness:
