



**RIVERVIEW REST HOME LIMITED (IN LIQUIDATION)
("Company")**

Company number: 671376

New Zealand Business Number: 9429038501227

Liquidators' Final Report to Creditors and Shareholders

1. Introduction

Iain Bruce Shephard and Christine Margaret Dunphy, insolvency practitioners of Howard Shephard, were appointed joint and several liquidators of Riverview Rest Home Limited (“Company”) on 8 October 2002 by special resolution of the shareholders in accordance with section 241(2)(a) of the Companies Act 1993 (“the Act”). The liquidation was completed and the Company removed from the register on 24 March 2004.

As discussed further below, an application was made to reinstate the Company to the register and reverse the Liquidators final report, and on 22 April 2021 the Company was restored to the register by order of the High Court at Auckland on the application of Bupa Care Services NZ Limited (“Bupa”).

Christine Dunphy, having since retired from the practice, was replaced as joint liquidator with Jessica Jane Kellow (Registration Number: IP75) alongside Iain Bruce Shephard (Registration Number: IP71) (“Liquidators”), both Licensed Insolvency Practitioners of BDO Wellington.

In addition to our statutory obligations, we are also bound by the RITANZ Code of Professional Conduct (“Code”) when carrying out all professional work relating to our appointment as Liquidators.

In accordance with sections 257(1)(a)(i) and 257(1)(c) of the Act we are obliged to report to all creditors, shareholders, and the Registrar that the liquidation has been completed. This report should be read in conjunction with our previous reports pursuant to section 255(2)(d) of the Act.

2. Restrictions

This report is not intended for general circulation, nor is it to be reproduced or used for any purpose other than that outlined above without our written permission in each specific instance.

We do not assume any responsibility or liability for any losses occasioned to any party as a result of the circulation, publication, reproduction or use of this report contrary to the provisions of this paragraph.

We reserve the right (but will be under no obligation) to review this report and if we consider it necessary to revise the report in the light of any information existing at the date of this report which becomes known to us after that date.

3. Background

The Company was one of a group of rest homes acquired by Harbourside Group Holdings Limited (“Harbourside”) in June 2000. On completion of the sale to Harbourside the assets were transferred to the new company and the business of the Company ceased to trade.

Following a review of company records, it appeared that one of the properties titles that was sold as part of the group sale had not been transferred to Harbourside. Harbourside has since restructured, with the current business being in the name of Bupa. Bupa applied to the High Court to reinstate the Company so the title transfer could be actioned, and the Company was reinstated to the register on 22 April 2021.

4. Liquidators' Actions

The Liquidators liaised with Bupa’s solicitors to facilitate the transfer the title of the property that remained in the name of the Company. This transfer was completed on 28 May 2021.

A review of public record confirms no further properties remain in the name of the Company.

4.1. Schedule of Receipts and Payments

No funds were remitted through the liquidation and as such no statement of receipts and payments has been prepared.

4.2. Creditor Claims

No creditor claims were received in the liquidation.

5. Liquidators' Statement

All known assets have been disclaimed, or realised, or distributed without realisation.

All proceeds of realisation have been distributed.

The Company is ready to be removed from the New Zealand Register of Companies.

For the purposes of regulation 9(g) of the Companies (Reporting by Insolvency Practitioners) Regulations 2020, the liquidation of the Company is completed at the date and time the notice is provided to the Registrar of Companies.

6. Removal from New Zealand Register of Companies

As liquidators, we are obliged to give public notice of the intention to have the Company removed from the Register of Companies. A copy of our notice is attached as **Appendix 1**.

The attention of all creditors and shareholders is drawn to section 321 of the Act which provides that, where public notice is given of an intention to remove a company from the Register, any person may send or deliver to the Registrar, not later than the date specified in the notice, an objection to the removal on any one or more of the following grounds:

- (a) That the company is still carrying on business or there is other reason for it to continue in existence;
or
- (b) That the company is party to legal proceedings; or
- (c) That the company is in Receivership, or Liquidation, or both; or
- (d) That the person is a creditor, or a shareholder, or a person who has an undischarged claim against the company; or
- (e) That the person believes that there exists, and intends to pursue, a right of action on behalf of the company under Part IX of this Act; or
- (f) That for any other reason, it would not be just and equitable to remove the company from the New Zealand register.

Creditors and shareholders should be aware of section 321(2)(b)(ii) of the Act which provides that a claim by a shareholder or any other person against a company is not an “undischarged claim” if a receiver or liquidator has notified the shareholder or that person that the company has no surplus assets.

7. Contact information

If you require any further information, please direct enquiries to:

Ryan Kilkolly
DDI: (+64 4) 472 5812
Email: ryan.kilkolly@bdo.co.nz

BDO Wellington
PO Box 10-340
Level 1, Chartered Accountants Building
50 Customhouse Quay
Wellington

Dated this 9th day of July 2021

A handwritten signature in blue ink, appearing to read 'J Kellow'.

JESSICA KELLOW
Liquidator

Appendices

Appendix 1 - Notice of Intention to Remove



APPENDICES

Appendix 1 - Notice of Intention to Remove

RIVERVIEW REST HOME LIMITED (IN LIQUIDATION)
Company Number: 671376
("the Company")

Notice of Intention to Remove Company from Register
(Pursuant to Section 320 of the Companies Act 1993)

We, Iain Shephard and Jessica Kellow, joint and several liquidators of the Company whose registered office is situated at:

BDO Wellington
PO Box 10-340
Level 1, Chartered Accountants Building
50 Customhouse Quay
Wellington

Hereby give notice that pursuant to section 318(1)(e) of the Companies Act 1993, and having filed with the Registrar our final report on the liquidation, it is intended to remove the Company from the New Zealand register.

Any objection to the removal pursuant to section 321 of the Companies Act 1993 must be delivered to the Registrar no later than 8 September 2021.

DATED this 9th Day of August 2021.

A handwritten signature in blue ink, appearing to read 'Kellow', written in a cursive style.

JESSICA KELLOW
Liquidator