

## Appointment of Proxy - Form 532

Please read below to ensure that you are entitled to attend and cast your vote at the meeting of creditors.

- (a) A Form 532, Appointment of Proxy ("Proxy") is enclosed for your attention. A creditor may use this form to appoint a natural person over the age of 18 as his or her proxy to attend and vote at the meeting.
- (b) A new Proxy form is required for each meeting of creditors. This means, that even if you lodged a Proxy with the Administrator/Liquidator/Chairperson at a previous meeting, a new proxy will be required for this meeting if you wish to cast your vote.
- (c) To assist you with determining whether you will be required to complete this form for the meeting, please refer to the table below:-

<i>Type of Creditor</i>	<i>Person Attending Meeting</i>	<i>Proxy Required Yes/No</i>
Natural Person (i.e. John Smith)	John Smith	No
	Person other than John Smith	Yes
Business (i.e. John Smith trading as XYZ)	John Smith	No
	Person other than John Smith	Yes
Partnership	John Smith – Partner	No
	Person other than a Partner	Yes
Company (i.e. XYZ Pty Ltd trading as ABC)	Any Person	Yes

- (d) When appointing a person as your proxy, you may choose:-
  - (i) General Proxy – which gives the proxy discretion as to how he or she votes; or
  - (ii) Special Proxy – which specifies the manner in which the proxy is to vote on a particular motion, and the proxy is not entitled to vote on the resolution except as specified on the form.

- (e) For creditors that are companies, please note that the Proxy does not need to have the company seal attached, however, the Proxy must be signed by (s127 of the Corporations Act 2001):-
- (i) two directors of the company; or
  - (ii) a director and a company secretary of the company; or
  - (iii) for a proprietary company that has a sole director who is also the sole company secretary - that director. In this event the director must write next to their signature the words "I am the sole director and sole company secretary of the company".

If you are uncertain as to whether you are required to complete a Proxy or would like assistance with completing your Proxy, please contact my office prior to attending the meeting. It is requested that your Proxy be lodged with my office one (1) business day prior to the meeting.

### **Form 535 – Proof of Debt**

Please read below to ensure that you are entitled to cast your vote at the meeting of creditors and or prove for a distribution for dividend purposes.

- (a) A Form 535, Proof of Debt ("Proof") is enclosed for your attention. Please note that a person is not entitled to vote at the meeting unless this form is lodged with the Administrators or the Chairperson.
- (b) A Proof is not specific to a meeting of creditors. Therefore, if you have lodged a Proof previously in this administration, no further Proof is required for this meeting. If you are unsure as to whether you have lodged a Proof, please do not hesitate to contact this office.
- (c) Supporting Documentation.
  - (i) Please attach invoices, statements and other documentation to substantiate your claim.
  - (ii) If you have a claim for outstanding employee entitlements, please attach a worksheet showing how the entitlements have been calculated.
  - (iii) If someone disputes your claim at the meeting, having documentation attached to your Proof will assist the Chairperson in admitting your claim for the full amount for which you are entitled to vote.
  - (iv) If you attach documentation to substantiate your claim now, you will not encounter problems in the future (i.e. lost or archived records) in the event that a dividend is paid.

If you would like assistance with completing your Proof, please contact my office prior to attending the meeting of creditors. It is requested that your Proof be lodged with this office one (1) business day prior to the meeting.