



**BAY KIWIFRUIT LIMITED PARTNERSHIP
(IN LIQUIDATION)**

NZBN: 9429043296620

Liquidators' Final Report to Creditors and Partners

1. Introduction

Bay Kiwifruit Limited Partnership (In Liquidation) (“the Limited Partnership”) was placed into liquidation by special resolution of the partners on the 5th day of August 2019 at 9:00am. Kenneth Peter Brown and Paul Thomas Manning, both Accredited Insolvency Practitioners of Tauranga, were appointed as Joint and Several Liquidators of the limited partnership. The liquidation of a limited partnership adopts the same rules as that applying for a company under the Companies Act 1993. This was a solvent voluntary liquidation.

In accordance with section 257 of the Companies Act 1993 we are obliged to report to all creditors and partners that the liquidation has been completed. This report should be read in conjunction with our previous report pursuant to section 255 (2)(c) 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. Statement of Realisation and Distribution

Realisations: \$40,063.48

Distributions: \$40,063.48

Attached as **Appendix 1** is a statement of receipts and payments for the liquidation.

4. Liquidators' Statement

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

All proceeds of realisation have been distributed.

The limited partnership is ready to be removed from the Register of Limited Partnerships.

5. Removal from New Zealand Register of Limited Partnerships

As Liquidators, we are obliged to give public notice of the intention to have the Limited Partnership removed from the Register of Limited Partnerships. A copy of our notice is attached as **Appendix 2**.

The attention of all creditors and partners is drawn to section 321 of the Act which provides that, where public notice is given of an intention to remove a limited partnership 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 limited partnership is still carrying on business or there is other reason for it to continue in existence; or
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- (b) That the limited partnership is party to legal proceedings; or
- (c) That the limited partnership is in Receivership, or Liquidation, or both; or
- (d) That the person is a creditor, or a partner, or a person who has an undischarged claim against the limited partnership; or
- (e) That the person believes that there exists, and intends to pursue, a right of action on behalf of the limited partnership under Part IX of this Act; or
- (f) That for any other reason, it would not be just and equitable to remove the limited partnership from the New Zealand register.

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

6. Contact information

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

Denise Cooper
Phone: 07 571 6280
Email: denise.cooper@bdo.co.nz

BDO Tauranga Limited
PO Box 15660
TAURANGA 3144

Level 1
525 Cameron Road
TAURANGA 3110

Dated this 15 November 2019



Kenneth Peter Brown
Joint Liquidator

APPENDICES

Appendix 1 - Statement of Realisation & Distribution

Bay Kiwifruit Limited Partnership (In Liquidation)
Summary of Receipts and Payments
From 5 August 2019 to 15 November 2019

RECEIPTS	Total (NZD)
Funds on hand	38,991.09
GST refunds	1,058.39
Income tax refund	14.00
	<u>40,063.48</u>

PAYMENTS

Accounting fees	1,772.17
Advertising	47.30
Distribution	30,000.00
Liquidator fees	6,726.78
GST on expenses	1,310.79
Printing and stationery	43.48
Storage	86.96
Telephone	43.48
Xero	32.52
	<u>40,063.48</u>

Balance	<u><u>NIL</u></u>
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JOURNALS	DR	CR
Partners Current Accounts		1,840,000.00
Distribution		30,000.00
Capital Contributions	1,870,000.00	
	<u>1,870,000.00</u>	<u>1,870,000.00</u>

Appendix 2 - Notice of Intention to Remove

Bay Kiwifruit Limited Partnership (In Liquidation)
New Zealand Business Number 9429043296620
("the Limited Partnership")

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

Kenneth Peter Brown and Paul Thomas Manning, joint and several liquidators of the Limited Partnership whose registered office is situated at:

BDO Tauranga Limited
Level 1, The Hub
525 Cameron Road
PO Box 15660
TAURANGA 3144

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 Limited Partnership 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 20 December 2019.

DATED this 15th day of November 2019.



Kenneth Peter Brown
Joint Liquidator