

IN THE HIGH COURT OF NEW ZEALAND  
AUCKLAND REGISTRY  
I TE KŌTI MATUA O AOTEAROA  
TĀMAKI MAKAURAU ROHE

CIV-2019-404-337

**UNDER** Part 19 of the High Court Rules 2016 and sections 239F, 239ACD, 239ADO and 280 of the Companies Act 1993

**IN THE MATTER OF** **ARROW INTERNATIONAL GROUP LIMITED** a company having its registered office at 1 Broadway, Newmarket, Auckland, 1023, NZ.

**AND** **ARROW INTERNATIONAL (NZ) LTD** a company having its registered office at Arrow International Group Limited, 1 Broadway, Newmarket, Auckland, 1023, NZ.

**AND** **CONSTRUCTION LABOUR AND RESOURCES LTD** a company having its registered office at Arrow International Group Limited, 1 Broadway, Newmarket, Auckland, 1023, NZ.

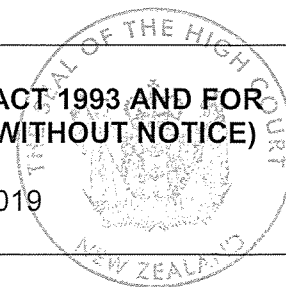
**AND** of an application by **ANDREW JAMES BETHELL, ANDREW JOHN McKAY** Chartered Accountants and CAANZ-accredited Insolvency Practitioners of BDO Auckland Level 4, BDO Centre, 4 Graham Street, Auckland 1010 and **COLIN ANTHONY GOWER**, RITANZ-accredited Insolvency Practitioner of BDO Christchurch Ltd, Level 4, 287/293 Durham Street North, Christchurch Central

**Applicants**

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**COURT ORDERS UNDER THE COMPANIES ACT, 1993 AND FOR DIRECTIONS AS TO FILING AND SERVICE (WITHOUT NOTICE)**

Dated 28<sup>th</sup> February 2019



**BUDDLE FINDLAY**  
NEW ZEALAND LAWYERS  
Barristers and Solicitors  
Auckland

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1. The without notice interlocutory application and the without notice originating application made by **ANDREW JAMES BETHELL** and **ANDREW JOHN MCKAY** of BDO Auckland and **COLIN ANTHONY GOWER** of BDO Christchurch (together, the “**applicants**”) on the 27<sup>th</sup> day of February 2019 were determined by the Honourable Peters J on the 28th day of February 2019.
2. Each determination was made without a hearing.
3. The following orders were made:
  - (a) the applicants are granted leave to commence this proceeding by way of an originating application without notice;
  - (b) the applicants are granted leave to act as joint and several administrators of:
    - (i) Arrow International Group Limited; and
    - (ii) Arrow International (NZ) Limited and
    - (iii) Construction Labour and Resources Limited,(each a “**Company**”, together “**Companies**”);
  - (c) these orders apply to any appointment of the Applicants, either by:
    - (i) the Companies; or
    - (ii) the respective shareholder(s) of the Companies; or
    - (iii) a secured creditor holding a charge over the whole, or substantially the whole, of a Company's assets or whose charge has become, and still is, enforceable; or
    - (iv) creditors of the Companies at a watershed meeting(s) in any administration,



provided that no further circumstances arise not already disclosed that would disqualify the applicants under s 280 of the Companies Act 1993.

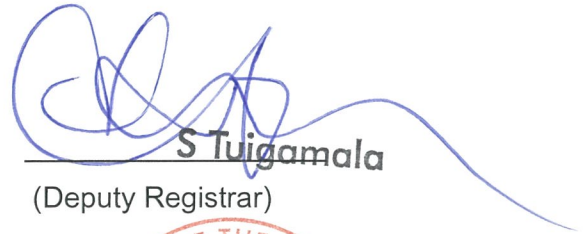
(d) that, in the event that the applicants are appointed as administrators, then:



- (i) copies of the sealed orders be served on all known creditors of the Companies at the same time as the administrators' notice of the first creditors' meeting and in the same manner as set out in paragraph 3(d)(iii) below;
- (ii) any creditor of the Companies is granted leave to apply to the Court within ten working days of such service to set aside the applicants' appointment as administrators. For the avoidance of doubt, any such creditor may seek leave if they see fit outside of this ten working day period;
- (iii) copies of notices under ss 239AO, 239AU and 239ADY of the Act be sent using the following methods:
  - (1) posting a copy on BDO's website;
  - (2) emailing a copy to the creditor's email address by which the Companies normally communicate with the creditor; or
  - (3) where an email address is not known, or at the creditor's request, by posting a copy to the physical address by which the Companies normally communicate with the creditor;
- (iv) the applicants' reasonable solicitor/client costs of this application be an expense incurred by the applicants in carrying out their duties as administrators of the Companies;

- (e) subject to further order of the Court, the Court file in this proceeding shall be marked and treated as confidential and shall not be available for search by any person until:
- (i) the appointment of the Applicants as administrators or liquidators; or
  - (ii) if such an appointment does not occur, indefinitely.

By the Court:

  
**S Tuigamala**  
(Deputy Registrar)

~~Sealed~~ this Dated 28<sup>th</sup> day of

