



**COMMAND SERVICES LIMITED (IN LIQUIDATION)
("Company")**

Company number: 599663

New Zealand Business Number: 9429038810855

Liquidators' Six-monthly Report to Creditors and Shareholders

1. Introduction

Iain Bruce Shephard and Jessica Jane Kellow, Licensed Insolvency Practitioners of BDO Wellington, (Registration Numbers: IP71 and IP75 respectively) were appointed joint and several liquidators (“Liquidators”) of Command Services Limited (“Company”) on 22 April 2013 by special resolution of the shareholders in accordance with section 241(2)(a) of the Companies Act 1993 (“the Act”).

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 section 255 of the Act we are obliged to report to all creditors and shareholders on the conduct of the liquidation during the preceding six-month period. This report should be read in conjunction with our previous report(s) 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

Command Services Limited (In Liquidation) (“the Company”) operated a business offering heating, ventilation, air conditioning and other mechanical services based in Lower Hutt.

The business had traded successfully for a number of years. The Liquidators understand that the Company was solvent up until the receivership of Mainzeal, the Company’s most significant debtor, in February 2013.

The Company attempted to enter a compromise with its creditors however this did not pass. Due to the failure of the compromise the directors were left with no option but to cease trading the Company and place it into liquidation.

4. Conduct of the Liquidation in the Reporting Period

4.1. Liquidation of the Company

As previously reported, the only matter outstanding in the liquidation is the unsecured creditor claim that has been filed in the liquidation of Mainzeal Construction Limited (In Liquidation) (“Mainzeal”). Any distribution to creditors of Mainzeal is dependent on the successful litigation brought by the liquidators of Mainzeal alleging breaches of directors’ duties under the Act. On 26 February 2019, the High Court released its judgment finding that the directors of Mainzeal had breached their duties and were liable to pay \$36m. The case has recently been heard at the Supreme Court where the Liquidators await the release of the judgment.

4.2. Schedule of Receipts and Payments

Attached as **Appendix 1** is a schedule of receipts and payments for the six-month period.

4.3. Asset Realisations

Please refer to our previous reports in respect of asset realisations.

4.4. Creditor Claims

Secured Creditors

Where appropriate, creditors with valid security interests had the goods subject to the security interest returned to them.

Preferential Creditors

As previously reported, all preferential creditors have been paid in full.

Unsecured Creditors

The Liquidators have admitted claims totalling \$1,685,717.88. A distribution of ten cents in the dollar was made in late 2013. The Liquidators are unable to comment as to the likelihood of a further distribution until such time as the Mainzeal liquidation has been finalised.

5. Further Proposals for Completing the Liquidation

The Liquidators propose to take the following further actions:

- Await the result of the Mainzeal liquidation;
- distribute available funds (if any) to preferential and unsecured creditors; and
- complying with our statutory obligations.

6. Estimated Date of Completion

It is not practical to estimate the date of the completion of the liquidation at this stage. Our subsequent reports to creditors will, when appropriate, advise of an estimated completion date.

7. Contact Information

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

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Level 1, Chartered Accountants Building
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Wellington

Dated this 8th day of April 2022



JESSICA KELLOW
Liquidator

APPENDICES

Appendix 1 - Statement of Receipts and Payments

Command Services Limited (in Liquidation)	
Summary of Receipts & Payments	
22 April 2013 - 8 April 2022	
\$	
RECEIPTS	
Accounts Receivable	53,893
Inland Revenue - GST Refunds	127,357
Interest	3,999
Pre-Liquidation Bank Account	61,170
New Company Debtors	35,351
Sale of Service Contracts	218,326
Sale of Assets	178,825
Utility Refund	743
Total Receipts	679,663
PAYMENTS	
Advertising	647
Bank Fees	223
Employee Distribution	0
Legal Fees	26,034
Liquidators' Costs and Disbursements	192,583
Preferential Claims	253,554
Refund for Incorrect Debtor Payments	35,351
Resident Withholding Tax	1,343
Unsecured Creditor Distributions	169,843
Total Payments	679,576
Cash on hand	87