



DML Resources Limited (In Liquidation) ("the Company")

Liquidators' Forty Third Report

for the period 7 November 2019 to 6 May 2020

McDonald Vague Limited
Level 10, 33 Federal Street
Auckland Central

P O Box 6092
Victoria Street West
Auckland 1142
New Zealand

p: 09 303 0506
f: 09 303 0508

e: insol@mvp.co.nz
www.mvp.co.nz

1 PROGRESS OF THE ADMINISTRATION OF THE LIQUIDATION

On 7 May 1998, DML Resources Limited ("the company") was placed in liquidation by the High Court at Auckland.

Pursuant to Section 255(2)(d) of the Companies Act 1993 ("the Act"), the liquidators herewith report on the progress of the liquidation. This forty third report should be read in conjunction with the liquidators' previous reports. This report is being filed with the Registrar of Companies only and is also on our website.

We **attach** below a statement of receipts and payments for the last six months and also for the period of the liquidation.

2 RESTRICTIONS

This report has been prepared in accordance with section 255(2)(d) of the Act. Whilst all care and attention has been taken in compiling this report, we do not accept any liability whatsoever to any party as a result of the circulation, publication, reproduction or use of this report.

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

3 CONDUCT OF THE LIQUIDATION DURING THE PRECEDING SIX MONTHS

Asset Realisations

3.1 All assets of DML have been realised.

4 DML MALAYSIA

The liquidators and their joint venture partners negotiated a confidential settlement. The liquidators confirm that all instalments of the settlement amount have been received and the Malaysian related companies have been struck off.

5 DISTRIBUTIONS

The funds received over the period of liquidation funded distributions to unsecured creditors. Most unsecured creditors received 100 cents in the dollar. The distributions were paid as follows:

• First Distribution	5 cents	\$662,627
• Second Distribution	60 cents	\$7,869,675
• Third Distribution	29 cents	\$1,311,613
• Fourth Distribution	3 cents	\$347,547
• Fifth Distribution	3 cents	\$348,831
	100 cents	
• Sixth Distribution	voidable preference trust	\$265,291
• Seventh Distribution	voidable preference trust	\$235,814
	89.5 cents	
Total Distributions		\$11,041,398

In March 2020, the liquidators gave public notice regarding unrepresented cheques and unclaimed moneys from two distributions. The funds distributed but remaining in Trust after 15 May 2020 will be sent to Public Trust. One creditor has withdrawn its claim leading to funds flowing back into the liquidation.

Voidable Preference Trust

Unsecured creditors that were in a separate class relating to voidable preference received 89.5 cents in the dollar. There may be a small further distribution

The sixth distribution to unsecured creditors in the voidable preference trust (\$5,895,356) was paid to on 30 January 2015 for \$265,291. The seventh distribution to unsecured creditors in the voidable preference trust was paid on 11 March 2016 for \$235,814 (that is 4 cents in the dollar).

The liquidators do not expect that the voidable preference trust creditors will receive 100 cents in the dollar.

6 INVESTIGATIONS and CREDITOR CLAIMS

There is nothing new to report.

7 FUNDS

As at 7 May 2019 the liquidation has approximately \$101,620.

We **attach** below a statement of receipts and payments for the last six months. This statement has prior period adjustments made between liquidators' fees, sundry disbursements and legal disbursements. The liquidators have reconciled actual invoices with cashbook records and amended the cashbook accordingly for miscoding. This is in preparation for court fee approval. The adjustments do not impact the overall expenditure, only the allocation between expense categories. The cashbook treated some fee payments as disbursements and some sundry disbursements as liquidator disbursements and vice versa. An adjustment of \$25,036 was made to liquidation disbursements in this period relating back to the 1999 to 2012 period. Also in this period we have recovered \$90,344 from the unclaimed funds referred to in section 5 above, being distributions for a creditor who had claimed for a guarantee that was subsequently settled by the debtor. These funds have flowed back into the liquidation and led to adjustments to the distribution amounts to creditors and an increase in funds held. Certain sums have not been claimed in this process and will be paid to Public Trust as unclaimed moneys.

8 ESTIMATED DATE OF COMPLETION

The liquidation can now be completed. A final report is being prepared for the liquidation committee and reporting required for court fee approval and finalisation.

9 CONTACT DETAILS

Enquiries should be directed to Boris van Delden on DDI (09) 306 3342 or by email to bvandelden@mvp.co.nz.

The Liquidators can be contacted at:

McDonald Vague Limited
Level 10, 33 federal Street
Auckland 1010

P O Box 6092
Victoria Street West
Auckland 1142



PERI M FINNIGAN
LIQUIDATOR

DATED this 14th day of May 2020

Realisations and Distributions

DML Resources Limited (In Liquidation) 7 November 2019 to 6 May 2020

	Cash Received
	\$
Realisations	
Opening Balance of Funds (per 42 nd report)	37,018
Interest Received	145
Settlement – DML-MRP Resources (M) Sdn. Bhd	2,311
Total Realisations	\$39,474
Payments	
Liquidators Fees	
Liquidators Fees	52,532
Disbursements – Adjustment (prior periods 1999 on)	(24,433)
Total Liquidators Fees	\$28,099
Other Costs of Liquidation	
Bank Fees	37
Residents Withholding Tax	28
Total Costs of Liquidation	\$65
Adjustments	
Adjustment to Distributions (includes withdrawn claim)	(84,035)
Other Disbursements (Adjustments to reconcile with invoices)	(6,275)
Total Adjustments to Disbursement and Distributions	(\$90,310)
Total Payments (Adjustment)	(\$62,146)
BALANCE HELD	\$101,620

Notes: the above figures are GST exclusive.
Adjustments were made this period for reconciliation purposes. Funds flowed back into the liquidation arising from a withdrawn claim.

Realisations and Distributions

DML Resources Limited (In Liquidation) 7 May 1998 to 6 May 2020

Realisations		Cash Received \$
Funds from Receiver	1,114,159	
Funds from Debentureholder	240,000	1,354,159
New Zealand Assets		
Debtors	32,791	
Plant and Equipment	342,150	
Truck Sales	129,200	
Sundry Assets	5,424	509,565
Overseas Assets		
Chile	177,563	
Hong Kong	84,286	
Indonesia	72,077	333,926
Settlements		
Settlement with DML MRP	1,229,696	
Intercompany Loan Repayment	665,102	
Settlement – Action against Director	7,850,000	
Auriferous Settlement	100,000	
Coeur Gold (Excluding GST)	2,440,641	
Diesel Propulsion/Wiri Land	140,000	
DML Pty Australia Dividend	1,061,138	
Glencoal Settlement	27,500	
Solid Energy	375,000	13,889,077
Refunds from Inland Revenue Department		
Pre-Liquidation GST Refunds	1,774,228	
Residents Withholding Tax Refund	106,829	
Income Tax Refund	390,859	
DML Minerals GST Refund	602	2,272,518
Miscellaneous		
Insurance Refund	55,696	
Interest Received	983,709	
Legal Costs Recovered	14,412	
Sale of Shares	27,293	
Sundry	14,004	
Recovery of Financial Support to Cobalt SG Limited	26,953	
DML Voidable Trust Funds	33,354	1,155,264
Total Realisations		\$19,514,666

Payments

Liquidators Fees

Liquidators Fees		3,815,049
Disbursements		186,088
Total Liquidators Fees		\$4,001,137

Other Costs of Liquidation

Legal Fees		
Actions against Directors	1,098,598	
Auriferous	32,059	
Chile Funds	27,958	
China Receivables	83,471	
Coeur Gold (Including Consultants)	1,071,431	
Creditor Claims	45,636	
Debenture	40,099	
Diesel Propulsion	47,477	
DML Pty Limited (In Liquidation) and DML Malaysia	48,421	
Solid Energy	42,937	
Voidable Transactions	33,523	
General	170,548	2,742,158
Other Professional Fees		
Accounting – DML Minerals	8,255	
Accounting	33,417	
Consulting Fees	41,337	
Computer Support	2,388	
Tax Advice	94,308	179,705
Financial Support to Related Companies		
Financial Support – Cobalt SG Limited	37,952	
DML Resources (Asia) Limited	144,548	
DML Resources (Malaysia) Sdn Bhd	136,949	319,449
Liquidation Operating Costs		
Accident Compensation Corporation Costs	14,856	
Advertising	4,640	
Bank Fees	3,654	
Insurance	21,531	
Printing and Photocopying	36,087	
Storage – Vehicles, Records and Engines	95,451	
Vehicle Expenses and Transportation Costs	15,287	
Wages	7,822	
Sundry	19,942	219,270
Inland Revenue Department		
Fringe Benefit Tax	2,460	
Residents Withholding Tax	73,832	76,292
Total Costs of Liquidation		\$3,536,874

Settlements and Distributions to Creditors	
Applicant Creditor Costs	2,155
Inland Revenue Department – PAYE, GST	1,035
Settlement of Creditors' Claims	830,147
First Distribution to Unsecured Creditors (5 Cents)	662,927
Second Distribution to Unsecured Creditors (60 Cents)	7,869,675
Third Distribution to Unsecured Creditors (29 Cents)	1,311,613
Fourth Distribution to Unsecured Creditors (3 Cents)	347,547
Fifth Distribution to Unsecured Creditors (3 Cents)	348,831
Sixth Distribution to Unsecured Creditors (Voidable Preference Trust)	265,291
Seventh Distribution to Unsecured Creditors (Voidable Preference Trust)	235,814
(Total - 89.5 cents in the \$1.00)	
Total Settlements and Distributions to Creditors	\$11,875,035
Total Payments	\$19,413,046
BALANCE HELD	\$101,620

Note: the above figures are GST exclusive