

**Form 5011**

Corporations Act 2001

**s436E, 439A**

Corporations Regulations 2001

**5.6.11.(2), 5.6.27**

## Copy of minutes of meeting

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### Liquidator details

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Registered liquidator number

**14183**

Registered liquidator name

**KIMBERLEY STUART WALLMAN**

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### Company details

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Company name

**YOCAL PTY LTD**

**164 233 916**

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### Section under which minutes are lodged

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Date of meeting

**23-10-2015**

Are the minutes being lodged for a meeting convened under s436E, or  
s439A of the Corporations Act 2001?

**Yes**

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### Certification

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I certify that the attached minutes of meeting are a true copy of the original  
minutes of meeting signed by the chair of the meeting as identified in the  
minutes.

**Yes**

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## Authentication

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This form has been authenticated by  
Name KIMBERLEY STUART WALLMAN  
This form has been submitted by  
Name Samantha HUNTON  
Date 23-10-2015

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*Corporations Act 2001*

Minutes of the Meeting of Creditors of

Yocal Pty Ltd (Administrator Appointed)  
ACN: 164 233 916  
("the Company")

Held at Ground Floor, 15 Rheola Street, West Perth WA

On Friday, 23 October 2015 at 10:00am

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**PRESENT**

Kim Wallman – Chairman  
Samantha Morgan – Minute Secretary

Creditors – as per attached Form 531B

**INTRODUCTION**

1. The Chairman advised that this was a meeting of the creditors of the Company pursuant to section 436E of the *Corporations Act 2001* ("the Act").
2. The Chairman confirmed that all creditors and other persons present had signed the list of Persons Present at Meeting of Creditors.
3. The Chairman introduced himself as the Administrator of the Company appointed by a resolution of the Director/s on 13 October 2015.

## **FORMALITIES**

### **1. Non-Creditors**

The Chairman enquired whether any persons were not creditors. There were none present.

### **2. Time and Place**

The Chairman declared that the meeting was being held at a date, time and place which in the opinion of the Administrator was convenient to the majority of persons entitled to receive a notice of meeting (regulation 5.6.14).

### **3. Quorum**

The Chairman declared there was a quorum as there were two or more persons who were entitled to vote and be represented at the meeting (regulation 5.6.16).

### **4. Meeting Procedures**

The Chairman advised that those creditors who lodged with the Chairman a Particulars of Debt for Voting Purposes or Proof of Debt are entitled to vote in person or by proxy.

### **5. Notice of Meeting**

The Chairman tabled the notice of meeting, which was forwarded to all known creditors on 15 October 2015 and advertised on the Australian Securities & Investments Commission's Published Notices Website on 15 October 2015.

### **6. Table Proxies**

The Chairman tabled proxies received. The Chairman advised this may be inspected by those present.

Should it be necessary, inform creditors that the Administrator is empowered to execute his rights to use the proxies under the regulation 5.6.32.

Creditors are not obliged to execute the proxy form under company seal, but if they do not they need to provide the Chairman with a certificate of resolution of the board of directors which authorises the signatory to execute the form.

### **7. Declaration of Independence, Relevant Relationships and Indemnities**

In accordance with the Australian Restructuring Insolvency and Turnaround Association ("ARITA") Code of Professional Practice, the Chairman tabled the Declaration of Independence, Relevant Relationships and Indemnities ("DIRRI") that was forwarded to all known creditors on 15 October 2015. The Chairman advised that no circumstances had arisen that would require amendment to the above DIRRI.

### **8. Voting**

The Chairman explained that regulations 5.6.19, 20, 21 & 22 provide that voting shall be decided on the voices and declared by the Chairman either as:

- carried;
- carried unanimously;
- carried by a majority; or
- lost.

A poll may be demanded, in which case a resolution is either carried/lost respectively if a majority of creditors voting vote in favour/against and the value of the debts owed to those voting in favour/against is more than half the total debts owed to all creditors voting.

A creditor who is a debenture holder may, in accordance with regulation 5.6.24(4), for the purposes of a meeting of creditors under part 5.3A vote for the full amount of the value of the debt, without being deemed to have surrendered any security held.

#### **CHAIRMAN'S ADDRESS**

The Chairman indicated the purpose of the first meeting of creditors was to consider the appointment of a Committee of Creditors, to consider the appointment of an alternative Administrator, discussion of any other relevant matters.

#### **DISCUSSION**

The following matters were discussed:

The Chairman advised the meeting the Director decided to place the Company in administration in order to address the outstanding debts of the Company.

The Chairman provided background details about the Company and briefly explained the history of the Company.

The Chairman advised that the business was sold prior to the appointment.

#### **RESOLUTIONS**

The purpose of the meeting is to consider and vote on the following resolutions:

- a) Whether to appoint a committee of creditors; and if so, who are to be the committee's members as per section 436E(1); and
- b) Whether to remove the Administrator from office; and appoint someone else as the Administrator of the Company as per section 436E(4).

#### **APPOINTMENT OF A COMMITTEE OF CREDITORS**

The Chairman explained the purpose of the committee of creditors.

It was agreed that there be no committee of creditors.

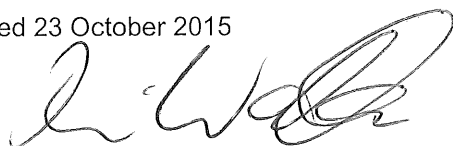
#### **NOMINATION OF AN ALTERNATIVE ADMINISTRATOR**

It was noted that there was no nomination for an alternative Administrator.

#### **CONCLUSION**

There being no other matters to discuss, the meeting was concluded at 10.03 am.

Dated 23 October 2015



Kimberley Wallman  
Chairman



**Corporations Act 2001**

**Register of Claims**

**REGISTER OF CLAIMS RECEIVED FOR A MEETING OF CREDITORS OF**

**Yocal Pty Ltd (Administrator Appointed)  
ACN 164 233 916**

**Held at Ground Floor, 15 Rheola Street West Perth WA  
On Friday, 23 October 2015 at 10:00am**

Name of Creditor	Amount \$
Holy Smoke Enterprises	104.00
Leah Trigwell	10,062.80