



Principals **Ross Mottershead | Murray Godfrey | Ian Purchas | Darren Vardy | Sonia Gibson**

Sydney: Level 12, 88 Pitt Street Sydney, NSW 2000
Caringbah: Suite 9, 305-307 The Kingsway Caringbah NSW 2229
Correspondence: GPO Box 4153 Sydney, NSW 2001
Website: www.rmgpartners.com.au

Ph: 02 9231 0889 | Fax: 02 9231 0887
Ph: 02 9531 8365 | Fax: 02 9531 8367
Email: rmg@rmgpartners.com.au
Phone: 1300 720 857

Ref: AN/1st RTC 15/06/2010/Sec 20

15 June 2010

FIRST REPORT TO CREDITORS

**GURI WA NGUNDAGAR ABORIGINAL CORPORATION
I.C.N. 3202
(ADMINISTRATOR APPOINTED) (“THE CORPORATION”)**

TABLE OF INCLUSIONS

1. **Notice of meeting.**
2. **Appointment of proxy form (please complete and return).**
3. **Form 535 – Formal proof of debt or claim form (please complete and return).**
4. **Administrator’s report to creditors.**
 - i) **Annexure A – Declaration of Independence, Relevant Relationships and Indemnities;**
 - ii) **Annexure B – RMG Partners Business Solutions’ charge rates; and**
 - iii) **Annexure C – ASIC Information Sheet “Information for Directors, Employees, Creditors and Shareholders.”**

If you require further copies of the above please contact Kevin Cotter of the Sydney office on (02) 9231 0889.

FORM 529A

Paragraph 5.6.12(2)(aa)

**CORPORATIONS (ABORIGINAL AND TORRES STRAIT ISLANDER) ACT 2006
CORPORATIONS ACT ("the Act")**

**NOTICE OF FIRST MEETING OF CREDITORS OF CORPORATION UNDER
ADMINISTRATION**

**GURI WA NGUNDAGAR ABORIGINAL CORPORATION
I.C.N. 3202
(ADMINISTRATOR APPOINTED)
("THE CORPORATION")**

1. On 10 June 2010 the Corporation, under Section 436A of the Act, appointed I J Purchas of RMG Partners Business Solutions, Level 12, 88 Pitt Street Sydney NSW 2000 as the Administrator of the Corporation.
2. Notice is now given that a meeting of the creditors of the Corporation will be held at 17-23 South Street, Kempsey, New South Wales on 23 June 2010 at 10.30am.
3. The purpose of the meeting is to determine:-
 - a. Whether to appoint a Committee of Creditors; and
 - b. If so, who are to be the Committee's members
4. At the meeting, creditors may also, by resolution:-
 - a. Remove the Administrator from office, and
 - b. Appoint another person as Administrator of the Corporation

A Form of Proxy is attached. Proxies to be used at the meeting should be lodged with the Corporation, care of RMG Partners Business Solutions, by 4.00 pm on 22 June 2010. A corporate creditor can only be represented by a duly appointed representative appointed under Section 127 and Section 250D of the Corporations Act.

Creditors wishing to vote at the meeting should establish their debt or claim by completing and lodging the attached Proof of Debt with RMG Partners Business Solutions prior to the date of the meeting.

Dated this 15th day of June 2010.


I J PURCHAS
Administrator

APPOINTMENT OF PROXY¹

GURI WA NGUNDAGAR ABORIGINAL CORPORATION
I.C.N. 3202
(ADMINISTRATOR APPOINTED)

I/We _____ of _____ a creditor of the abovenamed Corporation appoint _____ or in his/her absence _____ as my/our general/special proxy to vote at the meeting of creditors to be held on 23 June 2010 at or at any adjournment of that meeting, and to vote:

my **general proxy** to vote on all matters arising at the meeting (including the appointment of the proxy holder as a member of any Committee of Inspection)

OR

my **special proxy** to vote on the following resolutions as specified below:

PLEASE TICK ONE BOX (ONLY) FOR EACH PROPOSED RESOLUTION

	For	Against	Abstain
1. Appointment of a Committee of Creditors with _____ _____ appointed as a member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. To remove the Administrator from office and appoint someone else as Administrator of the Corporation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

And generally as he or she determines on my behalf.

Signed

Dated

Print Name:

NOTES TO PROXY

- (1) The person(s) appointed proxy may be the Chairperson or such other person as the creditor may approve, and the proxy form, when signed, must be lodged by the time and at the address named for that purpose in the notice convening the meeting at which it is to be used.
- (2) Note that any person signing on behalf of a company must be duly authorised by the company

WITNESS for blind creditors ONLY

I, _____
of _____

certify that the above instrument appointing a proxy was completed by me in the presence of and at the request of the person appointing the proxy and read to him or her before he or she signed or marked the instrument.

DATE

Signature of Witness

Description

Place of Residence

FORM 535

Corporations Act 2001

FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)

To the Administrator of **GURI WA NGUNDAGAR ABORIGINAL CORPORATION**

1. This is to state that the Corporation was on 10 June 2010, and still is, justly and

truly indebted to _____

of _____

for \$ _____ and _____ cents.

Date	Consideration (state how the debt arose)	Amount \$ c	Remarks (include details of voucher substantiating payment)

2. To my knowledge or belief the creditor has not, nor has any person by the creditor's order, had or received any satisfaction or security for the sum or any part of it except for the following:

Date	Drawer	Acceptor	Amount \$c	Due Date

*3. I am employed by the creditor and authorised in writing by the creditor to make this statement. I know that the debt was incurred for the consideration stated and that the debt, to the best of my knowledge and belief, remains unpaid and unsatisfied.

*3. I am the creditor's agent authorised in writing to make this statement in writing. I know that the debt was incurred for the consideration stated and that the debt, to the best of my knowledge and belief, remains unpaid and unsatisfied.

I nominate to receive electronic notification of notices or documents in accordance with Section 600G of the Corporations Act at the following email address:

Email:.....

Dated this _____ day of _____ 2010.

.....
Signature
Occupation
Address

*Do not complete if this proof is made by the creditor personally.



Principals **Ross Mottershead** | **Murray Godfrey** | **Ian Purchas** | **Darren Vardy** | **Sonia Gibson**

Sydney: Level 12, 88 Pitt Street Sydney, NSW 2000
Caringbah: Suite 9, 305-307 The Kingsway Caringbah NSW 2229
Correspondence: GPO Box 4153 Sydney, NSW 2001
Website: www.rmgpartners.com.au

Ph: 02 9231 0889 | Fax: 02 9231 0887
Ph: 02 9531 8365 | Fax: 02 9531 8367
Email: rmg@rmgpartners.com.au
Phone: 1300 720 857

Ref: AN/1st RTC 15/06/2010/Sec 20

15 June 2010

FIRST REPORT TO CREDITORS

GURI WA NGUNDAGAR ABORIGINAL CORPORATION I.C.N. 3202 (ADMINISTRATOR APPOINTED) ("THE CORPORATION")

On 10 June 2010 I was appointed Administrator of the Corporation by its directors.

I have been advised that you may be a creditor of the Corporation.

I now submit my preliminary report in respect of the Corporation as follows:

- 1. VOLUNTARY ADMINISTRATION/LEGISLATION**
- 2. DISCLOSURE STATEMENT**
- 3. HISTORY**
- 4. FIRST MEETING OF CREDITORS**
- 5. EFFECT ON OWNERS OR LESSORS OF PROPERTY / EXISTING CONTRACTS / STOCK**
- 6. INVESTIGATIONS**
- 7. REMUNARATION**
- 8. GENERAL**

1. VOLUNTARY ADMINISTRATION

Voluntary administration is a corporate insolvency regime designed to maximise the chances of a business, or part of a business, continuing in operation, or to result in creditors receiving a better return than would result from an immediate liquidation.

Under normal circumstances, the period of voluntary administration is approximately five weeks. During the period of voluntary administration, the administrator assumes control of the Corporation's assets and operations. At the conclusion of the voluntary administration period, the Corporation's creditors will resolve the future of the Corporation. The administrator is required to conduct an investigation into the Corporation's affairs and to report to creditors on the results of this investigation. This report will contain the administrator's opinion on each of the alternatives for the Corporation's future.

For good order I note my appointment was effected in accordance with the Corporations (Aboriginal and Torres Strait Islander) Act 2006 which defers to the Corporations Act 2001 when dealing with Voluntary Administrations.

2. DISCLOSURE STATEMENT

My appointment was made pursuant to a resolution of a majority of the board of directors who were referred to RMG Partners Business Solutions by 180 Corporate Limited. In accepting the appointment, I have considered the issue of my independence.

In accordance with statutory and professional requirements I have prepared a Declaration of Independence, Relevant Relationships and Indemnities. This Declaration is **attached** as Annexure 'A'.

In summary, I am not aware of any issues, circumstances or relationships which would preclude my appointment.

3. HISTORY

The Corporation was incorporated on 22 May 1998 and operated a number of businesses since its incorporation. It ceased trading prior to my appointment. The Corporation's registered office was located at 17-23 South Street, Kempsey, NSW 2440.

The Corporation's office bearers as at the date of my appointment were as follows:

<u>Name</u>	<u>Position</u>
Tony Gray	Director
Maria Daley	Director
Katrina Riley	Director
Hector Ritchie	Director
Jamie Thaidy	Director
Benjamin Holtem	Director

4. FIRST MEETING OF CREDITORS

Attached is a Notice of Meeting of creditors to be held in accordance with Section 436E of the Act. In this regard I note the following:

A. Purpose of Meeting

The purpose of the meeting is to determine whether to appoint a Committee of Creditors. At the meeting, creditors may also, by resolution, remove the administrator from office and appoint someone else as administrator of the Corporation.

B. Committee of Creditors

Pursuant to Section 436F of the Act the functions of a Committee of Creditors are:

- i) to consult with the administrator about matters relating to the administration; and
- ii) to receive and consider reports by the administrator.

Section 436G of the Act provides that a person may only be a member of a Committee of Creditors if he / she is:

- a) a creditor of the Corporation; or
- b) an attorney of such a creditor because of a general power of attorney; or

c) authorised in writing by such a creditor to be such a member.

C. Voting

The required resolutions are by a simple majority in number unless two or more creditors request a poll be taken, in which case it requires a majority in number and value. In a deadlock, the Chairman has the casting vote.

Attached are forms of Proof of Debt and Proxy.

The Proof of Debt must be completed in full setting out all particulars of the debt outstanding. Where the creditor is a company, the full name of the company must be shown and the form signed by an officer of the company.

The Proxy must be completed if the creditor is a company or if an individual creditor wishes to appoint another party as his or her representative.

Please lodge these forms with this office prior to attendance at the meeting of creditors.

5. EFFECT ON OWNERS OR LESSORS OF PROPERTY / EXISTING CONTRACTS / STOCK

A. Owners and Lessors of Property

Please note that pursuant to Section 440C of the Act that:

“During the administration of a Corporation, the owner or lessor of property that is used or occupied by, or is in the possession of, the Corporation cannot take possession of the property or otherwise recover it, except:

- i. with the administrator’s written consent; or
- ii. with the leave of the Court.”

B. Existing Contracts and Agreements

Please note that I expressly refrain from adopting any contracts or agreements of the Corporation in existence at the date of my appointment, unless you are formally notified to the contrary in writing. All contracts and agreements are currently the subject of review and, if appropriate, advice as to the position of same will be forthcoming in the near future. In the meantime, no implication as to the adoption of any contracts should be drawn if payments are made for any current use of goods or services.

C. Stock

In relation to suppliers holding outstanding or unfulfilled orders or who have consignment stock with the Corporation or have supplied stock on the basis of retention of title, it is requested that details of same be supplied immediately. Upon ascertaining the position in relation to such, the suppliers in question will be further advised.

6. INVESTIGATIONS

I will be conducting my investigations into the Corporation's business, property, affairs and financial circumstances as required under Section 438A of the Act in order that I may form the opinion required by that section being:

- A. whether it would be in the creditors' interests for the Corporation to execute a deed of corporation arrangement; or
- B. whether it would be in the creditors' interests for the administration to end; or
- C. whether it would be in the creditors' interests for the Corporation to be wound up.

The results of these investigations will be reported to creditors prior to the next meeting of creditors to be held by 16 July 2010.

7. REMUNERATION

I will be seeking remuneration in respect of necessary work properly performed during the voluntary administration period.

There are three basic methods that can be used to calculate the remuneration charged by an insolvency practitioner. They are:

A. Time based - hourly rates

This is the most common method. The total fee charged is based on the hourly rate charged for each person who carried out the work multiplied by the number of hours spent by each person on each of the tasks performed.

B. Fixed Fee

The total fee charged is normally quoted at the commencement of the engagement and is the total cost for the engagement. Sometimes a practitioner will finalise an administration for a fixed fee.

C. Commission

The total fee charged is based on a percentage scale of the gross proceeds of asset realisations.

Given the nature of this administration, I propose that my remuneration be calculated on a time basis. This is the most objective method of reflecting the work actually performed during the course of the administration.

The time will be charged in accordance with RMG Partners Business Solutions' standard hourly rates. A schedule of current rates is **attached** as **Annexure 'B'** which also provides a general guide showing the qualifications and experience of staff engaged in the administration. The hourly rates charged encompass the total cost of providing professional services and should not be compared to an hourly wage. I estimate remuneration for the period of the Administration will approximately be \$50,000. Additional time costs will be incurred after the Administration ends. These will be dealt with in my next report.

Creditors will be asked to approve the remuneration at the second meeting of creditors. Full details will be provided with Notice of that meeting.

8. GENERAL

A. Further Reports

A more comprehensive report on the Corporation's affairs will be forwarded to creditors with the Notice of the second meeting of creditors.

In the interim, should you have any queries please do not hesitate to contact Mr Kevin Cotter of this office.

B. Insolvency Information Sheets

Attached as Annexure 'C' for your information is a copy of the insolvency information sheet entitled "Information for Directors, Employees, Creditors and Shareholders" circular published by the Australian Securities & Investments Commission.

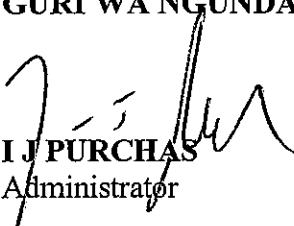
Should any creditor require assistance in completing the relevant forms or have any queries, please contact Mr Cotter.

C. Insolvency Information/Electronic Notification Options

Section 600G of the Act permits electronic notification to creditors of certain notices of documents. If you would like to receive electronic notification, please complete the relevant section on the proof of debt form.

Yours faithfully

GURI WA NGUNDAGAR ABORIGINAL CORPORATION


I.J. PURCHAS
Administrator

Encl.

ANNEXURE 'A'

DECLARATION OF INDEPENDENCE, RELEVANT RELATIONSHIPS AND INDEMNITIES

GURI WA NGUNDAGAR ABORIGINAL CORPORATION I.C.N. 3202 (ADMINISTRATOR APPOINTED)

Independence

I, I J Purchas, of RMG Partners Business Solutions, have undertaken a proper assessment of the risks to my independence prior to accepting the appointment as Administrator of the abovenamed Corporation. This assessment identified no real or potential risks to my independence. I am not aware of any reason that would prevent me from accepting this appointment.

Relevant Relationships

Neither I, nor the firm RMG Partners Business Solutions, have, or have had within the preceding 24 months, any relationships with the Corporation, an associate of the Corporation, a former insolvency practitioner appointed to the Corporation or any person or entity that has a charge on the whole or substantially whole of the Corporation's property.

Prior Engagements with the Corporation

Neither I, nor the firm RMG Partners Business Solutions, have undertaken any prior engagements for the Corporation.

Indemnities

I have not been indemnified in relation to this administration, other than any indemnities that I may be entitled to under statute:

Dated this 15th day of June 2010.


I J PURCHAS
Administrator

NOTE: If circumstances change, or new information is identified, I am required under the IPA Code of Professional Practice to update this Declaration and provide a copy to creditors with my next communication as well as table a copy of any replacement declaration at the next meeting of the Corporation's creditors.

ANNEXURE 'B'



Hourly Insolvency Rates from 1 October 2008

	Rate \$	GST 10% \$	Total \$	
Appointee	460.00	46.00	506.00	Official Liquidator Liquidator
Partner / Associate	460.00	46.00	506.00	
Manager 1	380.00	38.00	418.00	7+ years insolv exp 3+ years as manager Qualified Accountant
Manager 2	330.00	33.00	363.00	6-7+ years insolv exp Qualified Accountant
Supervisor	250.00	25.00	275.00	4-6+ years insolv exp Qualified Accountant
Senior 1	220.00	22.00	242.00	2-4+ years insolv exp Completing CA Program
Senior 2	185.00	18.50	203.50	1-2+ years insolv exp Commencing CA Program
Intermediate 1	170.00	17.00	187.00	0-2+ years insolv exp Graduate
Intermediate 2	140.00	14.00	154.00	0-2+ years insolv exp Undergraduate
Secretary / wpo	140.00	14.00	154.00	Appropriate skills
Computer Operator	140.00	14.00	154.00	Appropriate skills
Clerk	100.00	10.00	110.00	Non Qualified Passed HSC
Typist	100.00	10.00	110.00	Appropriate skills
Junior	80.00	8.00	88.00	HSC. Starting degree/Diploma

Notes:

- 1) Remuneration is calculated on a time basis in accordance with the above rates.
- 2) The Firm maintains its time records in a computerised system and the information, which is entered into the computer, has its origin in diaries kept by members of the Firm.
- 3) Staff are classified in accordance with academic qualifications and insolvency experience.

ANNEXURE 'C'



ASIC

Australian Securities & Investments Commission

Insolvency information for directors, employees, creditors and shareholders

ASIC has 11 insolvency information sheets to assist you if you're affected by a company's insolvency and have little or no knowledge of what's involved.

These plain language information sheets give directors, employees, creditors and shareholders a basic understanding of the three most common company insolvency procedures—liquidation, voluntary administration and receivership. There is an information sheet on the independence of external administrators and one that explains the process for approving the fees of external administrators. A glossary of commonly used insolvency terms is also provided.

The Insolvency Practitioners Association (IPA), the leading professional organisation in Australia for insolvency practitioners, endorses these publications and encourages its members to make their availability known to affected people.

List of information sheets

- Insolvency: a glossary of terms
- Voluntary administration: a guide for creditors
- Voluntary administration: a guide for employees
- Liquidation: a guide for creditors
- Liquidation: a guide for employees
- Receivership: a guide for creditors
- Receivership: a guide for employees
- Insolvency: a guide for shareholders
- Insolvency: a guide for directors
- Independence of external administrators: a guide for creditors
- Approving fees: a guide for creditors

Important note: The information sheets contain a summary of basic information on the topic. It is not a substitute for legal advice. Some provisions of the law referred to may have important exceptions or qualifications. These documents may not contain all of the information about the law or the exceptions and qualifications that are relevant to your circumstances. You will need a qualified professional adviser to take into account your particular circumstances and to tell you how the law applies to you.

Getting copies of the information sheets

To get copies of the information sheets, visit ASIC's website at www.asic.gov.au/insolvencyinfosheets. The information sheets are also available from the IPA website at www.ipaa.com.au. The IPA website also contains the IPA's Code of Professional Practice for Insolvency Professionals, which applies to IPA members.