

**VINOPTIMA ESTATE LIMITED
(IN RECEIVERSHIP)**

Company number: 1075928

Receivers' Seventh Report on the State of Affairs

Pursuant to Section 24 of the Receiverships Act 1993

Reporting Period: 21 February 2021 to 20 August 2021

1. Introduction

Andrew McKay (IP40) and Andrew Bethell (IP5) both Chartered Accountants and Licensed Insolvency Practitioners, were appointed joint and several receivers and managers (“Receivers”) of Vinoptima Estate Limited (In Receivership) (“the Company”) on 20 August 2018 under the terms of a General Security Agreement (“GSA”) dated 24 October 2012 giving the holder (“the Appointer”) security interests or charges created by the GSA with all the powers conferred by the GSA and at law.

This report should be read in conjunction with our previous reports pursuant to sections 23 and 24 of the Receiverships Act 1993.

2. Restrictions

This report has been prepared by us in accordance with and for the purposes of Section 24 of the Receiverships Act 1993. It is prepared for the sole purpose of reporting on the state of affairs with respect to the property in receivership and the conduct of the Receivership.

All information contained in this report is provided in accordance with Sections 26 and 27 of the Receiverships Act 1993. In compiling this report we have relied upon and not independently verified or audited information or explanations provided to us.

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.

Certain information can be withheld by the Receivers if inclusion would materially prejudice the exercise of the Receivers’ functions.

3. Property disposed of since date of our previous report

During the period the sale of the Winery to TK Wines Limited including fixed assets and stock held onsite was completed. The sale was settled by offset of secured Debt and cash.

Assets realised during the reporting period are included in the Summary of Receipts and Payments in **Appendix 1**.

4. Proposals for disposal of remaining property in receivership

There remains a residual balance of wine stock excluded from the completed sale and purchase agreement, which is held at a third-party cool store. We are working with an independent wine sales agent to realise this remaining stock.

We have omitted certain details concerning our proposal for the disposal of the receivership property as we believe that their inclusion would materially prejudice the exercise of our functions and in particular our duty to obtain the best price reasonably obtainable for the sale of receivership property.

5. Summary of receipts and payments

We attach as **Appendix 1** a Summary of Receipts and Payments for the Company for the reporting period.

6. Particulars of debts and liabilities currently outstanding and requiring to be satisfied from the property in receivership

Secured creditors

Monies due to the Appointer and other secured parties either directly or through cross guarantees total \$7.98m plus accrued interest. Amounts due relate to loans, advances and overdraft facilities secured by way of a GSA. During the period a portion of secured debt was offset on completion of the sale of the Winery and assets purchased by a secured party.

Preferential creditors

Employees

During the period employee preferential claims were fully settled.

IRD

According to the Company's records, the IRD preferential liability is \$11k, this relates to outstanding PAYE. We have requested a finalised preferential claim and this will be paid out within the next reporting period.

NZ Customs

During the period the New Zealand Customs preferential claim was fully settled.

Unsecured creditors

Unsecured creditors were recorded at \$3.189m, this included amounts owed to trade suppliers (\$1.919m) and related parties (\$1.270m).

There is likely to be a shortfall owed to the secured creditor and therefore it is unlikely that there will be any funds available for unsecured creditors.



7. Contact Information

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

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Dated this 29th day of September 2021

A handwritten signature in black ink, appearing to read 'A. McKay'.

Andrew McKay
Receiver and Manager

Partners and staff acting as Receivers or Administrators do so as agents of the company without personal liability.

APPENDICES

Appendix 1 - Receipts and Payments

Receipts and Payments Schedule	
(21 February 2021 to 20 August 2021)	(\$ 000's)
Opening Cash on Hand	30
Receipts	
Settlement Proceeds from Winery, Fixed Assets & Stock Sale	130
Sales (Wine Stock)	78
Net GST	8
Other Receipts	7
Total Receipts	223
Payments	
Wages	41
Receivers Fees	35
Preferential Distribution - New Zealand Customs	36
Preferential Distribution - Employee	20
Storage (Stock held at third party Cool Store)	9
Repairs & Maintenance	2
Electricity	2
New Zealand Customs (Excise Duty)	2
Telephone	1
IT Costs	1
Miscellaneous	1
Total Payments	150
Closing Cash On Hand	103