



**Moir Motor Group Limited (In Liquidation)**  
**Company Number: 1020177 NZBN Number: 9429037339708**

**Moir Motor Group Limited (2010) (In Liquidation)**  
**Company Number: 2408239 NZBN Number: 9429031657884**

### **Liquidator's First Report to Shareholders and Creditors**

11 March 2021

#### **1. Background**

Moir Motor Group Limited (In Liquidation) was placed into liquidation by special resolution of the shareholder on the 6th day of March 2021 at 1:15pm. Thomas Lee Rodewald, Licenced Insolvency Practitioner was appointed Liquidator of the company.

Also on the 6<sup>th</sup> day of March 2021 at 1.15pm the Moir Motor Group (2010) Limited (In Liquidation) was placed into liquidation by special resolution of the shareholder. Thomas Lee Rodewald, Licenced Insolvency Practitioner was also appointed Liquidator of the company. Together known as ("the Companies")

#### **2. Disclaimer**

*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 written permission in each specific instance. The Liquidator does not accept any responsibility or liability for any damage or loss occasioned to any party as a result of the circulation, publication, reproduction or use of this report. In particular the Liquidator takes no responsibility for any misinformation contained therein that has been supplied by the company, its officers or any other person. The report is also based upon information available at this date, and the Liquidators therefore reserve the right to review, and if necessary, amend the report.*

#### **3. Company Information**

	<b>Moir Motor Group Ltd</b>	<b>Moir Motor Group (2010) Ltd</b>
<b>Date of Incorporation</b>	13 March 2000	25 February 2010
<b>Trading Address:</b>	New Plymouth	New Plymouth
<b>Type of business:</b>	Honda Vehicle Dealership	Subaru Vehicle Dealership
<b>Date trading ceased:</b>	Remains trading	March 2020
<b>Shareholders:</b>	Andrew Grahame Moir	Andrew Grahame Moir
	Paula Wendy Moir	Paula Wendy Moir
	Tutbury Trustees Limited	Tutbury Trustees Limited
<b>No of Shares:</b>	180,000	100
<b>Directors:</b>	Andrew Grahame Moir	Andrew Grahame Moir
	Paula Wendy Moir	

#### **4. Events Leading to Appointment of Liquidators**

The director has advised the reason for the failure of Moir Motor Group Limited is due to the fact that the company has been struggling for a number of years. The downturn due to Covid and the sales level, coupled with the proposed change to their contract with Honda New Zealand lead the directors to get seek advice that they should liquidate.

The director of the company has advised the reason for the failure of Moir Motor Group (2010) Limited was as a result of the loss of the Subaru vehicle dealership prior to Covid 19.

#### **5. Statement of Affairs**

We attach as **Appendix 1** a statement of the Companies affairs as at the date of our appointment.

This has been prepared from information provided by a director of the Companies and the Liquidator is not yet able to express an opinion on the validity of that information.

Also attached as **Appendix 2** is a list of known creditors as at the date of appointment.

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

Attached as **Appendix 3** is a completed Declaration of Independence, Relevant Relationships and Indemnities.

#### **7. Proposals for Conducting the Liquidation**

The Liquidator will review the Companies books and records to establish if there are any potentially voidable transactions, any potential shareholder current issues and ensure the Director/s have complied with their duties and obligations imposed on them under the Companies Act 1993.

#### **8. Estimated Date of Completion of Liquidation and Notice As To Further Reports**

It is not practicable to estimate the date of the completion of the liquidations at this stage. Further reports will be issued six-monthly, with a final report at the conclusion of the liquidation.

#### **9. Creditors Meeting**

Pursuant to section 245 of the Companies Act 1993, the liquidator, having regard to the assets and liabilities of the companies, the likely result of the liquidation of the companies, and other relevant matters, intend to dispense with the meeting of creditors. Should any creditor object to the decision to dispense with the creditors' meeting, they are required to notify the liquidator within 10 working days of the date of publication of this notice.

In accordance with Section 314 of the Companies Act 1993 a creditor or shareholder may request the Liquidator call a meeting of creditors or shareholders at any time in the course of

the Liquidations to vote on a proposal that a Liquidation Committee be appointed to act with the Liquidator. This request must be in writing.

The Liquidator may decline a request by a creditor or a shareholder to call a meeting on the grounds that:

- a) the request is frivolous or vexatious; or
- b) the request was not made in good faith; or
- c) the costs of calling the meeting would be out of proportion to the value of the companies assets.

The decision to decline a request may be reviewed by the Court on the application of any creditor or shareholder.

## **10. Creditors Claims**

If your terms of trade with the company include reservation of title of goods supplied please contact Tom Rodewald by email [tomr@rodewaldconsulting.co.nz](mailto:tomr@rodewaldconsulting.co.nz).

Please complete and return the enclosed Unsecured Creditors Claim form and return by 6 April 2021 by email to: [carolc@rodewaldconsulting.co.nz](mailto:carolc@rodewaldconsulting.co.nz). If you believe that you are a secured creditor please contact Carol and the appropriate forms will be sent to you.

Completion of your claim should be given your urgent attention. If creditors do not lodge a claim with the Liquidator, they are not entitled to share in any distribution to creditors that may be made by the Liquidators.

## **11. Further Information**

If you require any further information or if you have any information that will be of assistance to the Liquidator, please contact Tom Rodewald on 021 2277408.



Thomas Lee Rodewald (LP49)  
*Liquidator*

**Moir Motor Group Limited (In Liquidation) and  
Moir Motor Group (2010) Limited (In Liquidation)  
Statement of Affairs as at 6 March 2021**

	<i>Note</i>	<b>Moir Motor Group Limited</b>	<b>Moir Motor Group (2010) Limited</b>
<b>Assets</b>			
Plant & Equipment (incl Office)	1	<i>Not disclosed</i>	<i>Not disclosed</i>
Debtors		10,998	674
Motor vehicles	2	<i>Not disclosed</i>	0
Cash on Hand		20	0
Shareholder Current Account	3	<i>Unknown</i>	<i>Unknown</i>
<b>Total Assets</b>		<b><i>Not disclosed</i></b>	<b><i>Not disclosed</i></b>
<b>Liabilities</b>			
<b>Secured Creditors</b>			
ANZ Bank		407,504	458,767
Heartland Bank Limited	4	<i>Unknown</i>	<i>Unknown</i>
UDC Finance Limited	4	<i>Unknown</i>	<i>Unknown</i>
HBC Technologies Limited	4	<i>Unknown</i>	<i>Unknown</i>
<b>Total Secured Creditors</b>		<b><i>407,504</i></b>	<b><i>458,767</i></b>
<b>Preferential Creditors</b>			
Employee Wages	5	200	0
Employee Holiday Pay		15,537	0
PAYE on Employee Wages due March		6,188	0
PAYE on Employee Wages due April		2,847	0
IRD – GST to date of liquidation		-6408	1,113
<b>Total Preferential Creditors</b>		<b><i>18,364</i></b>	<b><i>1,113</i></b>
<b>Unsecured Creditors</b>			
IRD – Income Tax (incl penalties & interest)		9,462	0
Trade Creditors - Non Honda		9,257	1,250
Trade Creditors -Honda	6	<i>Unknown</i>	<i>Unknown</i>
<b>Total Unsecured Creditors</b>		<b><i>Unknown</i></b>	<b><i>Unknown</i></b>
<b>Deficit (before costs of liquidation)</b>		<b><i>Unknown</i></b>	<b><i>Unknown</i></b>

**Notes**

- 1 *Not disclosed due to potential sale.*
- 2 *Not disclosed due to potential sale.*
- 3 *Financial statements for both companies show overdrawn shareholder current accounts. The accuracy of the balance as recorded has been disputed. It will take several weeks to establish the correct position.*
- 4 *Company records indicate there is no liability to these secured creditors. We await confirmation*
- 5 *Monday 8 March was the Taranaki Regions anniversary day we are waiting confirmation if staff can claim payment for this day*
- 6 *Honda NZ Limited may or may not have priority to the proceeds of 6 cars onsite. Our lawyers are currently working with Honda's lawyers to establish a legal position. Honda NZ is owed for a number of vehicles sold prior to liquidation where they did not receive the proceeds. Honda NZ has an unreconciled parts account with Moir Motor Group Limited*

**Disclaimer**

*This statement should be read in conjunction with the disclaimer on page one of the above Liquidators report and Rodewald Consulting Limited have not audited the report and they, their directors or employees accept no liability to any other party in relying on the information presented. The purpose of the report is to give creditors of the company an indication of the financial position of the company as at the date of appointment of the Liquidator.*

*Rodewald Consulting Limited*

**Moir Motor Group Limited (In Liquidation)  
Schedule of Creditors as at 6 March 2021**

Name	Address 1	Address 2	Address 3
Terry Kidd			
Mat Hickin			
Shawn Stanley			
Allan Clarke			
Joshua Oakley			
Craig Dexter			
Heartland Bank Limited	75 Riccarton Road		Christchurch 5011
UDC Finance Limited	UDC Finance Limited	PO Box 91145	Victoria Street West
ANZ Bank New Zealand	ANZ National Bank Limited	P O Box 1425	Wellington
Armourguard	PO Box 9045	Bell Block	New Plymouth
Autoplay Automotive Limited	PO Box 90207		Auckland 1142
Auto Logistics	10 Sparky Road	Otara	Auckland 2023
Autolink	PO Box 15117	Dinsdale	Hamilton 3243
BOC Limited	Private Bag 92234		Auckland 1142
Capricorn	PO Box 1567		Auckland 1142
Datacom Solutions Limited	Level 10, South Tower	68-86 Jervois Quay	Wellington 6011
Canoe & Kayak	468 St Aubyn Street		New Plymouth
Goodyear	41 Beach Street	Fitzroy	New Plymouth
Honda New Zealand	PO Box 9590	Newmarket	Auckland 1149
La Nuova	65 Eliot Street		New Plymouth
McAllister Radio Repairs	51 Brunner Road	Glen Eden	Auckland 0602
Petroleum Logistics	PO Box 83078	Johnsonville	Wellington 6440
Simpsons Tyres	22 Leach Street		New Plymouth
Z Energy Limited	PO Box 2091		Wellington 6140
Trade Me	PO Box 11042		Wellington 6141
Tradezone	172 Gill Street		New Plymouth
Warehouse Stationery	PO Box 33470		Auckland 0740
Waste Management	PO Box 300 103	Albany	Auckland 0754
WR Phillips	156 Devon Street West		New Plymouth
Wurth NZ	PO Box 97079	Manukau	Auckland 2241

**Moir Motor Group (2010) Limited (In Liquidation)  
Schedule of Creditors as at 6 March 2021**

Name	Address 1	Address 2	Address 3
HCB Technologies	2a Mahunga Drive	Mangere Bridge	Auckland
ANZ Bank New Zealand	ANZ National Bank Limited	P O Box 1425	Wellington
Honda New Zealand	PO Box 9590	New Market	Auckland 1149
Capricorn	PO Box 91567		Auckland 1142
WR Phillips	PO Box 97079	Manukau	Auckland 2241

**Declaration of Independence, Relevant Relationships and Indemnities**  
**Moir Motor Group Limited**  
**Reg No: 1020177 ("COMPANY")**

This document requires the Practitioner appointed to an insolvent entity to make declarations as to:

- A. their independence generally;
- B. relationships, including:
  - 1. the circumstances of the appointment;
  - 2. any relationships with the Company and others within the previous 24 months;
  - 3. any prior professional services for the Company within the previous 24 months;
  - 4. that there are no other relationships to declare; and
- C. any indemnities given, or up-front payments made, to the Practitioner.

This declaration is made in respect of myself, and Rodewald Consulting Limited.

**A. Independence**

I, Thomas Lee Rodewald, of Rodewald Consulting Tauranga Limited has undertaken a proper assessment of the risks to my independence prior to accepting the appointment as Liquidator of the Company in accordance with the law, RITANZ Code of Conduct and applicable professional standards. This assessment identified no real or potential risks to my independence. I have evaluated the significance of any real or potential risk to Independence and have taken such action as is necessary to preserve the Practitioner's Independence. In all cases, I am not otherwise aware of any reasons that would prevent me from accepting this appointment.

**B. Declaration of Relationships**

*1. Circumstances of Appointment*

This appointment was referred to Rodewald Consulting by a family member. Subsequent discussions were held with the company director.

A conflict check was undertaken. Documents were prepared and emailed.

I believe that this referral does not result in a conflict of interest or duty because:

- It is recognised there is a need for practitioners to provide advice on an insolvency process and the options available for the Company. It is not considered that such advice results in a conflict or is an impediment to accepting the appointment; and
- The nature of the advice provided during the first telephone conversations is such that it would not be subject to review and challenge during our appointment; and
- The pre-appointment advice will not influence my ability to be able to fully comply with the statutory and fiduciary obligations associated with my appointment in an objective and impartial manner.

2. *Relevant Relationships (excluding Professional Services to the Insolvent)*

Other than disclosed herein, neither I, nor my firm, have, or have had within the preceding 24 months, any relationships with the Company, an associate of the Company, a former insolvency practitioner appointed to the Company or any person or entity that has security over on the whole or substantially whole of the Company's property.

There are no other prior professional or personal relationships that should be disclosed.

3. *Prior Professional Services to the Insolvent*

Neither I, nor my Firm, have provided any professional services to the Company in the previous 24 months, other than those outlined herein.

4. *No Other Relevant Relationships to Disclose*

There are no other known relevant relationships, including personal, business and professional relationships, from the previous 24 months with the Company, an associate of the Company, a former insolvency practitioner appointed to Moir Motor Group **Limited** or any person or entity that has a valid and enforceable security interest on the whole or substantially the whole of the Company's property that should be disclosed.

**C. Indemnities and up-front payments**

I have not received any up-front payments in respect of our remuneration or disbursements.

Dated: 6 March 2021



Thomas Lee Rodewald (LP49)  
*Liquidator*



**Declaration of Independence, Relevant Relationships and Indemnities**  
**Moir Motor Group (2010) Limited**  
**Reg No: 2408239 ("COMPANY")**

This document requires the Practitioner appointed to an insolvent entity to make declarations as to:

- A. their independence generally;
- B. relationships, including
  - 5. the circumstances of the appointment;
  - 6. any relationships with the Company and others within the previous 24 months;
  - 7. any prior professional services for the Company within the previous 24 months;
  - 8. that there are no other relationships to declare; and
- C any indemnities given, or up-front payments made, to the Practitioner.

This declaration is made in respect of myself, and Rodewald Consulting Limited.

**D. Independence**

I, Thomas Lee Rodewald, of Rodewald Consulting Tauranga Limited has undertaken a proper assessment of the risks to my independence prior to accepting the appointment as Liquidator of the Company in accordance with the law, RITANZ Code of Conduct and applicable professional standards. This assessment identified no real or potential risks to my independence. I have evaluated the significance of any real or potential risk to Independence and have taken such action as is necessary to preserve the Practitioner's Independence. In all cases, I am not otherwise aware of any reasons that would prevent me from accepting this appointment.

**E. Declaration of Relationships**

*5. Circumstances of Appointment*

This appointment was referred to Rodewald Consulting by a family member subsequently discussions were held with the company director.

A conflict check was undertaken. Documents were prepared and emailed.

I believe that this referral does not result in a conflict of interest or duty because:

- It is recognised there is a need for practitioners to provide advice on an insolvency process and the options available for the Company. It is not considered that such advice results in a conflict or is an impediment to accepting the appointment; and
- The nature of the advice provided during the first telephone conversations is such that it would not be subject to review and challenge during our appointment; and
- The pre-appointment advice will not influence my ability to be able to fully comply with the statutory and fiduciary obligations associated with my appointment in an objective and impartial manner.

6. *Relevant Relationships (excluding Professional Services to the Insolvent)*

Other than disclosed herein, neither I, nor my firm, have, or have had within the preceding 24 months, any relationships with the Company, an associate of the Company, a former insolvency practitioner appointed to the Company or any person or entity that has security overall or substantially whole of the Company's property.

There are no other prior professional or personal relationships that should be disclosed.

7. *Prior Professional Services to the Insolvent*

Neither I, nor my Firm, have provided any professional services to the Company in the previous 24 months, other than those outlined herein.

8. *No Other Relevant Relationships to Disclose*

There are no other known relevant relationships, including personal, business and professional relationships, from the previous 24 months with the Company, an associate of the Company, a former insolvency practitioner appointed **to Moir Motor Group (2010) Limited** or any person or entity that has a valid and enforceable security interest on the whole or substantially the whole of the Company's property that should be disclosed.

**F. Indemnities and up-front payments**

I have not received any up-front payments in respect of our remuneration or disbursements.

Dated: 6 March 2021



Thomas Lee Rodewald (LP49)  
*Liquidator*

## CREDITORS CLAIM FORM

*(Also for use by Preferential Creditors)  
Section 304 (1) Companies Act 1993*

Name and postal address of creditor in full ..... ..... ..... ..... Telephone number: ..... My reference is: ..... (if applicable) E-mail address: ..... <input type="checkbox"/> I consent to receiving future information about the company by email	<p><small>*Any personal information collected is for the purpose of administering the liquidation in accordance with the Companies Act 1993.</small></p> <p><small>The information will be used and retained by Rodewald Consulting Limited and will be released to other parties only with your authorization or in compliance with the Privacy Act 1993.</small></p> <p><small>Under section 304(1) of the Companies Act 1993 any claim by an unsecured creditor against a company in liquidation must be in this prescribed form and must -</small></p> <p>(a) Contain full particulars of the claim; and          (b) Identify any documents that evidence or substantiate the claim.</p> <p><small>You may have access to, and request correction of any personal information.          (*Not applicable, if creditor is not an individual within the meaning of the Privacy Act 1993.)</small></p>
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**Moir Motor Group Limited (In Liquidation)**  
**Moir Motor Group (2010) Limited (In Liquidation)**  
*please indicate which company you are claiming under*

I \_\_\_\_\_ (If claim is made on behalf of creditor, specify relationship to creditor and authority) claim that the company was at the date it was put into liquidation indebted to the above named creditor for the sum of [amount in words and figures]:

\$ \_\_\_\_\_

<b>STATUS OF CLAIM:</b> 1. I am an unsecured creditor 2. I am surrendering the security I hold and I am claiming as an unsecured creditor 3. I am making a preferential claim (refer details of reverse) 4. I am claiming reservation of title rights pursuant to rights held by me (Refer details on reverse)	<b>TICK</b> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Full particulars of the claim are set out, and any supporting documents that substantiate the claim are identified on the reverse of the form. *(Please include copies of all unpaid invoices)*

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

<b>WARNING:-</b>	<p>It is an offence under section 304(6) of the Companies Act 1993 to:-          Make, or authorize the making of, a claim that is false or misleading in a material particular knowing it to be false or misleading; or</p> <p>Omit, or authorize the omission, from a claim of any matter knowing that the omission makes the claim false or misleading in a material particular.</p>
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Received (Date Stamp)	Reserved for Office Use:  <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Claim admitted for voting purposes:</td> <td style="width: 33%;">Signed:</td> <td style="width: 33%;">Date:</td> </tr> <tr> <td>Claim rejected for voting purposes:</td> <td>Signed:</td> <td>Date:</td> </tr> <tr> <td>Claim rejected for payment:</td> <td>Signed:</td> <td>Date:</td> </tr> <tr> <td>Preferential claim for: \$</td> <td>Ordinary Claim for: \$</td> <td>Deferred Claim for: \$</td> </tr> </table> <p>Signed Liquidator: _____ Dated: _____</p> <p><small>Note: If the decision to admit or reject a claim is amended, regulation 8 of the Companies Act 1993 Liquidation Regulations 1994 requires that it be recorded in writing.</small></p>	Claim admitted for voting purposes:	Signed:	Date:	Claim rejected for voting purposes:	Signed:	Date:	Claim rejected for payment:	Signed:	Date:	Preferential claim for: \$	Ordinary Claim for: \$	Deferred Claim for: \$
Claim admitted for voting purposes:	Signed:	Date:											
Claim rejected for voting purposes:	Signed:	Date:											
Claim rejected for payment:	Signed:	Date:											
Preferential claim for: \$	Ordinary Claim for: \$	Deferred Claim for: \$											

**Please return this form to:**  
**Rodewald Consulting Ltd, PO Box 15543, Tauranga 3144**  
**carolc@rodewaldconsulting.co.nz**

**PARTICULARS OF CLAIM**

Date	Details of claim and Identification of Documents that Evidence or Substantiate the Claim (i.e., unpaid invoices)	Amount \$
	<p><b>RETENTION OF TITLE CLAIMANTS ONLY</b> Please provide details of the basis of your retention of title claim and furnish a copy of the documentation showing that such reservation of title clause is a condition of contract.</p> <p><b>PREFERENTIAL CLAIMANTS ONLY</b></p> <p>1. Are you claiming the full amount of your claim as preferential?                  2. If no, what part of the claim is preferential?                  3. Why do you believe you are a preferential creditor?                  (E.g. employee, GST etc) .....</p> <p>.....</p> <p>4. Details of your claim .....</p> <p>.....</p> <p>.....</p>	<p align="center">Yes/No</p> <p>\$.....</p>

If applicable, please record your GST registration number:      ..... - ..... - .....

Total GST included in your claim