



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD2191/2018

PHILIP ALEXANDER QUINLAN, MORGAN JOHN KELLY & STEWART MCCALLUM IN THEIR CAPACITY AS JOINT & SEVERAL ADMINISTRATORS OF HALIFAX INVESTMENT SERVICES PTY LTD (ADMINISTRATORS APPOINTED) ACN 096 980 522 and another named in the schedule
Plaintiffs

ORDER

JUDGE: JUSTICE GLEESON

DATE OF ORDER: 12 December 2018

WHERE MADE: Sydney

THE COURT ORDERS THAT:

- 1 The Interlocutory Process be returnable *instanter*.
- 2 Pursuant to section 439A(6) of the *Corporations Act 2001* (Cth) (**Act**), the convening period, as defined by section 439A(5) of the Act, with respect to Halifax Investment Services Pty Limited (Administrators Appointed) (**Company**) be extended up to and including 29 March 2019.
- 3 Pursuant to section 447A(1) of the Act, Part 5.3A of the Act is to operate in relation to the Company as if the meeting of creditors of the Company, required by section 439A of that Act, may be convened and held at any time during the period as extended under order 1 above, and the period of five (5) business days thereafter, notwithstanding the provisions of section 439A(2) of the Act.
- 4 Liberty to apply be granted to any person, including any creditor of the Company or the Australian Securities and Investments Commission, who can demonstrate sufficient interest to vary the orders sought on the giving three (3) business days' notice to the Plaintiffs, and to the Court.
- 5 Pursuant to section 447A(1) of the Act, Part 5.3A of the Act is to operate in relation to the Company such that notice of the second meeting of the creditors of the Company



required to be given pursuant to rule 75-225(1) of the *Insolvency Practice Rules (Corporations)* (**IPRC**) and any notice under rule 75-15(1) of the IPRC (**Notices**) will be validly given to creditors of the Company by:

- a. causing the Notices to be published on the ASIC published notices website at <https://insolvencynotices.asic.gov.au/>;
- b. publishing the Notices on the website maintained by the Plaintiffs at [https://www.ferrierhodgson.com/au/creditors/halifax-investment-services-pty-ltd](https://www.ferrierhodgson.com/au/creditors/halifax-investment-services-pty-ltd;);
- c. publishing the Notices on the website of the Company at www.halifax.com.au (the **Company Website**);
- d. alerting clients of the Company, who use the electronic trading platforms provided by the Company “Halifax Plus”, “Halifax Pro” and “Trader Workstation” to the publication of the Notices on the Company Website via a message published on those electronic trading platforms;
- e. sending a hyperlink to the Notices published on the Company Website by email to the email address of each creditor at such email address as is recorded in the books and records of the Company; and
- f. where an email address is not recorded in the books and records of the Company but a postal address is recorded, sending by post the Notices to the postal address of each creditor at such postal address as is recorded in the books and records of the Company.

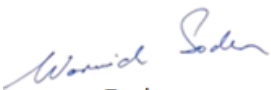
6 The Plaintiffs, within seven (7) business days of the making of these orders are to take all reasonable steps to give notice of the Orders to the Company’s creditors (including the persons claiming to be creditors) by means of a circular:

- a. to be published on the website maintained by the Plaintiffs at <https://www.ferrierhodgson.com/au/creditors/halifax-investment-services-pty-ltd>;
- b. to be published on the Company Website;



- c. to be published via a message on the electronic trading platforms provided by the Company “Halifax Plus”, “Halifax Pro” and “Trader Workstation” on the Company Website;
 - d. to be sent by email to the landlord of the premises occupied by the Company at Level 49, Governor Phillip Tower, 1 Farrer Place, Sydney;
 - e. to be sent by email to the members of the Committee of Inspection as listed in paragraph 8 of the Affidavit of Philip Alexander Quinlan affirmed 11 December 2018 (**Mr Quinlan’s Affidavit**);
 - f. to be sent by email to the trade creditors of the Company as listed at page 43 of Exhibit “PAQ-1” of Mr Quinlan’s Affidavit;
 - g. to be sent by email to the employees of the Company.
- 7 An order that the costs and expenses of and incidental to this Interlocutory Process be costs and expenses in the administration of the Companies.
- 8 These orders be entered forthwith.

Date that entry is stamped: 12 December 2018


Registrar



Schedule

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Plaintiff

PHILIP ALEXANDER QUINLAN