

21 May 2020

To the creditor as addressed

(Please note Australia Post has advised Priority Postal Service not operational due to COVID-19)

Dear Sir / Madam,

**Narrabri Bowling Club Ltd (Administrator Appointed)**

trading as Narrabri Sporties & Club Motor Inn

A.C.N. 001 053 845 (“the Company”)

**Notice of Court Orders obtained extending the period in which I must convene the second meeting of the Company’s creditors**

At the meeting on 6 May 2020 I advised creditors that I intended to apply to the Court to extend the period in which the second meeting of creditors was required to be convened. On 19 May 2020, I applied to the Supreme Court of NSW (“the Court”) to obtain orders including:

1. The timeframe in which I am required to convene the second meeting of creditors is extended from 22 May 2020 to 22 July 2020. This will allow me the necessary time to consider all possible options for the Company, including but not limited to a sale of some of the Company’s assets and/or an amalgamation/merger with a nearby club; and
2. I may send notices to creditors (e.g. notices of meeting) by e-mail where I have an e-mail address of that creditor and I may also publish notices to creditors via my website being <https://www.hayesadvisory.com.au/matter/narrabri-bowling-club-ltd-administrator-appointed-t-as-narrabri-sporties-and-t-as-club-motor-inn/>. This will overcome the usual delay created by Australia Post’s delivery service, particularly to regional NSW and it will also save costs.

If you have not provided my office with your e-mail address, please do so asap.

On 21 May 2020, the Court made the Orders I had sought (see attached as **Annexure “A”**).

I will send a detailed report to creditors on or before 21 July 2020, which will be five (5) business days prior to the second meeting of creditors.

If you have any queries, please contact Stephen Walton by [swalton@hayesadvisory.com.au](mailto:swalton@hayesadvisory.com.au) or Wayne Marshall by [wmarshall@hayesadvisory.com.au](mailto:wmarshall@hayesadvisory.com.au) .

Yours faithfully

**Narrabri Bowling Club Ltd**



Alan Hayes

**Administrator**

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**JUDGMENT/ORDER****COURT DETAILS**

Court	Supreme Court of NSW
Division	Equity
List	Corporations List
Registry	Supreme Court Sydney
Case number	2020/00149212

**TITLE OF PROCEEDINGS**

First Plaintiff	Alan John Hayes
Second Plaintiff	NARRABRI BOWLING CLUB LTD (ADMINISTRATOR APPOINTED) trading as Narrabri Sporties and Club Motor Inn
Corporation subject of the proceeding	NARRABRI BOWLING CLUB LTD (ADMINISTRATOR APPOINTED) trading as Narrabri Sporties and Club Motor Inn

**DATE OF JUDGMENT/ORDER**

Date made or given	21 May 2020
Date entered	21 May 2020

**TERMS OF JUDGMENT/ORDER****VERDICT, ORDER OR DIRECTION:**

Hearing of Originating Process filed 19 May 2020.

Ex tempore judgment delivered.

Black J makes orders in accordance with the Short Minutes of Order initialled by him and placed in the file.

**THE COURT ORDERS THAT:**

1. The Originating Process filed on 19 May 2020, be made returnable instanter.

**Extension of Convening Period**

2. Pursuant to section 439A(6) of the Corporations Act 2001 (Cth) (Corporations Act), the convening period defined in section 439A(5)(b) of the Corporations Act in respect of the Second Plaintiff, Narrabri Bowling Club Ltd ACN 001 053 845 (Administrator Appointed) (Company) be extended until 22 July 2020.

3. Pursuant to section 447A(1) of the Corporations Act, Part 5.3A of the Corporations Act is to operate in relation to the Company such that, notwithstanding section 439A(2) of the Corporations Act, the second meeting of the creditors of the Company required under section 439A of the Corporations Act may be convened at any time before, or within, five (5) business days after, the end of the convening period as extended by order 2 above (provided the First Plaintiff gives notice of the meetings to eligible creditors of the Company at least five (5) business days before the meeting).

Permission to provide notices of meetings to creditors electronically

4. Pursuant to section 447A(1) of the Act and section 90-15 of the Insolvency Practice Schedule (Corporations), being Schedule 2 of the Corporations Act (IPSC), that Part 5.3A of the Corporations Act is to operate in relation to the Company, as if any notice (Notice) required to be given pursuant to sections 75-225(1) and 75-15 of the Insolvency Practice Rules (Corporations) 2016 (Cth) (IPR), will be validly given to the creditors of the Second Plaintiff by reason of the following steps having been taken at least five (5) business days before the meeting:

(a) where the First Plaintiff:

(i) has an email address for a creditor, by sending the Notice by email to each such creditor;  
(ii) does not have an email address for a creditor, but has a postal address for the creditor (or has received notification of non-delivery of a notice sent by email in accordance with 4(a)(i) above), by sending the Notice by posting a copy of it to the postal address for each such creditor;  
(iii) does not have an email address for a creditor or a postal address, by sending or communicating the Notice to the creditor in any other way provided for by the Corporations Act or the IPR; and

(b) by causing the Notice to be published on the Australian Securities and Investments Commission (ASIC) published notices website at <https://insolyncynotices.asic.gov.au>; and

(c) by publishing the Notice on the website maintained by the First Plaintiff relating to the Company at <https://www.hayesadvisory.com.au/matter/narrabri-bowling-club-ltd-administrator-appointed-t-as-narrabri-sporties-and-t-as-club-motor-inn/>.

Other notices to creditors

5. Pursuant to section 447A(1) of the Corporations Act and section 90-15 of the IPSC, that if, pursuant to any provision in any of Part 5.3A of the Corporations Act, Part 5.3A of the Corporations Regulations 2001 (Cth) (Regulations), section 600G(1) of the Corporations Act, the IPSC, or the IPR, the First Plaintiff is required to provide any other notification to creditors during the administration of the Company, any subsequent Deed of Company Arrangement or the liquidation of the Company (as applicable), the applicable notice requirements will be satisfied if the First Plaintiff gives such notice by taking the following steps:

(a) where the First Plaintiff:

(i) has an email address for a creditor, by sending the notice by email to each such creditor;  
(ii) does not have an email address for a creditor, but has a postal address for the creditor (or has received notification of non-delivery of a notice sent by email in accordance with 5(a)(i) above), by sending the notice by posting a copy of it to the postal address for each such creditor;  
(iii) does not have an email address for a creditor or a postal address, by sending or communicating the Notice to the creditor in any other way provided for by the Act or the IPR; and

(b) by publishing the notice on the website maintained by the First Plaintiff at

<https://www.hayesadvisory.com.au/matter/narrabri-bowling-club-ltd-administrator-appointed-t-as-narrabri-sporties-and-t-as-club-motor-inn/>; and

(c) to the extent that the matter relates to a meeting that is the subject of section 75-40(4) of the IPR, is captured by the Deed of Company Arrangement provisions of Part 5.3A of the Corporations Act, or by the Regulations, by causing notice of the meeting to be published on the Australian Securities and Investments Commission (ASIC) published notices website at <https://insolyncynotices.asic.gov.au>.

Other ancillary orders

6. An order that the First Plaintiff take all reasonable steps to cause notice of these orders to be

given, within one (1) business day after the making of these orders, to:

(a) the creditors of the Second Plaintiff, in the following manner:

(i) where the First Plaintiff has an email address for a creditor, notifying each such creditor, via email, of the making of the orders and providing a link to a website where the creditor may download the orders and the Interlocutory Process;

(ii) where the First Plaintiff does not have an email address for a creditor but has a postal address for that creditor (or have received notification of non-delivery of a notice sent by email in accordance with 6(a)(i) above), notifying each such creditor, via post, of the making of the orders and providing a link to a website where the creditor may download the orders and the Originating Process; and

(iii) placing scanned, sealed copies of the orders and the Interlocutory Process on the website maintained by the First Plaintiffs at

<https://www.hayesadvisory.com.au/matter/narrabri-bowling-club-ltd-administrator-appointed-t-as-narrabri-sporties-and-t-as-club-motor-inn/>; and

(b) the Australian Securities and Investments Commission.

7. Any person who can demonstrate a sufficient interest have liberty to apply or vary or discharge any orders made pursuant to orders 2 to 5 above, on three (3) business days' written notice being given to the First Plaintiff and to the Court.

8. The First Plaintiff have liberty to apply for any further extension of the convening period as extended by orders 2 and 3 above at any time before 15 July 2020.

9. An order that the Plaintiffs' costs of and incidental to this application be costs in the administration of the Second Plaintiff.

10. An order that the orders be entered forthwith.

**SEAL AND SIGNATURE**



Signature                      C J Rajeswaran (L.S.)  
Capacity                      Chief Clerk  
Date                              21 May 2020

If this document was issued by means of the Electronic Case Management System (ECM), pursuant to Part 3 of the Uniform Civil Procedure Rules (UCPR), this document is taken to have been signed if the person's name is printed where his or her signature would otherwise appear.