

8 September 2014

**ZYX Developmental Learning Centres Pty Ltd
(Formerly A.B.C. Developmental Learning Centres Pty Ltd)
(Receivers and Managers Appointed) (In Liquidation)
ACN: 010 788 502 (“the Company”)**

Priority Claims of Former Employees of the Company

I have recently received funds to enable a distribution to creditors who hold a priority claim in the Liquidation of the above Company pursuant to section 556 of the *Corporations Act 2001* (Cth) (“the Act”).

I **enclose** a notice inviting a formal proof of debt or claim (Form 534) and a formal proof of debt or claim form (Form 535).

Prior to completing a formal proof of debt or claim form, please consider the following in determining whether you continue to hold a priority claim in the Liquidation:

- A substantial number of employees had their entitlements transferred upon the sale of the child care centre at which they worked. Any entitlements which were transferred became the responsibility of the new owner.
- Over 1,600 employees received funds from the former General Employee Entitlements and Redundancy Scheme (“GEERS”) managed by the Department of Education, Employment and Workplace Relations (“DEEWR”) in full or partial payment of their entitlements.
- All pre-receivership superannuation was paid by the Receivers and Managers into employees’ respective superannuation accounts.

However, we note that some employees may still be owed monies and have a claim in the Liquidation of the Company, as a result of their being made redundant by the Receivers and Managers and not having made a claim earlier, or by not being paid their entitlements in full under GEERS.

Should you consider that you have a priority claim in the Liquidation of the Company, would you please complete and lodge the **enclosed** formal proof of debt or claim (Form 535) and all supporting documentation (ie: a copy of your letter of redundancy or other communications in respect to your entitlements) with my office no later than **Tuesday, 30 September 2014**.

Should you have any queries, or wish to discuss this matter further, please contact **Jacob Grant** or **James Dickson** of this office.

Yours faithfully

A handwritten signature in black ink, appearing to read 'G. Moloney', written in a cursive style.

Greg Moloney
Official Liquidator

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**FORM 534
CORPORATIONS ACT 2001**

Subregulation 5.6.48(3)

NOTICE INVITING FORMAL PROOF OF DEBT OR CLAIM

**ZYX Developmental Learning Centres Pty Ltd
(Formerly A.B.C. Developmental Learning Centres Pty Ltd)
(Receivers and Managers Appointed) (In Liquidation)
ACN: 010 788 502 ("the Company")**

Take notice that creditors of the Company, whose debts or claims have not already been admitted, are required on or before Tuesday, 30 September 2014 to prove their debts or claims and to establish any title they may have to priority by delivering or sending through the post to me at my address, a formal proof of debt or claim in accordance with Form 535 containing their respective debts or claims. If they do not they will be excluded from:

- The benefit of any distribution made before their debts or claims are proved or their priority is established; and
- Objecting to the distribution.

DATED this 8th day of September 2014



Greg Moloney
Official Liquidator

**ZYX Developmental Learning Centres Pty Ltd
(Formerly A.B.C. Developmental Learning Centres Pty Ltd)
(Receivers and Managers Appointed) (In Liquidation)
ACN: 010 788 502**

**Formal Proof of Debt or Claim
(General Form)**

To the Liquidator of _____ ACN: _____

1. This is to state that the company was on ¹ 6 November 2008 and still is, justly and truly indebted to ² _____ of _____ for _____ dollars and _____ cents.

Particulars of the debt are:

DATE	³ CONSIDERATION	AMOUNT		⁴ REMARKS
		\$	¢	

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 of any part of it except for the following⁵:
- 3.⁶ 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.
- 3.⁶ I am the creditor's agent duly authorised in writing to make this statement in writing. I know that the debt was incurred and for the consideration stated and that debt, to the best of my knowledge and belief, remains unpaid and unsatisfied.

Dated _____ Print Name: _____

Signature: _____

Occupation _____ Address _____

See Directions Overleaf for Completion of this Form.

Office Use Only

	Report as to Affairs	Proof Lodged	Held Over	Rejected	Admitted	Administrator's Initials
Date						
Amount						
EDP						

1. Insert date of court order in winding up by court, or date of resolution to wind up, if a voluntary winding up.
2. Insert full name and address of the creditor, and, if applicable, the creditor's partners. If prepared by an employee or agent of the creditor, also insert a description of the occupation of the creditor.
3. Under "Consideration" state how the debt arose, for example "goods sold and delivered to the company between the dates of", "monies advanced in respect of the Bill of Exchange".
4. Under "Remarks" include details of vouchers substantiating payment.
5. Insert particulars of all securities held. Where the securities are on the property of the company, assess the value of those securities. If any bills or other negotiable securities held, specify them in a schedule in the following form:

Date	Drawer	Acceptor	Amount	Due Date
			\$ ¢	

6. If proof is made by creditor personally, strike out the 2 paragraphs numbered 3.

Directions

Requirements relating to annexures are set out in regulation 1.0.06, which states:

- (1) **("Annexure")**
In this Regulation, "annexure" includes a document that is with a form.
- (2) **(Requirements for Annexures)**
An annexure to a form must:
 - (a) have an identifying mark; and
 - (b) be endorsed with the words:
"This is the annexure of (insert the number of pages) pages marked (insert an identifying mark) mentioned in the (insert a description of the form) signed by (insert "me" or "us") and dated (insert the date of signing)"; and
 - (c) be signed by each person signing the form to which the document is annexed.
- (3) **(Numbering of Pages)**
The pages in an annexure must be numbered consecutively.
- (4) **(Particulars of Annexure)**
If a form has a document annexed, the following particulars of the annexure must be written on the form:
 - (a) the identifying mark; and
 - (b) the number of pages.