

WU02

Notice of order of appointment of provisional liquidator in a winding-up by the court



Companies House

WEDNESDAY



A23 20/11/2019 #47
COMPANIES HOUSE

to

1 Company details

Company number 0 2 7 5 0 5 4 9

Company name in full Penclawdd Shellfish Processing Co. Limited

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Name of person or body or court making the appointment

Name High Court of Justice

3 Provisional liquidator's name

Full forename(s) John Dean

Surname Cullen

4 Provisional liquidator's address

Building name/number 2 Sovereign Quay

Street Havannah Street

Post town Cardiff

County/Region

Postcode C F 1 0 5 S F

Country

5 Provisional liquidator's email address or telephone number

Email address DX 200767 Cardiff Bay FELVIN@MENZIES.CO.UK

Telephone number 029 2049 5444

You must give an email address
or telephone number.
All information on this form will
appear on the public record.

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6	Provisional liquidator's name		Other liquidator Use this section to tell us about another liquidator.
Full forename(s)	Rachel Helen		
Surname	Lai		
7	Provisional liquidator's address		
Building name/number	2 Sovereign Quay		
Street	Havannah Street		
Post town	Cardiff		
County/Region			
Postcode	C F 1 0 5 S F		
Country			
8	Provisional liquidator's email address or telephone number		You must give an email address or telephone number. All information on this form will appear on the public record.
Email address	DX 200767 Cardiff Bay <i>PELVIN@MENZIES.CO.UK</i>		
Telephone number	029 2049 5444		
9	Date of appointment of provisional liquidator(s)		
Date	<div> <div>d</div> <div>1</div> <div>d</div> <div>2</div> <div>m</div> <div>1</div> <div>m</div> <div>1</div> <div>y</div> <div>2</div> <div>y</div> <div>0</div> <div>y</div> <div>1</div> <div>y</div> <div>9</div> </div>		
10	Date of court order		
Date	<div> <div>d</div> <div>1</div> <div>d</div> <div>2</div> <div>m</div> <div>1</div> <div>m</div> <div>1</div> <div>y</div> <div>2</div> <div>y</div> <div>0</div> <div>y</div> <div>1</div> <div>y</div> <div>9</div> </div>		
11	Court order		
	<input checked="" type="checkbox"/> I have attached a copy of the court order		
12	Sign and date		
Provisional liquidator's signature	<div> <div>Signature</div> <div>X <i>R.H. Lai</i></div> </div>		
Signature date	<div> <div>d</div> <div>1</div> <div>d</div> <div>9</div> <div>m</div> <div>1</div> <div>m</div> <div>1</div> <div>y</div> <div>2</div> <div>y</div> <div>0</div> <div>y</div> <div>1</div> <div>y</div> <div>9</div> </div>		

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Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name **Penelope Elvin**

Company name **Menzies LLP**

Address
2 Sovereign Quay
Havannah Street

Post town **Cardiff**

County/Region

Postcode **C F 1 0 5 S F**

Country

DX

Telephone **029 2049 5444**



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed and dated the form.



Important information

All information on this form will appear on the public record.



Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.



Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

Court Reference No: CR-2019-006733



CR-2019-006733

IN THE HIGH COURT OF JUSTICE

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES

INSOLVENCY AND COMPANIES LIST (ChD)

IN THE MATTER OF PENCLAWDD SHELLFISH PROCESSING CO. LIMITED

AND IN THE MATTER OF THE INSOLVENCY ACT 1986

BEFORE Deputy Insolvency and Companies Judge Schaffer

DATED 12 NOVEMBER 2019

BETWEEN:

HOLLAND SHELLFISH INTERNATIONAL UK LTD

Applicant

and

PENCLAWDD SHELLFISH PROCESSING CO. LIMITED

Respondent

ORDER OF APPOINTMENT

OF PROVISIONAL LIQUIDATOR

UPON the application of HOLLAND SHELLFISH INTERNATIONAL UK LTD dated 7 November 2019

AND UPON HEARING Simon Passfield of Counsel for the Applicant

AND UPON READING the email of 11 November 2019 from the Respondents' solicitors

AND UPON THE COURT HAVING READ the witness statement of Philip Jones dated 7 November 2019

AND UPON THE COURT BEING SATISFIED that the Respondent is unable to pay its debts

AND the Court being satisfied on the evidence before it that the EU Regulation on Insolvency proceedings ("**the EU Regulation**") does apply and that these proceedings are main proceedings as defined in Article 3 of the EU Regulation

IT IS ORDERED:

- 1 John Dean Cullen and Rachel Lai of Menzies LLP, Cardiff, 2 Sovereign Quay, Havannah Street, Cardiff Bay, Cardiff, CF10 5SF be appointed as Joint Provisional Liquidators of Penclawdd Shellfish Processing Co. Limited.
- 2 The Joint Provisional Liquidators shall act jointly and severally, and their functions and powers shall extend to the following:
 - 2.1 To locate, protect, secure, take possession of, collect and get in all of the property or assets of the Company to which the Company is or appears to be entitled, such assets and property not to be distributed or parted with by the Joint Provisional Liquidators until further order except pursuant to the functions contained in this order;
 - 2.2 To locate, protect, secure, take possession of, collect and get in the books, papers and records of the Company including the accounting and statutory records of the Company;
 - 2.3 To investigate the affairs of the Company;
 - 2.4 To do all such things as may be necessary or expedient for the protection of the Company's property or assets;
 - 2.5 Without prejudice to the generality of the foregoing, to bring or defend or proceed with any action or other legal proceedings on behalf of the Company and in its name or his name as appropriate for the purpose of exercising the above functions, and if so advised to compromise such proceedings;
 - 2.6 to hire experienced private security personnel at the Company's business premises if necessary and proportionate;
 - 2.7 to take into possession the stock of the Company and to sell the stock, where necessary for the protection of the Company's assets, and the proceeds of sale less all reasonable expenses of sale be paid upon receipt into an account opened by and in the name of the Joint Provisional Liquidators and that such proceeds be not paid out of that account without further order of the Court.
 - 2.8 To do all such things necessary or incidental to the carrying out of the functions and duties as set out in this order.
- 3 Notice of this Order be given to the Company;
- 4 The Company be at liberty to apply to the court to discharge this order upon giving 48 hours' notice to the Applicant.
- 5 This Order shall be served by the Applicant on the Respondent.

Service of this Order

The court has provided a sealed copy of this Order to the serving party:

Capital Law Limited of Capital Building, Tyndall Street, Cardiff CF10 4AZ

(Reference PFJ/HOL-71-11)

Notice to officers of company

You are required by Section 235 of the Insolvency Act 1986 to give the Provisional Liquidator all the information as he may reasonably require relating to the Company's property and affairs and to attend upon him at such times as he may reasonably require.