

The Insolvency Act 1986

**Administrator's progress report**

Name of Company  BMT Marine & Offshore Surveys Limited	Company number  4147467
In the High Court of Justice, Chancery Division, Companies Court  (full name of court)	Court case number  3233 of 2011

(a) Insert full name(s) and address(es) of administrator(s)

I/We (a)  
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administrator(s) of the above company attach a progress report for the period

From  (b) 24 August 2013	To  (b) 18 September 2013
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Signed \_\_\_\_\_  
Joint / Administrator(s)

Dated 23 SEPTEMBER 2013

**Contact Details:**

You do not have to give any contact information in the box opposite but if you do, it will help Companies House to contact you if there is a query on the form

The contact information that you give will be visible to searchers of the public record

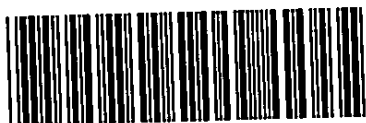
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When you have completed and signed this form, please send it to the Registrar of Companies at -  
**Companies House, Crown Way, Cardiff CF14 3UZ DX 33050 Cardiff**

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COMPANIES HOUSE

**BMT MARINE & OFFSHORE SURVEYS LIMITED  
(IN ADMINISTRATION)  
(the "Company")**

**Court No. 3233 of 2011**

**FINAL PROGRESS REPORT TO CREDITORS FOR THE PERIOD TO 18 SEPTEMBER  
2013 PURSUANT TO RULE 2.110 OF THE INSOLVENCY RULES 1986 AND THE  
INSOLVENCY (AMENDMENT) RULES 2010**

**20 September 2013**

This report has been prepared for the sole purpose of updating the Creditors for information purposes. The report may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by Creditors for any purpose other than updating them for information purposes, or by any other person for any purpose whatsoever.

Lee Antony Manning and Nicholas Guy Edwards were appointed as Administrators of BMT Marine & Offshore Surveys Limited on 26 April 2011. The affairs, business and property of the Company are managed by the Administrators. The Administrators act as agents of the Company and contract without personal liability.

All licensed Insolvency Practitioners of Deloitte LLP are licensed in the UK to act as Insolvency Practitioners.

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  - ii. 24 August 2013 to 18 September 2013; and**
  - iii. 26 April 2011 to 18 September 2013**
- 4 Proof of Debt Form**

## ABBREVIATIONS

For the purpose of this report the following abbreviations shall be used

"Abu Dhabi Subsidiary"	BMT Salvage LLC
the "Act"	Insolvency Act 1986 (as amended)
the "Administrators"	Lee Antony Manning and Nicholas Guy Edwards of Deloitte
"Administration"	Administration as set out in paragraph 1 of Schedule B1 of the Act
"BLP"	Berwin Leighton Paisner LLP
"Cala Palma Creditors"	A group of seven companies who received judgement against the Company totalling US\$64,581,368 36, who are represented by CMS Cameron McKenna LLP
the "Company"	BMT Marine & Offshore Surveys Limited (in Administration)
the "Court"	The High Court of Justice, Chancery Division, Companies Court
"CVL"	Creditors' Voluntary Liquidation
"Deloitte"	Deloitte LLP
"Group"	BMT Manne & Offshore Surveys Limited and its subsidiary companies, comprising BMT Market Collections Limited ("Market Collections", a UK subsidiary), BMT Salvage LLC ("the Abu Dhabi Subsidiary") and International Manne Bluewater Services Inc ("the US Subsidiary")
"HMRC"	Her Majesty's Revenue & Customs
"JV"	Joint Venture
"k"	Thousand
"Market Collections"	Market Collections Limited
"m"	Million
"Purchaser" or "Braemar"	Braemar Technical Services Limited, as the company vehicle set up to house the business and assets of the Company that were purchased by Braemar Falconer Limited
the "Rules"	Insolvency Rules 1986 and the Insolvency (Amendment) Rules 2010
"SIP7 (E&W)"	Statement of Insolvency Practice 7 (England & Wales)
"SIP13 (E&W)"	Statement of Insolvency Practice 13 (England & Wales)
"SPA"	Sale & Purchase Agreement
"UK"	United Kingdom
"US"	United States of America
"US Subsidiary"	International Manne Bluewater Services Inc

## **1. INTRODUCTION**

### **1.1 Introduction**

This report has been prepared in accordance with Rule 2.110 of the Rules to provide creditors with a summary of the Administration of the Company for the final period of the Administration to 18 September 2013.

Given the information previously provided to creditors in earlier reports to creditors, we have not included detailed background information in respect of the Company and have focused on the progress of the Administration for the period since 24 August 2013.

The Administrators' proposals were approved at the meeting of creditors held on 5 July 2011 and are set out section 2.1 below.

The Administration was initially extended by a period of 6 months to 25 October 2012 by consent of the creditors, in accordance with paragraph 76(2)(b) of the Act. Following this, the period of the Administration was extended by a further 12 months with consent of the Court in accordance with Paragraph 76(2)(a) of Schedule B1 of the Act. This is detailed at section 5.1 below.

A schedule of statutory information in respect of the Company is attached at Appendix 1.

### **1.2 Details of the appointment of the Administrators**

Lee Antony Manning and Nicholas Guy Edwards of Deloitte were appointed Administrators of the Company by the Directors pursuant to paragraph 22 of Schedule B1 of the Act on 26 April 2011.

The Court having conduct of the proceedings is The High Court of Justice, Chancery Division Companies Court (case number 3233 of 2011).

For the purposes of Paragraph 100(2) of Schedule B1 of the Act, the Administrators confirm that they are authorised to carry out all functions, duties and powers by either of them jointly and severally.

### **1.3 Electronic communication with creditors**

In an effort to reduce the costs of the Administration, all communications with creditors, including updates and progress reports, have been posted onto a website, which has been set up specifically for this purpose. The web address is [www.deloitte.co.uk/bmtmosl](http://www.deloitte.co.uk/bmtmosl).

A letter was issued to all creditors each time the website was updated with a statutory notice or report. All creditors' statutory notices will be retained on the website for 3 months after being uploaded to the site.

## **2. ADMINISTRATORS' PROPOSALS**

### **2.1 Introduction**

As previously reported to creditors, the Administrators concluded that the first part of the objectives as set out in Paragraph 3(1)(a) of Schedule B1 of the Act, namely the rescue of the Company as a going concern, was not achievable. This conclusion was reached owing to the significant contingent liabilities and unsecured creditor liabilities faced by the Company in addition to insufficient value being placed on the Company's assets by third parties in order to adequately effect restructuring of the Company's debt.

Consequently, it was held that the purpose of the Administration was in line with the objective set out in Paragraph 3(1)(b) of Schedule B1 of the Act, namely to achieve a better result for creditors than would have been obtained through an immediate liquidation of the Company.

The Administrators' proposals in order to achieve this objective, which were approved at the meeting of creditors on 5 July 2011, are as follows:

- 1 the Administrators continue to manage the affairs and any remaining assets of the Company and settle all Administration expenses,
- 2 the Administrators continue with their enquiries into the conduct of the Directors of the Company and continue to assist any regulatory authorities with their investigation into the affairs of the Company,
- 3 the Administrators be authorised to agree the claims of the preferential and unsecured creditors of the Company unless the Administrators conclude, in their reasonable opinion, that the Company will have no assets available for distribution,
- 4 the Administrators be authorised to distribute funds to preferential creditors as and when claims are agreed and funds permit and, in relation to distributions to unsecured creditors, if the Court gives permission following an appropriate application,
- 5 that, in the event the creditors of the Company so determine, at meetings of creditors, a Creditors Committee be appointed in respect of the Company comprising of not more than five and not less than three creditors of the Company,
- 6 that, in respect of the Company, the Creditors' Committee, if one is appointed, be asked to agree that the basis of the Administrators' remuneration be fixed by reference to the time properly given by the Administrators' and their staff in attending to matters arising in the Administration, calculated at the prevailing standard hourly charge out rates used by Deloitte at the time when the work is performed, plus VAT, and asked to agree the Administrators' expenses,
- 7 that, if a Creditors' Committee is not appointed at a meeting of creditors, the creditors be asked to agree that the basis of the Administrators' remuneration be fixed by reference to the time properly given by the Administrators' and their staff in attending to matters arising in the Administration, calculated at the prevailing standard hourly charge out rates used by Deloitte at the time when the work is performed, plus VAT, and asked to agree the Administrators' expenses,
- 8 that, if a Creditors' Committee is not appointed at a meeting of creditors, the creditors shall fix the Administrators' disbursements for mileage to be fixed by reference to mileage properly incurred by the Administrators and their staff in attending to matters arising during the Administration, calculated at the prevailing standard mileage rate used by Deloitte at the time when mileage is incurred (presently up to 45p per mile), plus VAT where applicable,

- 9 that, if a Creditors' Committee is not appointed, the Administrators' Pre Administration Costs as detailed in Section 5 of the Administrators' Proposals be approved And that the Administrators be authorised to draw their Costs, plus VAT, from the Administration estate,
- 10 that, following the realisation of assets and resolution of all matters in the Administration, and as quickly and efficiently as is reasonably practicable, the Administrators implement the most cost effective steps to formally conclude the Administration This may include the distribution of funds to unsecured creditors (provided Court permission is obtained) and then the dissolution of the Company or alternatively, seeking to put the Company into CVL or Compulsory Liquidation, depending on which option will result in a better realisation for creditors,
- 11 that, if the Company were to be placed into CVL, the Administrators propose to be appointed liquidators and any creditors' committee appointed will become the liquidation committee pursuant to Rule 4.174 of the Rules and that the basis of the liquidators' remuneration be fixed by reference to the time given in attending to matters arising in the Liquidations As per Paragraph 83(7) of Schedule B1 of the Act and Rule 2.117A(2)(b) of the Rules, the creditors may nominate a different person to be liquidator(s) provided the nomination is made before the proposals are approved by creditors For the purposes of Section 231 of the Act the liquidators will each be authorised to carry out all functions, duties and powers either jointly or severally, and
- 12 in the absence of Creditors' Committee, the creditors of the Company agree that the Administrators be discharged from liability per Paragraphs 98 and 99 of Schedule B1 of the Act immediately upon the Administrators' filing their final report to creditors and vacating office

## 2.2 Achievement of the approved proposals

We have summarised below the outcome in respect of each of the approved proposals

Proposal	Current status
1	<p>As previously reported, the business and assets of the Company were purchased by Braemar on 7 May 2011</p> <p>Where necessary the Administrators have provided assistance to Braemar in order to effect the smooth transition of the business This has included collecting some debtor balances owed to Braemar</p> <p>The Administrators have also sought to deal with the subsidiaries of the Company, as follows</p> <ol style="list-style-type: none"> <li>i The Abu Dhabi Subsidiary has been sold to Braemar for a nominal amount,</li> <li>ii The Administrators have sold the Company's 50% share of Market Collections to BMT Nominees Limited for a nominal amount and the waiver of Market Collections entire debt against the Company, and</li> <li>iii Further investigation into the ownership of the US Subsidiary has shown that the Company never completed the transaction to become its shareholder Therefore, this asset cannot be realised by the Administrators No loss was suffered as a result of this transaction not being completed in 2004</li> </ol>

2	<p>The Administrators have completed an investigation into the conduct of the Company's directors and a confidential report was submitted to the Insolvency Service on 21 October 2011</p>
3, 4	<p>The Administrators have agreed one preferential creditor claim, which has been settled in full. No further preferential claims were received.</p> <p>Unsecured claims of a significant value have been received, but as yet no work has been undertaken to verify these claims.</p> <p>Since commencement of the Administration a substantial judgment was made against the Company in favour of the Cala Palma Creditors. The Administrators provided assistance to the Cala Palma Creditors in submitting a claim to the Company's insurers.</p> <p>The claim against the Company's insurers to determine whether they would be legally obliged to cover the claim was arbitrated during the summer of 2013 on the advice of counsel, with the Cala Palma Creditors bearing the cost of bringing these proceedings. The Arbitrator determined that the insurers are not liable to pay out to the Cala Palma Creditors under the policy and therefore the Cala Palma Creditors are unsecured creditors for the full amount of the claim.</p> <p>The Administrators are also aware of two other actions being brought by third parties against the Company for matters relating to pre-Administrations actions by the Company.</p> <p>One of these matters is relatively advanced, there is a case being brought against the Company in Canada, and the Company's insurers are considering defending this claim. The other matter arose during the summer of 2012 and has been before a judge in France, who has noted in the first instance that this matter should go no further. However, the claimants appear to be seeking to appeal this ruling.</p> <p>The Company also had a number of pension funds with potential deficits, and work has been undertaken to establish the liability, if any, in respect of each of these funds. A claim has been submitted in respect of one of the pension funds, and further claims in respect of the other funds are anticipated.</p> <p>It is possible that further unsecured creditor claims will be received. The Administrators intend to undertake work to agree these claims and will pay a distribution to unsecured creditors once the Company has been placed into CVL and the above mentioned claims have been resolved.</p>
5, 6	<p>No committee was appointed at the meeting of creditors.</p>
7, 8, 9	<p>At the meeting of creditors the basis of the Administrators' remuneration was fixed by reference to the time properly given in attending to matters arising in the Administration.</p> <p>Creditors also agreed that disbursements for mileage incurred be calculated at the prevailing standard mileage rate.</p> <p>The Administrators' pre-Administration costs were also approved at the meeting of creditors.</p>



10, 11	<p>The Administrators have exited the Administration by placing the Company into CVL</p> <p>Notice 2 34B was filed at Companies House on 19 September placing the Company into Liquidation Lee Antony Manning and Nicholas Guy Edwards have become the Joint Liquidators of the Company</p>
12	<p>It was resolved at the meeting of creditors on 5 July 2011 that the Administrators would be discharged from liability following the filing of this final report at Companies House</p>

Further information in respect of the final outcome of the Administration is contained in the following sections of this report

### **3. STEPS TAKEN DURING THE ADMINISTRATION**

#### **3.1 Securing assets**

In the early stages of trading the Administrators took appropriate steps to secure the main assets of the Company, which primarily consisted of book debts and goodwill

#### **3.2 Trading, sale of business and realisation of assets**

The Administrators continued to trade the business, including all of the overseas branches, from 26 April 2011, until a sale of the business and assets to Braemar was completed on 7 May 2011

#### **3.3 Meeting of creditors**

At the meeting of creditors held on 5 July 2011 the Administrators' remuneration was fixed by reference to the time properly given in attending to matters arising in the Administration

Creditors also agreed that disbursements for mileage incurred be calculated at the prevailing standard mileage rate

#### **3.4 Distributions to creditors**

During the Administration one preferential creditor claim of £3,207 was received from a former employee, which has been paid in full. All other claims received were from unsecured creditors and a distribution to these will be made once the Company has been placed into CVL. For further details refer to section 5

#### **3.5 Exit**

The Administrators intend to exit the Administration by placing the Company into CVL

#### **3.6 Investigations**

As part of the Administrators' statutory duties, an investigation into the conduct of the Company's Directors was completed. In this regard, a confidential report was submitted to The Insolvency Service on 21 October 2011

#### **3.7 EU regulations**

As stated in the Administration Order in respect of the Company, Council Regulation (EU) No 1346/2000 applies and these are the main proceedings as defined in Article 3(1) of that regulation

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## **4. ADMINISTRATORS' RECEIPTS AND PAYMENTS ACCOUNT**

### **4.1 Introduction**

Attached at Appendix 2 is an abstract Receipts and Payments account covering the period from 24 August 2013 to 18 September 2013 together with cumulative details of the transactions from the date of appointment, in accordance with SIP7 (E&W)

In this section, we have summarised the main asset realisations during the period since our last progress report to creditors

### **4.2 Asset realisations**

There were no asset realisations during the six months to 24 August 2013 or in the final period, save for bank interest received on funds held and a VAT refund in respect of professional fees incurred

### **4.3 3<sup>rd</sup> Party Funds**

Since the sale of the business to Braemar, the Administrators have received a number of book debt receipts which were purchased by Braemar and are transferred to Braemar by the Administrators in accordance with the terms of the sale and purchase agreement. The Administrators are currently holding third party funds of £5,296

### **4.4 Estimated future realisations**

The Administrators do not anticipate that there will be any significant future realisations once the Company has been placed into CVL

### **4.5 Outcome for creditors**

The Company has received claims from unsecured creditors with a value of circa £60m, although there are also a number of unquantifiable contingent claims against the Company. Consequently, the Administrators cannot accurately predict what the outcome for unsecured creditors will be. At present levels however, assuming that the value of unsecured claims were not to markedly increase, a final dividend in the region of 1.8p in the £ would likely be achieved

## **5. DISTRIBUTIONS TO CREDITORS**

### **5.1 Secured creditors**

We are not aware of any secured creditors

### **5.2 Preferential creditors**

To date we have received one preferential creditor claim of £3,207 from a former employee, which has been paid in full. We do not anticipate any further preferential claims

### **5.3 Unsecured creditors**

To date we have received claims from unsecured creditors with a value of circa £60m

As noted in section 4.5, there are a number of unquantifiable contingent claims against the Company. Consequently, the Administrators cannot accurately predict what the outcome for unsecured creditors will be. At present levels however, assuming that the value of unsecured claims were not to markedly increase, a final dividend in the region of 1.8p in the £ would likely be achieved.

Any creditors who have not yet submitted a proof of debt form in the Administration are invited to do so by completing the Proof of Debt form at Appendix 4 and returning it to the address on the front of this report.

All claims submitted in the Administration will remain in place for the CVL and creditors will not be required to take any further action in order for their claim to be considered for admittance to the liquidation.

## **6. OTHER MATTERS AND INFORMATION TO ASSIST CREDITORS**

### **6.1 Extensions to original period of appointment**

The initial period of the Administrators' appointment was twelve months to 25 April 2012. The Administrators sought, and were granted, a six month extension to 25 October 2012 by consent of the creditors on 20 April 2012.

A request for a further twelve month extension (until 25 October 2013) was granted by the Court on 2 October 2012.

The extension was sought to enable the Administrators to progress an insurance claim in respect of the Cala Palma Creditors' claims that were received following a judgement made against the Company.

### **6.2 Administrators' discharge**

In line with the meeting of creditors held on 5 July 2011 it is agreed that the Administrators will be discharged from liability following the filing of this final report at Companies House.

### **6.3 SIP13 (E&W) – Transactions with connected parties**

In accordance with the guidance given in SIP13 (E&W), details of the Company's transactions with connected parties during the period of this report and the two years prior to our appointment are provided below.

- The Company was funded by an intercompany loan from BMT Group Limited (the parent company). As at the date of our appointment, directors estimated this loan to be circa £1.70m, and the intercompany current account showed a liability of circa £1.38m.
- As at the date of appointment the Company owed Market Collections £840k in respect of an intercompany loan.
- Following the appointment of the Administrators, funding was provided to the Administration by BMT Group Limited of £214,390. This was repaid once the sale of the business and assets to Braemar was completed.

We are of the opinion that no further work is required in respect of these transactions.

## 7 PRE-ADMINISTRATION COSTS

Included within the Administrators Proposals dated 20 June 2011 was a Statement of Pre-Administration Costs, in accordance with rule 2 33(2)(ka) of the Rules

### 7.1 Analysis of time incurred

Classification of work	Partners & Directors		Managers		Total		Average
	hrs	cost	hrs	cost	hrs	cost	per hr
Planning for Administration	12.2	£9,849	11	£6,453	23 20	£16,302	£703

The time incurred by the Administrators and their staff for the pre-appointment period from 10 April 2011 to 25 April 2011 (the "Pre Appointment Period"), are summarised in the table above

Planning for Administration included administrative planning prior to the appointment to satisfy statutory requirements. This relates to case set-up, conflicts checks and meetings with the directors of the Company prior to the Administration.

Fees totalling £16,302 in relation to the Pre Appointment Period were invoiced on 6 July 2011 and drawn on 8 July 2011. These were approved by the creditors at the meeting of creditors.

### 7.2 Analysis of Expenses incurred

The expenses the Administrators incurred in the Pre Appointment Period were as follows

Classification of expense	Description	Amount (£)
Business mobile phone usage	Client calls re BMT Manne & Offshore Surveys	14 94

Pre Appointment Period expenses of £14 94 were invoiced on 6 July 2011 and drawn on 8 July 2011.

## **8. ADMINISTRATORS REMUNERATION AND EXPENSES**

### **8.1 Administrators' Remuneration and Expenses**

#### **8.1.1 Basis of Remuneration**

The basis of the Administrators' remuneration was fixed at the meeting of creditors on 5 July 2011 by reference to the time properly given by the Administrators and their staff to matters arising in the Administration at the prevailing standard hourly charge out rates used by Deloitte at the time when the work is performed, plus VAT. At this meeting, the Administrators' pre-appointment costs of £16,302 were also approved.

#### **8.1.2 Remuneration**

Analysis of the Administrators' time costs from 24 February 2013 to 23 August 2013 and 24 August 2011 to 18 September 2013 are shown at Appendix 3.

During the six month period from 24 February 2013 to 23 August 2013 the Administrators incurred total time costs of £45,025 which represents over 90 hours at an average charge out rate of £496 per hour.

During the final period of the administration from 24 August 2013 to 18 September 2013 the Administrators have charged total remuneration of £20,400 made up of over 42 hours at an average charge out rate of £481 across all grades of staff.

A total of £54,975 was drawn and paid in the final period in respect of time costs incurred from 1 April 2013 to 18 September 2013, as indicated in the Receipts and Payments account at Appendix 2.

The Administrators' total time costs incurred for the whole period of the Administration to 18 September 2013 are £870,105, made up of 1,675 hours at an average rate of £520 per hour. An analysis of the Administrators' time costs incurred for the whole period of the Administration to closure can be found at Appendix 3.

Across all grades of staff time is charged in six minute increments. The Administrators have drawn total fees of £812,995 during the course of the Administration.

The work has been categorised into the following task headings and sub categories:

- **Administration and planning** includes such tasks as case planning and set-up, appointment notification, statutory reporting, compliance, cashiering, accounting and administrative functions.
- **Investigations** comprises reporting on the directors' conduct.
- **Trading** includes tasks such as planning, strategy, managing day one site visits and corresponding with suppliers and customers.
- **Realisation of Assets** includes such tasks as identifying and securing assets, dealing with the sale of business, property issues, activities in relation to debtors, investments and any related legal issues.
- **Creditors** include such tasks as creditor set up, communication and meetings and reviewing and agreeing preferential and unsecured claims. Also included is dealing with trade creditors, dealing with customer creditors, employee issues, and submitting documentation to HM Revenue & Customs.
- **Other matters** includes VAT and corporation tax issues, work undertaken in relation to the insurance claim and dealing with the Company's pension funds.

"A Creditors' Guide to Remuneration" is available for download at [www.deloitte.com/uk/sip-9-england-and-wales](http://www.deloitte.com/uk/sip-9-england-and-wales). Should you require a paper copy, please send your request in writing to the Administrators at the address on the front of this report and this will be provided to you at no cost.

### 8.1.3 Expenses

The Administrators' have not incurred any direct expenses during either of the periods of this report.

## 8.2 Charge out rates

The range of charge out rates for the separate categories of staff is based on our 2012/2013 charge out rates as summarised below. Manager rates include all grades of assistant manager.

Grade	2011 (£/h)	From 1 Jan 2012 (£/h)	From 1 Sep 2012 (£/h)
<b>Partners / Directors</b>	560 to 895	585 to 920	605 to 950
<b>Managers</b>	280 to 670	295 to 700	305 to 720
<b>Assistants and Support Staff</b>	175 to 280	150 to 295	155 to 305

The above bands are specific to the Restructuring Services department partners and staff. In certain circumstances the use of specialists from other Deloitte departments such as Tax/VAT, Corporate Finance or Deloitte Real Estate may be required on the case. These departments may charge rates that fall outside the Restructuring Services department bands quoted above so, where such specialists have performed work on the case, average rates may also fall outside the Restructuring Services department bands.

All partners and technical staff (including cashiers) assigned to the case recorded their time spent working on the case on a computerised time recording system. Time spent by secretarial staff working on the assignment has not been recorded or recovered. The appropriate staff have been assigned to work on each aspect of the case based upon their seniority and experience, having regard to the complexity of the relevant work, the financial value of the assets being realised and/or claims agreed.

## 8.3 Other professional costs

As previously advised, BLP have been instructed by the Administrators to advise on appropriate legal matters in connection with the Administration. Borden Ladner Gervais LLP were also instructed by the Administrators to advise on legal matters in connection with litigation arising in the Canadian Courts. Pillsbury Winthrop Shaw Pittman were instructed to assist the Administrators with issues arising in respect of the lease for the New York office of the Company.

The professional costs settled during the period of this report consist solely of legal fees from the Company's appointed legal advisors Berwin Leighton Paisner LLP. Fees totalling £38,653 including VAT were paid, of this amount £24,465 represented professional fees, £7,746



represented expenses, and £6,442 represented the VAT charged. In addition, a refund of £93 was received from Pillsbury Winthrop Shaw Pittman.

All professional costs are reviewed and analysed by the Administrators before payment is approved.

Of the legal fees incurred in the period, £13,137 have been re-invoiced to the Cala Palma Creditors as they relate to assistance provided in relation to the insurance claim.

#### **8.4 Creditors' right to request information**

Any secured creditor or, unsecured creditor with the support of at least 5% in value of the unsecured creditors or, with leave of the Court, may, in writing, request the Administrators to provide additional information regarding remuneration or expenses to that already supplied within this report. Such requests must be made within 21 days of receipt of this report, in accordance with Rule 2.47(1)(fa) and 2.48A of the Rules.

#### **8.5 Creditors' right to challenge Remuneration and/or Expenses**

Any secured creditor or, unsecured creditor with the support of at least 10% in value of the unsecured creditors or, with leave of the Court, may apply to the Court for one or more orders (in accordance with Rule 2.109(4) of the Rules), reducing the amount or the basis of remuneration which the Administrators are entitled to charge or otherwise challenging some or all of the expenses incurred.

Such applications must be made within 8 weeks of receipt by the applicant(s) of the progress report detailing the remuneration and/or expenses being complained of, in accordance with Rule 2.109 of the Rules.

Please note that such challenges may not disturb remuneration or expenses approved or deemed to be approved under prior progress reports.

**BMT MARINE & OFFSHORE SURVEYS LIMITED (IN ADMINISTRATION)**

**STATUTORY INFORMATION**

<b>Company Name</b>	BMT Marine & Offshore Surveys Limited
<b>Proceedings</b>	In Administration until 18 September 2013 In Creditors' Voluntary Liquidation from 19 September 2013
<b>Court</b>	High Court of Justice, Chancery Division, Companies Court
<b>Court Reference</b>	3233 of 2011
<b>Date of Appointment</b>	26 April 2011
<b>Administrators</b>	Lee Antony Manning and Nicholas Guy Edwards Deloitte LLP 66 Shoe Lane London EC4A 3BQ
<b>Registered office Address</b>	c/o Deloitte LLP Hill House 1 Little New Street London EC4A 3TR
<b>Company Number</b>	4147467
<b>Incorporation Date</b>	25 January 2001
<b>Company Secretary</b>	Mr Geoffrey Turner
<b>Bankers</b>	Barclays Bank Plc
<b>Auditors</b>	Baker Tilly UK Audit LLP
<b>Appointment by</b>	The Directors of BMT Marine & Offshore Surveys Limited
<b>Directors at date of Appointment</b>	Mr Kenneth John Arnott Mr Robert Patrick Wall Mr David Owen Harrop Mr Nigel John Clark Mr Phillip Allan Thompson
<b>Directors' Shareholdings</b>	0%
<b>Shareholder</b>	BMT Group Limited – 100% share ownership

**BMT Marine & Offshore Surveys Limited**  
**(In Administration)**  
**Joint Administrators Summary of Receipts & Payments**  
**For the the final period from 24 August 2013 to 18 September 2013**

	Statement of Affairs	From 24 Aug 2013 to 18 Sep 2013	Total from 26 Apr 2011 to 18 Sep 2013
	£	£	£
<b>Trading Receipts &amp; Payments</b>			
Administrators Funding from BMT Group		-	214,390
Repayment of Parent Company Funding		-	(214,390)
Parent Company Funding Interest		-	(2,599)
Parent Company Funding Fee		-	(4,375)
Wages & Salaries		-	(121,836)
Employee Expenses		-	(5,123)
Childcare Vouchers		-	(243)
Staff Loans		-	(240)
Rents		-	(4,133)
Pension Fund		-	(14,954)
Secretarial Services		-	(755)
Professional Indemnity Insurance Cost		-	(123,948)
Employment Income Tax Payable		-	(28,606)
National Insurance Payable		-	(23,264)
Various Trading Payments		-	(130,181)
		-	<b>(460,257)</b>
<b>Receipts</b>			
Sale of Business & Assets	2,400,000	-	2,400,000
Book Debts		-	353,215
Cash at Bank	287,000	-	138,399
Rates Refunds		-	9,513
Bank Interest Gross		283	9,483
Recoverable VAT	47,000	-	-
VAT Received From HMRC		14,945	212,844
		<b>15,228</b>	<b>3,123,454</b>
<b>Payments</b>			
Administrators' Bonding		-	(2,120)
Pre Appointment Administrators' Fees		-	(16,302)
Administrators' Fees		(54,975)	(812,995)
Administrators' Expenses		-	(2,674)
Legal Fees		-	(240,628)
Legal Disbursements		-	(14,842)
Legal Fees - Cala Palma		-	(62,046)
Legal Disbursements - Cala Palma		-	(32)
Printing & Postage		-	(8,916)
Statutory Advertising		-	(207)
Bank Charges		-	(2,335)
VAT Receivable		(10,995)	(225,738)
		<b>(65,970)</b>	<b>(1,388,835)</b>
Distribution to Preferential Creditors		-	(3,207)
<b>Balance In Hand</b>		<b>(50,742)</b>	<b>1,271,155</b>
<b>3rd Party Funds</b>		<b>1,766</b>	<b>5,296</b>

*\* We anticipate Legal Fees, Legal Disbursements and some of the Administrators' Fees incurred in relation to the Cala Palma matter will be reimbursed by the Cala Palma litigants*

**BMT Marine & Offshore Surveys Limited**  
(In Administration)

Time costs for the period 24 February 2013 to 23 August 2013

	Partners & Directors		Managers		Assistants & Support		TOTAL		Average Hourly Rate Cost (£)
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	
<b>Administration and Planning</b>									
Cashiering and Statutory Filing	0 10	85 00	2 60	1,141 00	5 70	1,536 00	8 40	2,762 00	338 81
Case Supervision, Management and Closure	-	-	1 90	1,010 50	5 40	1,277 50	7 30	2,288 00	313 42
Initial Actions (e.g. Notification of Appointment, Securing Assets)	-	-	-	-	-	-	-	-	-
General Reporting	0 30	255 00	1 50	952 50	3 20	768 00	5 00	1,975 50	395 10
Liaison with Other Insolvency Practitioners	-	-	-	-	-	-	-	-	-
	0 40	340 00	6 00	3,104 00	14 30	3,581 50	20 70	7,025 50	339 40
<b>Realisation of Assets</b>									
Book Debts	-	-	-	-	-	-	-	-	-
Other Assets (e.g. Stock)	-	-	1 00	635 00	-	-	1 00	635 00	635 00
Plant and Equipment, Fixtures and Fittings and Vehicles	-	-	-	-	-	-	-	-	-
Property - Freehold and Leasehold	-	-	-	-	-	-	-	-	-
Retention of Title	-	-	-	-	-	-	-	-	-
Sale of Business / Assets	-	-	-	-	-	-	-	-	-
Third Party Assets	-	-	1 00	635 00	-	-	1 00	635 00	635 00
<b>Creditors</b>									
Employees	-	-	0 10	39 50	-	-	0 10	39 50	395 00
Preferential	-	-	-	-	-	-	-	-	-
Secured	-	-	-	-	-	-	-	-	-
Shareholders	-	-	-	-	-	-	-	-	-
Unsecured	-	-	1 80	1,143 00	2 80	672 00	4 60	1,815 00	394 57
	-	-	1 90	1,182 50	2 80	672 00	4 70	1,854 50	394 57
<b>Other Matters Include</b>									
Litigation	10 90	9,265 00	31 10	19,748 50	10 60	2,544 00	52 60	31,557 50	599 95
Pensions	-	-	-	-	-	-	-	-	-
Tax and VAT	-	-	1 20	933 50	10 60	3,019 00	11 80	3,952 50	334 96
	10 90	9,265 00	32 30	20,682 00	21 20	5,563 00	64 40	35,510 00	551 40
<b>TOTAL HOURS &amp; COST</b>	11 30	9,605 00	41 20	25,603 50	38 30	9,816 50	90 80	45,025 00	495 87

**TOTAL FEES DRAWN TO DATE**

812,995

BMT Marine & Offshore Surveys Limited  
(In Administration)

Time costs for the period 24 August 2013 to 18 September 2013

	Partners & Directors		Managers		Assistants & Support		TOTAL		Average Hourly Rate Cost (£)
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	
<b>Administration and Planning</b>									
Cashiering and Statutory Filing	-	-	1 20	469 00	0 50	147 50	1 70	616 50	362 65
Case Supervision, Management and Closure	-	-	6 50	4,127 50	-	-	6 50	4,127 50	635 00
Initial Actions (e.g. Notification of Appointment, Securing Assets)	-	-	-	-	-	-	-	-	-
General Reporting	0 50	510 00	26 50	11,280 00	0 10	24 00	27 10	11,814 00	435 94
Liaison with Other Insolvency Practitioners	-	-	-	-	-	-	-	-	-
	0 50	510 00	34 20	15,876 50	0 60	171 50	35 30	16,558 00	469 07
<b>Creditors</b>									
Employees	-	-	-	-	-	-	-	-	-
Preferential	-	-	-	-	-	-	-	-	-
Secured	-	-	-	-	-	-	-	-	-
Shareholders	-	-	-	-	-	-	-	-	-
Unsecured	-	-	3 50	1,502 50	-	-	3 50	1,502 50	439 29
	-	-	3 50	1,502 50	-	-	3 50	1,502 50	439 29
<b>Other Matters Include</b>									
Litigation	0 80	680 00	-	-	-	-	0 80	680 00	850 00
Pensions	-	-	-	-	-	-	-	-	-
Tax and VAT	-	-	2 50	1,587 50	0 30	72 00	2 80	1,659 50	592 68
	0 80	680 00	2 50	1,587 50	0 30	72 00	3 60	2,339 50	649 86
<b>TOTAL HOURS &amp; COST</b>	1 30	1,190 00	40 20	18,966 50	0 90	243 50	42 40	20,400 00	481 13

TOTAL FEES DRAWN TO DATE

812,995

BMT Marine & Offshore Surveys Limited  
(In Administration)

Time costs for the period 26 April 2011 to 18 September 2013

	Partners & Directors		Managers		Assistants & Support		TOTAL		Average Hourly Rate
	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	Hours	Cost (£)	
<b>Administration and Planning</b>									
Cashiering and Statutory Filing	0.70	577.00	37.80	16,897.50	36.20	9,479.00	74.70	26,953.50	360.82
Case Supervision, Management and Closure	1.00	560.00	47.10	26,297.00	36.25	8,560.75	84.35	35,417.75	419.89
Initial Actions (e.g. Notification of Appointment, Securing Assets)	1.30	1,033.50	92.00	39,527.50	4.20	1,134.00	97.50	41,695.00	427.64
General Reporting	0.50	510.00	142.10	65,872.50	19.60	4,557.50	162.20	70,940.00	437.36
Liaison with Other Insolvency Practitioners	3.50	2,680.50	319.00	148,594.50	96.25	23,731.25	418.75	175,006.25	417.93
<b>Investigations</b>									
Investigations	-	-	-	-	-	-	-	-	-
Reports on Directors' Conduct	3.60	2,970.00	4.90	1,986.50	6.00	1,350.00	14.50	6,306.50	434.93
<b>Trading</b>									
Day 1 Control of Trading	-	-	8.00	4,765.00	-	-	8.00	4,765.00	595.63
Ongoing Trading	-	-	197.25	86,835.00	0.40	94.00	197.65	86,929.00	439.81
Monitoring Trading	-	-	11.00	7,200.00	-	-	11.00	7,200.00	654.55
Closure of Trade	-	-	20.80	12,678.00	1.30	292.50	22.10	12,970.50	586.90
<b>Realisation of Assets</b>									
Book Debts	-	-	237.05	111,478.00	1.70	386.50	238.75	111,864.50	468.54
Other Assets (e.g. Stock)	-	-	25.90	17,821.50	-	-	25.90	17,821.50	688.09
Plant and Equipment, Fixtures and Fittings and Vehicles	-	-	33.20	20,212.50	2.40	554.00	35.60	20,766.50	583.33
Property - Freehold and Leasehold	-	-	9.20	5,382.00	-	-	9.20	5,382.00	585.00
Retention of Title	-	-	-	-	-	-	-	-	-
Sale of Business / Assets	171.20	152,720.00	263.40	133,723.50	3.60	827.50	438.20	287,271.00	655.57
Third Party Assets	-	-	0.50	292.50	-	-	0.50	292.50	585.00
<b>Creditors</b>									
Employees	-	-	7.20	2,963.00	-	-	7.20	2,963.00	411.53
Preferential	-	-	-	-	-	-	-	-	-
Secured	-	-	-	-	-	-	-	-	-
Shareholders	-	-	-	-	-	-	-	-	-
Unsecured	-	-	188.55	94,750.25	49.20	11,603.00	237.75	106,353.25	447.33
<b>Other Matters Include</b>									
Litigation	38.70	32,395.00	90.40	55,773.00	22.30	5,314.50	151.40	93,482.50	617.45
Pensions	-	-	13.90	8,412.00	-	-	13.90	8,412.00	605.18
Tax and VAT	8.30	8,092.50	26.10	14,132.00	48.50	11,959.00	82.90	34,183.50	412.35
	47.00	40,487.50	130.40	78,317.00	70.80	17,273.50	248.20	136,078.00	548.26
<b>TOTAL HOURS &amp; COST</b>	225.30	198,858.00	1,219.30	615,521.25	229.95	55,725.75	1,674.55	870,105.00	519.61

TOTAL FEES DRAWN TO DATE

812,995

**Rule 2.72 PROOF OF DEBT - GENERAL FORM****Form 4 25**

**In the matter of  
BMT Marine & Offshore Surveys Limited**

**In Administration  
and in the matter of The Insolvency Act 1986**

Date of Administration Order 26 April 2011

1	Name of Creditor	
2	Address of Creditor	
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation (see note)	£
4	Details of any document by reference to which the debt can be substantiated [Note the liquidator may call for any document or evidence to substantiate the claim at his discretion]	
5	If the total amount shown above includes Value Added Tax, please show -  (a) amount of Value Added Tax (b) amount of claim NET of Value Added Tax	£ £
6	If total amount above includes outstanding uncapitalised interest please state amount	£
7	If you have filled in both box 3 and box 5, please state whether you are claiming the amount shown in box 3 or the amount shown in box 5(b)	
8	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986 (as read with schedule 3 to the Social Security Pensions Act 1975)	Category  Amount(s) claimed as preferential £
9	Particulars of how and when debt incurred	
10	Particulars of any security held, the value of the security, and the date it was given	£
11	Signature of creditor or person authorised to act on his behalf	
	Name in BLOCK LETTERS	