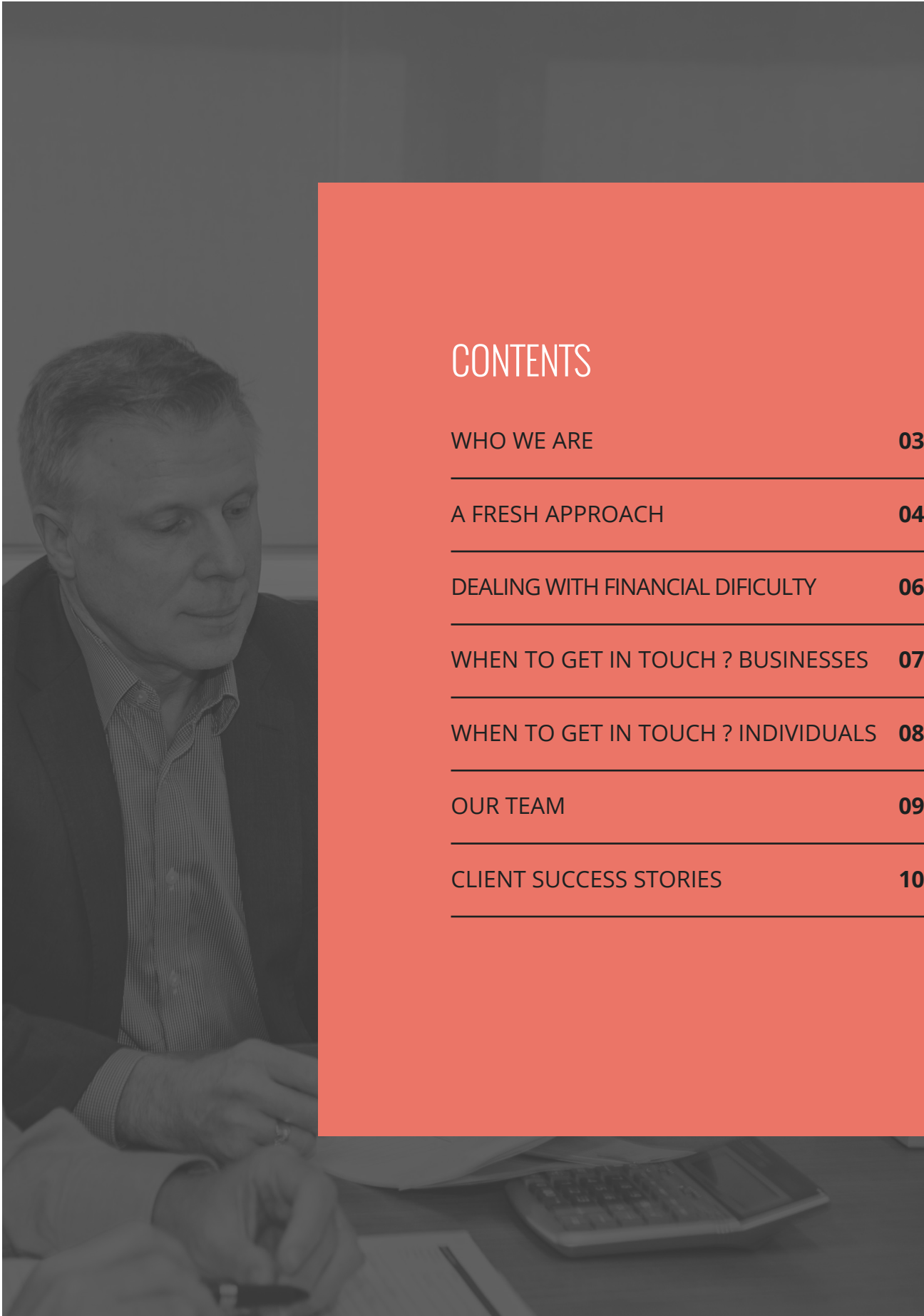




HOW WE WORK WITH YOU



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WHO WE ARE

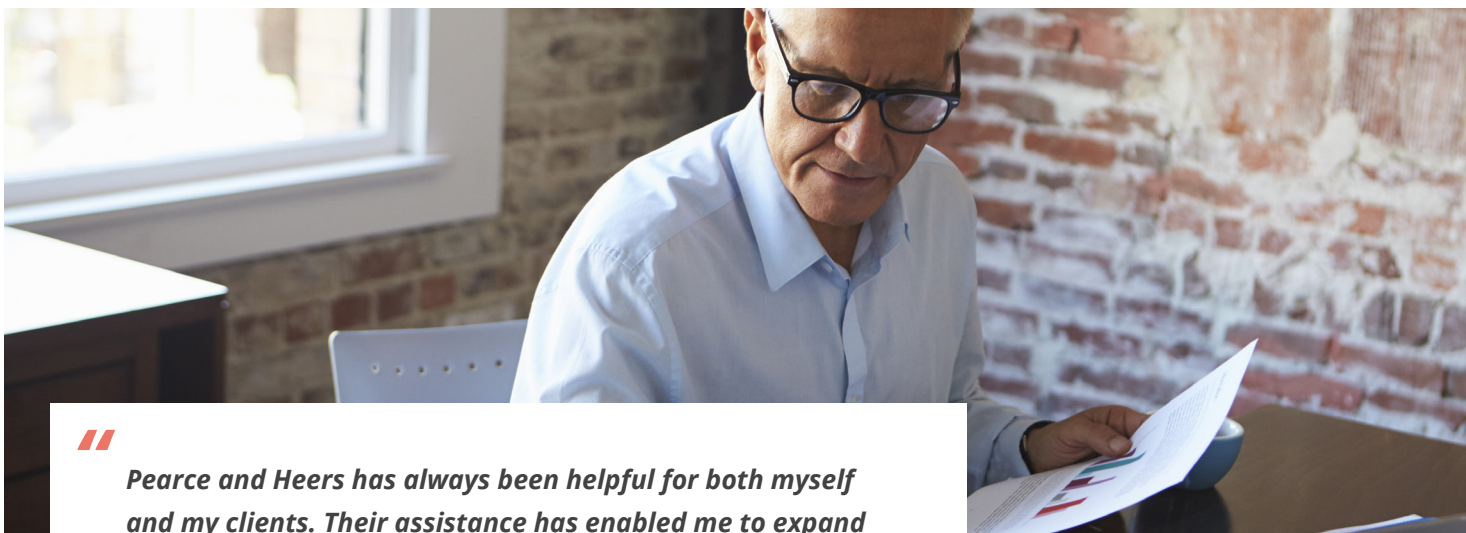
Pearce & Heers is a progressive advisory, turnaround and insolvency firm providing tailored strategies to help businesses and people recover from financial difficulties.

We are a trusted insolvency and advisory firm that has longstanding relationships with professionals working in the financial sector. They turn to us to help guide their clients through difficult times. We seek out personalised solutions for company directors and individuals, in collaboration with their accountants, lawyers, banks and creditors.

Where business survival or avoiding an insolvency appointment is not practical, we provide independent advice and develop strategies to mitigate the impact of insolvency on stakeholders.

Our services include advice and assistance regarding financial distress, insolvency and disputes, creditor negotiations and settlements, restructuring and turnaround engagements, liquidation, bankruptcy and insolvency alternatives

Our extensive capabilities cover building and construction, education and training, financial and professional services, hospitality, manufacturing, mining services, property development, retail, real estate and transport.



Pearce and Heers has always been helpful for both myself and my clients. Their assistance has enabled me to expand the options available to my clients ensuring they are offered holistic advice. They are and will continue to be my insolvency practitioners of choice.

- Daniel, Lawyer

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A FRESH APPROACH

Our clients benefit from our positive early-intervention approach and our range of advisory and pre-insolvency services aimed at solving financial issues and rescuing troubled businesses.

We understand it can be difficult to know when to seek help if you're experiencing financial challenges. The fear of loss or failure can be overwhelming. Hoping to overcome challenges on your own can delay you seeking professional advice and taking proactive steps which may be available. Many people are unaware of the options available to them and ask for help only when problems become insurmountable and they are facing liquidation or bankruptcy.

We encourage our clients to explore their options with us at an early stage. Early intervention and sound specialist advice can reduce the risk and serious consequences of financial failure. Waiting

until it's too late can severely limit the options available to you. With open minds, we apply our extensive financial, negotiation and analytical skills to advise and assist clients in achieving improved outcomes.

Although the problems our clients face are often similar, everyone's circumstances are unique and require a considered approach. As such, our guidance takes into account your situation and the outcomes you wish to achieve.





In an unfortunate series of events our Directors were faced with Director Penalty Notices issued by the ATO. We sought advice with and subsequently engaged Pearce & Heers to assist us with the negotiation with the ATO to obtain a solution. They provided us with advice regarding our options and negotiated with the ATO on our behalf. Pearce & Heers worked with a professional and practical approach taking into consideration our personal needs. This resulted in a good outcome, with a manageable payment plan to alleviate the debt without any further measures needing to be taken by the ATO. I would happily recommend their services.

- Julie, Company Director

As Chartered Accountants, Official Liquidators and Bankruptcy Trustees, we are qualified to provide you with well-considered and legally sound advice.

Although the problems our clients face are often similar, everyone's circumstances are unique and require a considered approach. As such, our guidance takes into account your situation and the outcomes you wish to achieve.

As Chartered Accountants, Liquidators and Bankruptcy Trustees, we are qualified to provide you with well-considered and legally sound advice.

Your first meeting with us is the start of a conversation to help you understand and weigh up your options so that you can take decisive steps to improve your financial circumstances.



DEALING WITH FINANCIAL DIFFICULTY

The professional advisers at Pearce & Heers are skilled at providing insolvency, business reconstruction, creditor negotiation and related services to companies and individuals who are in financial difficulty, in order to deliver optimal outcomes for clients and stakeholders.



Many thanks for your email and your ongoing advice. You are helping me through a hard time and I am most appreciative.

- Toby, Company Director

BUSINESSES

WHEN TO GET IN TOUCH?

IF YOU ENCOUNTER THE FOLLOWING, CONTACT US:

- Failed ATO payment arrangements, director penalty notice or garnishee
- Tensions with banks and financiers
- Late ATO or superannuation payments
- Creditor pressure or uncertainty about which creditors to pay
- Trading losses, declining revenue or profit margins
- Cashflow shortages or bank overdraft at its limit
- Financial records out of date or in disarray
- You're considering using personal funds to cover cashflow shortages
- Current asset or net asset deficiencies
- Facing legal action

OUR SERVICES

- Financial due diligence and health checks
- Advice and assistance with financial distress
- Payment plans and debt settlements
- Dispute resolution
- Negotiations with ATO, bank, creditor and other stakeholders
- Business restructuring and turnaround strategies
- Facilitating cash flow finance
- Voluntary administration and deed of company arrangement
- Creditors voluntary liquidation
- Members voluntary liquidation

INDIVIDUALS

WHEN TO GET IN TOUCH?

IF YOU ENCOUNTER THE FOLLOWING, CONTACT US:

- Missed credit card payments, personal loans or other unmanageable debts
- Unable to meet home loan repayments
- Failed investments
- Difficulties due to devaluation of house or assets
- Inability to pay ATO debts
- Received an ATO director penalty notice
- Liability for personal guarantees for a failed company
- Facing legal action

OUR SERVICES

- Advice and assistance to deal with financial problems
- Asset protection strategies
- Negotiations with ATO, banks, landlords and other creditors
- Payment plans and debt settlements
- Debt agreements
- Personal insolvency agreements
- Bankruptcy
- Section 73 Compositions



Just wanted to thank your team for your awesome help and looking forward to working closely with you all in 2017.

- CM, Accountant

OUR TEAM



MARK PEARCE - PARTNER

Mark is a Liquidator, Bankruptcy Trustee and restructuring specialist. His expertise make him a valued business adviser, working with businesses and individuals to overcome their financial difficulties. He also regularly negotiates with the ATO, banks and other creditors on behalf of clients to deal with debts and disputes that arise.



ANDREW HEERS - PARTNER

Andrew is a Bankruptcy Trustee and personal insolvency specialist. Andrew is highly successful in implementing bankruptcy alternatives including Part X - Personal Insolvency Agreements and debt settlements. Andrew also oversees Members' Voluntary Liquidations of solvent companies. He has an in-depth understanding of tax effective distributions which can be made and appreciates the urgency of the process, ensuring a cost-effective service.



MICHAEL DULLAWAY - PARTNER

Michael is a Liquidator with extensive experience in corporate and personal insolvency engagements. Michael's strong legal grounding is valuable to directors and individuals requiring advice on the impact of insolvency and options available to deal with financial difficulties.

CLIENT SUCCESS STORIES

ATO PAYMENT ARRANGEMENT

A family-run logistics business expanded into new premises, but it hadn't yet grown to meet the higher rent. A \$450,000 ATO debt had accrued as a result and their accountants could not negotiate a further ATO payment plan after failing four prior arrangements. A garnishee notice had been issued to the company's bank and the ATO was threatening to issue director penalty notices for outstanding PAYG tax.

Their accountant arranged for the directors to meet with us and we were engaged to negotiate with the ATO to avoid further enforcement action. We sent a letter to the ATO detailing the company's position, the effect of further enforcement and liquidation and a proposing a payment plan including a small lump sum followed by affordable instalments over two years. The ATO agreed to the request and also halved the company's income tax bill. The company emerged from the crisis to survive and turnaround its business which is now operating successfully.

BUSINESS RESTRUCTURE / SALE OF BUSINESS

An engineering business operating in Brisbane and Sydney had major tax debts it could not pay. The ATO would not agree to another payment arrangement and issued a 21-day director penalty notice (DPN).

Voluntary administration was not viable for the company due to the automatic termination of supplier and customer contracts, reputational damage, a lack of funds and expected administrator's costs. The company would likely close in administration. The directors believed a sale of its business and assets was the only viable option to save it.

A sale to an unrelated buyer could not realistically occur within the 21-day DPN time frame available. The directors wanted to continue their involvement with the business and to do so, needed to retain its assets. Although, they could have purchased the assets from a liquidator if appointed, this would cause serious interruption and damage to their business.



The team is always available to provide straight answers and assist clients who are going through a lot with business not going well.

- Jay, Accountant

Accordingly, in conjunction with their accountant, lawyer and a valuer, the company's business and assets were valued and sold to the directors' new company under a comprehensive sale agreement and with a turnaround plan. We assisted to guide the restructure, ensure the sale was conducted legally and commercially, and to help identify key risks and improvement opportunities.

A liquidator was appointed before the DPN expired. He reviewed the sale and collected the company's book debts. As careful consideration was given to the directors' duties to the company and its creditors, the liquidator did not raise any issues with the sale.

The business continues to trade under the directors' management, albeit with changes to its operations to ensure future success.

PERSONAL DEBT SETTLEMENTS / INFORMAL ARRANGEMENTS

Greg & Louise* were directors of a company that traded a franchise restaurant. It closed and entered liquidation owing debts to the bank, landlord and three others. They had personally guaranteed these debts.

They wanted to avoid bankruptcy if possible. Knowing they would lose their house in bankruptcy, they sold it receiving a surplus of \$90,500. After paying necessary expenses, they had \$73,000 to offer creditors totalling \$382,000.

They believed negotiating informal debt settlements was the best option to avoid bankruptcy. If successful, settlements would not be formally recorded, bankruptcy would be avoided and they could be debt-free within months. They engaged us to negotiate settlements with their creditors.

We provided to creditors a summary of Greg & Louise's financial position, the likely outcome in bankruptcy and details of their proposal to offer \$73,000 in full and final settlement of their debts at a rate of 19.19 c/\$. After some discussions, creditors accepted the proposal.

Within a few months of engaging us they were debt-free, avoided three years of bankruptcy, as well as its restrictions and stigma, and their business problems were in the past.

** Real names not used due to confidentiality.*



Losing your business and financial security is a very stressful time for anyone but dealing with the team at Pearce & Heers made a very difficult time that little bit easier. They were extremely prompt at answering queries and arranged a face to face meeting with us as soon as we first contacted them. We were never rushed and all questions were answered honestly, realistically and thoroughly. Their fees were also very reasonable. Given our particular financial problems, bankruptcy was suggested as being our best option. I has previously believed that this was definitely a worst case scenario and something to be avoided at all costs. It was a revelation to discover that this would really be the best solution to our problems. We decided that this was the best option for us and they assisted us with the process the whole way. It isn't a pleasant situation to be in, but our lives have not been adversely affected by having to make this decision - just as we were advised would be the case. We are coming to end of our bankruptcy, which we're obviously pleased about. It is gratifying that we will come out of this without debt hanging round our necks and we are now able to move on and look to the future. I would definitely recommend you talk to Pearce & Heers if you find yourself in a difficult situation such as ours.

- Kate, Business Owner



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GET IN TOUCH



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