

Advisory

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17 October 2016

#### NOTICE TO CLIENTS TO SUBMIT CLAIMS

# BBY Nominees Pty Limited (In Liquidation) ACN 007 001 443 ("BBY Nominees")

Dear Sir / Madam

BBY Nominees was placed into voluntary administration on 17 May 2015 and into liquidation on 8 October 2015. BBY Nominees acted as a trustee and nominated custodian for clients of the wider BBY business in respect of domestic and international accounts, holding securities and cash (e.g. from dividends and sales) on behalf of clients.

We refer to our circular to clients dated 2 October 2015 seeking details of claims in respect to securities held with BBY Nominees.

This is a further notice to clients providing a final opportunity to submit claims to securities or funds held with BBY Nominees.

Please disregard this notice if you have already submitted a claim or do not wish to lodge a claim. Some clients who have had claims admitted and paid facilitation fees should receive their stock in November or December 2016, following finalisation of BBY Nominees' relationship with Ord Minnett and Jefferies International.

### Making a claim

Should you wish to make a claim to securities or funds held with BBY Nominees (either in its own name or through an international custodian as applicable), please complete the enclosed questionnaire and return this along with supporting documentation by email or post to the following address by **Friday**, 4 **November 2016**:

Attention:
BBY Nominees Pty Limited (In Liquidation)
C/- Matteo Valentini,
KPMG
Tower Three, International Towers Sydney
300 Barangaroo Avenue
SYDNEY NSW 2000



We will contact you following receipt of your completed questionnaire to confirm entitlements and any further information needed. The Liquidators will reject any claim which is not supported by adequate documentation.

A facilitation fee is payable to meet costs of dealing with claims and completing transfers. The fee covers costs in reviewing company records and supporting documentation, taking legal advice where necessary, confirming entitlements and facilitating transfers or sales as required. The fee will vary according to the size and complexity of the holdings in question.

#### **Unclaimed shares**

Unclaimed securities will be sold and liquidated after 18 November 2016. Proceeds from the sale of unclaimed stock will go to the general liquidation account.

The liquidators have made this decision following consultation with counterparties including the international custodians who hold stock on behalf of BBY Nominees. Those custodians have indicated that they will no longer hold stock on behalf of BBY Nominees and will sell all unclaimed securities.

#### **Further information**

Additional information regarding the external liquidations of BBY Nominees and the wider group of BBY companies can be found at http://www.kpmg.com/AU/bby.

Should you have any queries regarding this process, please do not hesitate to contact Matteo Valentini on (02) 9455 9087 or via email at <a href="mailto:bby@kpmg.com.au">bby@kpmg.com.au</a>.

Yours faithfully

Stephen Vaughan

Liquidator

BBY Nominees Pty Ltd (In Liquidation)

BBY Limited (Receivers & Managers Appointed)(In Liquidation)

Note: Please note that this process is separate from and will not have any effect on the court process which is currently being conducted in the Supreme Court of New South Wales in respect of client monies held by BBY Limited (Receivers & Managers Appointed)(In Liquidation).



## **BBY NOMINEES QUESTIONNAIRE**

Information required	Response
Client name	
Client contact	Telephone: Fax: Email:
Do you have legal representation, if so, would you like us to contact your lawyer rather than you directly?	
Could you please provide us with a copy of any nominee, custodian, trustee or similar agreement which was entered into by you with BBY Nominees?	
Could you please provide us with a copy of any client application forms or other trading terms which were entered into by you with BBY or BBY Nominees?	
When did you first start dealing with BBY or BBY Nominees?	
How many shares do you say are held on your behalf by BBY Nominees and in what companies?	
Which broker/advisers did you deal with at BBY or BBY Nominees in respect to these shares?	
Please provide us with copies of all documents in your possession relating to these shares, including, but not limited to:	
all instructions issued by you to BBY or BBY Nominees regarding these shares;	
certificates of title/registrations forms so far as applicable;	



Information required	Response
all correspondence and emails exchanged between you and BBY or BBY Nominees concerning these shares;	
any invoices, remittance advice or deposit slips applicable to your purchase or sale of these shares; and	
any dividends paid to you in respect of these shares.	
Can you please explain why you arranged for these shares to be held on your behalf by BBY Nominees?	
Do you want to arrange for the liquidators to sell these shares?	
Do you want to have control of the shares transferred to another custodian, if so, please provide us with their details	
The liquidators will require an indemnity before they can deal with any of these shares. Could you please confirm whether you or another party is prepared to provide the liquidators with an appropriate indemnity.	