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## INVESTOR UPDATE – 7 June 2022

### Halifax Investment Services Pty Limited (In Liquidation) (Halifax AU)

### Halifax New Zealand Limited (In Liquidation) (Halifax NZ) (together the Halifax Group)

Dear Investor,

We refer to the Investor Updates dated 21 February 2022 (**February 2022 Update**), 10 March 2022 (**March 2022 Update**), 20 May 2022 (**May 2022 Update**), and the orders made by the Federal Court of Australia (**FCA**) and the High Court of New Zealand (**HCNZ**) on 3 June 2022 (**June 2022 Orders**) which can be found at the following links:

1. <https://assets.kpmg/content/dam/kpmg/au/pdf/creditors/halifax-investment-services/halifax-investor-portal-21-february-2022.pdf>
2. <https://assets.kpmg/content/dam/kpmg/au/pdf/creditors/halifax-investment-services/halifax-update-to-investors-10-march-2022.pdf>
3. <https://assets.kpmg/content/dam/kpmg/au/pdf/creditors/halifax-investment-services/halifax-update-to-investors-20-may-2022.pdf>
4. <https://assets.kpmg/content/dam/kpmg/au/pdf/creditors/halifax-investment-services/halifax-orders-justice-markovic-3-june-2022.pdf>
5. <https://assets.kpmg/content/dam/kpmg/au/pdf/creditors/halifax-nz-limited/halifax-nz-orders-justice-venning-3-june-2022.pdf>

The purpose of this document is to provide Investors with an update on the distribution process, to inform Investors of a change to the key dates for submitting a claim following the June 2022 Orders and to provide an update on the timing of a distribution to Investors.

#### **1. Update on distribution process**

On 21 February 2022, the Liquidators issued a Distribution Notice to the majority of Investors outlining their unique code and Investor Portal login information. Investors were to log into the Investor Portal and respond to the Distribution Notice within 21 days of the Distribution Notice (being 15 March 2022). If, within 35 days of the Distribution Notice (being 29 March 2022), an Investor confirmed the value of their entitlement on the Investor Portal or did not log into the Investor Portal to confirm or dispute the value of their entitlement, the Liquidators were to proceed to finalise that Investor's claim on the basis of the value recorded within the Investor Portal.

As noted in the February 2022 Update, Investors with pending Category 3 and/or Category 5 applications (**Category 3/5 Investors**) will receive a Distribution Notice once their application has been resolved.

Until such time as all Category 3/5 Investors have received a Distribution Notice and the time for those Investors to respond to the Distribution Notice has expired, the Liquidators will not close the Investor Portal.



## **2. Change to the key dates for submitting your claim**

While the Investor Portal remains open:

1. Investors can continue to log into the Investor Portal and confirm the value of their entitlement and/or complete the ID verification process. This means that Investors will have a period of longer than 21 or 35 days in which to confirm the value of their entitlement and complete the ID verification process via the Investor Portal; and
2. the section of the Investor Portal which asks Investors whether or not they dispute the value of their entitlement will be accessible to Investors. However:
  - (a) **the Liquidators will not accept or consider any disputes submitted by an Investor more than 35 days after the issue of the Distribution Notice to that Investor; unless**
  - (b) the Investor already submitted a query regarding the Investor Portal or the Distribution Notice within 35 days of the Distribution Notice **and** the Investor lodges a dispute no later than 35 days after:
    - (i) the date of this notice; or
    - (ii) the date the Liquidators respond to the Investor's query,whichever is later.

The Liquidators encourage Investors to confirm the value of their entitlement and complete the ID verification process if they have not yet done so, as this information will be used for future distributions. The link can be found here - <https://creditors.accountants/Account/Login>.

Pursuant to the June 2022 Orders, the Liquidators will notify Investors at least 3 days before the Investor Portal is closed.

## **3. Timing of a distribution to Investors**

### *Outstanding queries*

The Liquidators and their staff will continue to assist Investors who have requested assistance regarding the Investor Portal and/or the Distribution Notice. In the first instance we ask that Investors refer to the February 2022 Update which contains a guide to using the Investor Portal and the March 2022 Update which responds to some frequently asked questions regarding the Investor Portal.

Please note that we will not be responding to Investors who email us requesting confirmation of the date their payment will be made or Investors who submit general queries regarding the timing and amount of a distribution. This is due to the volume of queries we are currently receiving and our focus on reviewing claims and paying distributions to Investors.

The Liquidators will respond to questions regarding the Investor Portal and Investors who require assistance with the submission of their claims.



### *Initial distribution*

The Liquidators have commenced the review of claims of those Investors who have logged into the Investor Portal and confirmed the value of their entitlement (Initial Distribution Investors). The Interim distribution paid will be half of the amount submitted by the Eligible Investor in the Investor Portal, which claim has been verified by the Liquidators.

The review process includes reviewing ID verifications and documents submitted in support of claims. The Liquidators will contact Investors should further information be required to admit their claim for distribution purposes. Please continue to monitor your inbox and the KPMG website for future updates regarding your claim.

The Liquidators expect to complete the review process in respect of the Initial Distribution Investors and make a distribution of funds to the *majority* of Initial Distribution Investors (which will be paid in multiple tranches) by the end of June 2022.

You will receive an email with the subject line '*Halifax Group: Payment advice - Interim distribution*' once your payment has been processed.

As noted in the May 2022 Update, some Investors will not receive an Initial (June 2022) Distribution for various reasons including but not limited to:

- You did not submit your claim within 35 days following provision of the Distribution Notice (i.e., by 29 March 2022);
- The Liquidators may still need to cross reference identity information against third party documentation and Halifax account records;
- You have lodged a dispute in relation to your account balance and an outcome has not yet been determined by the Liquidators;
- The Liquidators are investigating ID verifications flagged by Anti-Money Laundering checks; or
- The Liquidators require additional information from you.

Please note however that if you do not receive an Initial June 2022 Distribution due to an issue with your claim as outlined above, this does not necessarily mean that you will miss out on the distribution entirely, it may mean that your initial distribution may be slightly delayed. Further information regarding subsequent distributions is outlined below.

### *Subsequent distributions*

Once the Liquidators have made a distribution of funds to the Initial Distribution Investors, the Liquidators will then commence the review process in respect of other Investors who have confirmed the value of their entitlement and completed the ID verification process. Those Investors will receive a distribution at a later date, following the completion of the review process. For the avoidance of doubt, Investor entitlements will be calculated in the same way (pursuant to the orders of the Courts) regardless of whether an Investor is an Initial Distribution Investor or receives a distribution at a later date.

Once all eligible Investors have received an Interim distribution the Liquidators will declare and pay further distributions. The rate and timing of further distributions is subject to a range of factors. The Liquidators will provide an update in respect of the total distributions that are likely to be payable in due course, and will continue to update Investors as further information becomes available.

If you have any queries regarding this update, please contact the Liquidators via email at [au-fmhalifaxportal@kpmg.com.au](mailto:au-fmhalifaxportal@kpmg.com.au).