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Notice to Members and Creditors

Our ref Notice to Members re transfer application - DSA(46357131.1).docx

2 December 2021

Disability Services Australia Limited ACN 002 507 655 (“DSA”) DSA Mentoring Services Limited ACN 629 308 881 Macquarie Employment Training Service Limited ACN 643 269 112 (all Subject to Deed of Company Arrangement) Collectively (“the Companies”)

We refer to the appointment of James Dampney, Peter Gothard and I as joint & several Voluntary Administrators of the Companies on Wednesday, 25 August 2021 pursuant to Section 436A of the Corporations Act 2001 (**the Act**).

At the second meeting of creditors of the Companies held today, the creditors of each of Companies resolved that they each execute a Deed of Company Arrangement (**DOCA**) and Creditors’ Trust Deed proposed by Scope (Aust) Ltd (ACN 004 280 871) (**Scope**).

We confirm that the DOCA will be executed today and will shortly be lodged with the Australian Securities and Investments Commission (**ASIC**). I, together with James Dampney, will act as the joint and several Deed Administrators of the Companies (**Deed Administrators**).

Under the terms of the DOCA, all memberships of DSA are to be transferred to Scope. Between 19 and 23 November DSA provided a notice of this transfer requirement to DSA members via email and post. In this notice, DSA also invited each of its members to resign as a member of DSA if the DOCA was approved by creditors, and we have since received 21 resignation forms from DSA members. This is some, but not all, of the members of DSA.

Application pursuant to sections 444GA and 447A of the Act

As a condition of the DOCA, the Deed Administrators are now required to make an application to the Court under sections 444GA and 447A of the Act to seek orders for the transfer of all remaining DSA memberships to Scope (**Section 444GA Application**).

The Deed Administrators have now made the Section 444GA Application in the Federal Court of Australia and the Court has listed the Section 444GA Application for a hearing at 10.15am on Monday, 6 December 2021, with an estimate of a 1 hour duration.



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We are not aware of any unfair prejudice which would be suffered by any member of DSA as a result of the Section 444GA Application and we consider that it is in the interests of DSA's members and creditors to transfer any remaining DSA memberships to Scope.

Our report to creditors pursuant to section 75-225 of the *Insolvency Practice Rules (Corporations) 2016* provides further information about the DOCA and is available on the KPMG website at <https://home.kpmg/au/en/home/creditors/disability-services-australia.html#creditors>.

Your rights as a member and a creditor

DSA members and creditors have a right to oppose the Section 444GA Application and you can instruct a barrister or lawyer to appear on your behalf at the hearing. If you propose to take either of these steps, please provide a copy of your correspondence, or notice of your intention to appear at the hearing to the Deed Administrators by **5pm on Friday, 3 December 2021**.

If you have any concerns or questions in relation to the Section 444GA Application, please contact the Deed Administrators on AU-FMDSA@kpmg.com.au or 1800 354 339.

Yours faithfully

Gayle Dickerson
Deed Administrator