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Butler Constructions Pty Ltd (Receivers and Managers Appointed)
ACN 009 371 340 Trading As Lighthouse Beach Resort , in its own right and
ATF The Cargrill Trust
("the Company")

NOTICE TO CORPORATE OFFICER OF APPOINTMENT OF EXTERNAL ADMINISTRATOR AND OFFICER'S RESPONSIBILITIES

TAKE NOTICE THAT on 18 July 2011 Ian Charles Francis and I were appointed Joint & Several Receivers and Managers of the Company pursuant to the terms of a Mortgage Debenture created by the Company in favour of BankWest.

Please note the following important matters which arise from our appointment.

PROPERTY

Control of the assets and affairs of the Company now rests with us, and the Company cannot dispose of property without our permission.

As Joint & Several Receivers and Managers we are empowered to take into our custody or under our control all of the property to which the Company is or appears to be entitled, and to cause the property of the Company to be collected and applied in discharge of its liabilities (Section 420 of the *Corporations Act 2001* ("the Act")). Property includes any cash deposited in a Company bank account.

You are required to disclose to us details of all Company property. A failure or refusal to do so constitutes an Offence – for further details see below.

REPORT AS TO AFFAIRS

You must, **no later than 4 August 2011** prepare and submit to us a Report as to Affairs.

Should you fail to submit a Report as to Affairs you are liable to a penalty of \$2,750 or imprisonment for six months or both. A material omission, in any statement or report relating to the affairs of the Company will make you liable to a penalty of \$11,000 or imprisonment for two years or both (Section 590(1)(d), Schedule 3 of the Act).

COOPERATION AND DISCLOSURE IN RELATION TO COMPANY PROPERTY AND BOOKS

A past or present officer of the Company must:

1. deliver up to us, or in accordance with our directions:
 - (a) all Company property in the person's possession; or
 - (b) all books belonging to the Company (except books of which the person is entitled, as against the Company and us to retain possession).
2. disclose to us:

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- (a) details of all property of which the Company has disposed in the 10 years immediately prior to **18 July 2011** outside of the ordinary course of business;
- (b) how and to whom and for what consideration and when such property was disposed;
- (c) details of any other property removed from the Company in that 10 year period.

See Sections 590(1) and (4) of the Act.

OFFENCES

A past or present officer of the Company will contravene the Act if the officer:

1. does not disclose to us all Company property, and how and to whom and for what consideration and when any Company property was disposed in the 10 years immediately prior to **18 July 2011** outside of the ordinary course of business;
2. in the 10 years immediately prior to **18 July 2011** or any time on or after that day:
 - (a) engaged in conduct that resulted in the fraudulent concealment or removal of any Company property to the value of \$100 or more;
 - (b) engaged in conduct that resulted in the concealment of any debt due to or by the Company;
 - (c) engaged in conduct that resulted in the fraudulent parting with, alteration or making of any omission in, or being privy to fraudulent parting with, altering or making of any omission in, any book affecting or relating to affairs of the Company;
 - (d) by any false representation or other fraud, obtained on credit, for or on behalf of the Company, any Company property that the Company has not subsequently paid for; or
 - (e) engaged in conduct that resulted in the fraudulent pawning, pledging or disposal of, outside of the ordinary course of business, Company property that has been obtained on credit and has not been paid for;
3. fraudulently makes a material omission in any statement or report relating to affairs of the Company;
4. engaged in conduct that prevented the production to us of any book affecting or relating to the affairs of the Company; or
5. has, in the 10 years immediately prior to **18 July 2011** or any time on or after that day, attempted to account for any part of the Company property by making entries in the books of the Company showing fictitious transactions, losses or expenses; or
6. has, in the 10 years immediately prior to **18 July 2011** or any time on or after that day, been guilty of any false representation or other fraud for the purpose of obtaining the consent of the creditors of the Company or any of them to an agreement with reference to affairs of the Company or to the winding up.

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All contraventions are punishable by a penalty of 100 penalty units (equivalent to \$11,000) or two years imprisonment or both. See section 590 and Schedule 3 of the Act.

Dated this 25th day of July 2011



M D Englebert
Joint & Several Receiver and Manager

I hereby acknowledge that I have received two copies of this notification and that I have read and understand its contents. This copy is hereby returned.

*As much as possible without full legal
& Accounting advice*



Mr Sean Maurice Butler



Dated: *17-8-2011*