

IN THE HIGH COURT OF NEW ZEALAND
AUCKLAND REGISTRY

I TE KŌTI MATUA O AOTEAROA
TĀMAKI MAKĀURAU ROHE

CIV-2026-404-923

UNDER

Part 19 of the High Court Rules 2016 and Part 15A
of the Companies Act 1993

IN THE MATTER OF

APL KWIKFORM PTY LIMITED
(ADMINISTRATORS APPOINTED) an overseas
company registered in New Zealand and having its
principal place of business in New Zealand at
KPMG, 18 Viaduct Harbour Avenue, Maritime
Square, Auckland

AND

of an application by **KARE JOHNSTONE** licensed
Insolvency Practitioner of McGrathNicol Limited,
Level 17, 41 Shortland Street, Auckland 1010, and
DAMIEN MARK PASFIELD, licensed Insolvency
Practitioner of McGrathNicol Limited, Level 12, 44
Martin Place, Sydney, NSW 2000, Australia, as
Administrators of **APL KWIKFORM PTY LIMITED**
(ADMINISTRATORS APPOINTED)

Applicants

**ORDERS EXTENDING THE PERIOD FOR NOTICE OF TERMINATION TO
EMPLOYEES UNDER S 239Y OF THE COMPANIES ACT 1993**

Dated: 20 April 2026

BUDDLE FINDLAY

Barristers and Solicitors
Auckland

Solicitor Acting: **L C Sizer / C S Morrison**
Email: luke.sizer@buddlefindlay.com / cora.morrison@buddlefindlay.com
Tel 64 9 363 1036 Fax 64 9 358 2055 PO Box 1433 DX CP24024 Auckland 1010



To: all persons affected by the orders

1. The originating application without notice for orders extending the period for notice of termination under s 239Y of the Companies Act 1993 (**Act**) by the applicants, **KARE JOHNSTONE** and **DAMIEN MARK PASFIELD** as administrators of APL Kwikform Pty Limited (Administrators Appointed) (**Company**), was determined by the Honourable Justice Jagose on 20 April 2026.
2. The determination was made without a hearing.
3. The following orders were made:
 - (a) The application may proceed on a without notice basis.
 - (b) The period of time in which the applicants are required to give notice of termination of a contract of employment under s 239Y(3) of the Act is extended under s 239Y(4) of the Act to an end date of **13 May 2026**, instead of 21 April 2026, with any wages or salary that accrue under such contracts being an expense of the administration under sch 7, cl 1(1)(b) of the Act.
 - (c) Leave to apply to modify or discharge the above orders is granted to the applicants, and any person who can demonstrate a sufficient interest in the administration of the Company upon appropriate notice being given to the applicants.
 - (d) Within five working days of the Court's orders being made, the applicants must serve the orders on each employee of the Company as follows:
 - (i) by email to those employees who have provided the applicants with an email address or for whom an email address has been identified by the applicants in the books and records of the Company;
 - (ii) where an email address is not recorded in the books and records of the Company, by sending by post the orders to the postal address of the applicable employee at such postal address as is recorded in the books and records of the Company; and




(iii) by publishing a copy on the creditor portal maintained by the applicants on the website

<https://www.mcgrathnicol.com/creditors/waco-australasia>.

- (e) Until further order of the Court, a non-publication order is made in respect of the Business Sale Agreement (**SPA**) between the Company and the purchaser for sale of the business and assets of the Company.
- (f) The actual and reasonable costs of this application will be an expense incurred by the applicants in carrying out their duties as administrators of the Company.

Dated: 20 April 2026



FATAFEHI UATA
DEPUTY REGISTRAR

Deputy Registrar