

may have to priority under section 308 of the Companies Act 1955, or to be excluded from the benefit of any distribution made before the debts are proved, or, as the case may be, from objecting to the distribution.

Dated this 7th day of May 1976.

M. R. TRACY, Liquidator.

Address: P.O. Box 9105, Newmarket.

1316

NOTICE TO CREDITORS TO PROVE DEBTS OR CLAIMS
IN the matter of the Companies Act 1955, and in the matter of FAGAN AND TAYLOR LTD. (in liquidation):

NOTICE is hereby given that the undersigned, the liquidator of Fagan and Taylor Ltd., which is being wound up voluntarily, does hereby fix the 18th day of June 1976, as the day on or before which the creditors of the company are to prove their debts or claims and to establish any title they may have to priority, under section 308 of the Companies Act 1955, or to be excluded from the benefit of any distribution made before the debts are proved, or as the case may be, from objecting to the distribution.

Dated this 14th day of May 1976.

K. S. CRAWSHAW, Liquidator.

Address of Liquidator: Second Floor, T. & G. Building, Wellesley Street West, Auckland 1.

1306

IN the matter of the Companies Act 1955, and in the matter of MONTGOMERY SCHAMROTH NOMINEES LTD.:

NOTICE is hereby given that by duly signed entry in the minute book of the above-named company, on the 18th day of May 1976, the following special resolution was passed by the company, namely:

That the company be wound up voluntarily.

Dated this 18th day of May 1976.

F. N. WATSON, Liquidator.

1317

THE COMPANIES ACT 1955

TRANSPORT (NELSON) HOLDINGS LIMITED, a company duly incorporated and having its registered office at Nelson, hereby gives notice of the registration in the Companies Office at Nelson, on 21 May 1976, of an Order of the Supreme Court whereof a copy follows:

No. M. 1560

In the Supreme Court of New Zealand
Nelson Registry

IN THE MATTER of the Companies Act 1955, and IN THE MATTER of TRANSPORT (NELSON) HOLDINGS LIMITED, a company duly incorporated and having its registered office in the City of Nelson and carrying on business there as a holding company:

MONDAY, THE TENTH OF MAY 1976

BEFORE THE HONOURABLE MR JUSTICE BEATTIE

UPON reading the Notice of Motion of the above-named applicant company, dated the 3rd day of May 1976, and the affidavit of Robbie Graham Valentine Dyce, sworn and filed herein, and the exhibits therein referred to; and it appearing that the special resolution for the reduction of the share premium account of the applicant company referred to in the said motion has been duly passed, and that by order made this day in Chambers by the Honourable Mr Justice Beattie it was ordered that in the special circumstances of the case, subsection (2) of section 76 of the Companies Act 1955, should not apply to any of the creditors of the company in respect to this application and that there were no other debts, claims, or liabilities of, or affecting, the company save those in respect to which consents were exhibited to the said affidavit.

THIS COURT HEREBY ORDERS:

(1) That the reduction of the company's share premium account, made by the special resolution passed at the extraordinary general meeting of the members of the company, held on the 5th day of November 1975, be confirmed. The text of the said special resolution is as follows:

"That subject to confirmation by the Supreme Court of New Zealand and to any conditions imposed by the Court

the share premium account be and the same is hereby reduced by the amount of \$4,500,000 and that the said sum be available to the directors for distribution in cash to the holders from time to time of ordinary shares in the capital of the company. The distribution of the said amount may be effected at such times at such intervals and by a series of payments of such amounts as the directors may from time to time determine subject always to the provisions of Article 137A to the holders from time to time of the ordinary shares in the capital of the company divided in proportion to the amounts paid up on the shares held by them but so that any amount so distributed shall be in substitution for and not in addition to any dividend payable out of profits which might otherwise be payable and on the condition that no amount may be distributed unless the profits available are sufficient to provide for a dividend of an equivalent amount."

(2) That the company do forthwith establish and maintain a capital replacement fund, and that it pay to the credit of that fund, upon each occasion that a distribution is made to shareholders from the amount transferred from the share premium account, an amount equal to the sum so distributed.

(3) That such capital replacement fund shall not be distributed to shareholders except with the further approval of this Honourable Court or as a distribution by way of fully paid up bonus shares.

(4) That notice of the registration hereof by the Assistant Registrar of Companies at Nelson be published once in the *New Zealand Gazette* within 30 days from the date of such registration.

By the Court:

[L.S.]

T. R. TEAGUE, Registrar.

1346

No. M. 55/76

In the Supreme Court of New Zealand
Christchurch Registry

IN THE MATTER of the Companies Act 1955, and IN THE MATTER of BALLINS INDUSTRIES LIMITED a duly incorporated company having its registered office at Christchurch:

NOTICE is hereby given that by Order, dated 23 February 1976, the Supreme Court of New Zealand at Christchurch has approved on certain terms and conditions a reduction of share premium account by the above-named company, in accordance with a special resolution of shareholders passed at an extraordinary general meeting on 4 August 1975, and that a sealed copy of such order was registered in the Companies Office at Christchurch on the 19th day of May 1976.

1324

In the Supreme Court of New Zealand
Christchurch Registry

IN THE MATTER of the Companies Act 1955, and IN THE MATTER of ACME PLASTICS LIMITED a duly incorporated company having its registered office at 376 Wilsons Road, Christchurch:

NOTICE is hereby given that a petition for an order that Acme Plastics Limited be wound up by the Court under the provisions of the Companies Act 1955, or for such other order as shall be just, was presented to the Supreme Court, on the 19th day of May 1976, by JOSEPH NATHAN & COMPANY LIMITED and that the said petition is directed to be heard before the Court sitting at Christchurch, on the 18th day of June 1976, at 10 o'clock in the forenoon; and any creditor or contributory of the said company desirous to support or oppose the making of an order on the said petition may appear at the time of hearing in person or by his counsel for that purpose; and a copy of the petition will be furnished by the undersigned to any creditor or contributory of the said company requiring a copy on payment of the regulated charge for the same.

D. H. HICKS, Solicitor for the Petitioner.

This advertisement was filed by David Henry Hicks, solicitor for the petitioner. The petitioner's address for service is at the offices of Messrs Rhodes & Co., 135 Hereford Street, Christchurch.

NOTE: Any person who intends to appear on the hearing of the said petition must serve on or send by post, to the abovenamed, notice in writing of his intention so to do. The notice must state the name, address, and description of the person, or if a firm, the name, address, and description of the firm, and an address for service within 3 miles of the office of the Supreme Court at Christchurch and must