

**DUPLICATE**

**IN THE HIGH COURT OF NEW ZEALAND  
AUCKLAND REGISTRY**

**I TE KŌTI MATUA O AOTEAROA  
TĀMAKI MAKĀURAU ROHE**

**CIV-2022-404-1993**

**UNDER**

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

**IN THE MATTER OF**

**RUAPEHU ALPINE LIFTS LIMITED  
(ADMINISTRATORS APPOINTED)** a company  
having its registered office at Ruapehu Alpine Lifts,  
Top Of Bruce Road, Whakapapa Ski Field,  
Mt Ruapehu, New Zealand

**AND**

of an application by **JOHN HOWARD ROSS FISK**  
and **RICHARD JOHN NACEY**, licensed Insolvency  
Practitioners of PricewaterhouseCoopers at PwC  
Tower, Level 27, 15 Customs Street West,  
Auckland, New Zealand as Administrators of  
**RUAPEHU ALPINE LIFTS LIMITED  
(ADMINISTRATORS APPOINTED)**

Applicants

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**COURT ORDERS UNDER THE COMPANIES ACT 1993**

Dated: 21 October 2022

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**BUDDLE FINDLAY**

Barristers and Solicitors  
Auckland

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1. The without notice originating application made by John Howard Ross Fisk and Richard John Nacey of PwC Auckland (together, the **applicants**) on the 16th of October 2022, in the matter of Ruapehu Alpine Lifts Limited (Administrators Appointed) (the **Company**), was determined by Associate Judge Gardiner on the 21<sup>st</sup> day of October 2022.
2. The determination was made without a hearing.
3. The following orders were made:
  - (a) the convening period as defined in s 239AT(2) of the Companies Act 1993 (**Act**) in the administration of Ruapehu Alpine Lifts Limited (Administrators Appointed) (**Company**) be extended under s 239AT(3) of the Act to an end date of **9 May 2023**, instead of 9 November 2022 (being an extension of **six calendar months**);
  - (b) the applicants may convene a watershed meeting for the Company at any time within the period for which the extension has been granted;
  - (c) 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 be extended under s 239Y(4) of the Act to an end date of **9 May 2023**, instead of 25 October 2022, 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;
  - (d) any notices or other documents the applicants are required or may elect to give under Part 15A of the Act (in particular under ss 239AO and 239AU) are to be given by the following methods:
    - (i) uploading a copy to PwC's website <https://www.pwc.co.nz>; and
    - (ii) emailing the creditor or person at the email address or addresses (if any) by which the Company normally communicates with the creditor or person, or such other email address (if any) that the creditor or person may designate to the applicants:
      - (1) the notices or other documents (if practicable, in light of any applicable file size limits); and
      - (2) a link to PwC's website, where copies of any notices and other documents can be downloaded;



- (e) any notices or other documents given by the applicants in accordance with the preceding order in connection with the first creditors' meeting are to be treated as having been given under and in terms of the order effective from 14 October 2022 (even if given before the date of this order and notwithstanding any delay in the upload of such notices or documents to PwC's website);
- (f) leave to apply to modify or discharge the above orders be granted to the applicants, and any person who can demonstrate a sufficient interest in the administration upon appropriate notice being given to the applicants;
- (g) within seven days of the Court's orders, the applicants must:
  - (i) advertise the Court's orders in *The New Zealand Herald* and *The Dominion Post*; and
  - (ii) post a copy of the Court's orders on PwC's website; and
  - (iii) email a copy of the Court's orders to each creditor's email address by which the Company normally communicates with that creditor (to the extent such an address is available); and
- (h) the applicants' reasonable costs of this application will be paid out of the assets of the Company.

Dated: 21 October 2022

Signature:



(Deputy Registrar)

Susanne Snow  
Deputy Registrar  
Auckland High Court

