



ASIC

Australian Securities & Investments Commission

INFORMATION SHEET 46

Liquidation: a guide for employees

If a company is in financial difficulty, its shareholders, creditors or the court can put the company into liquidation.

This information sheet provides general information for employees of companies in liquidation. Employees should also read ASIC information sheet INFO 45 *Liquidation: a guide for creditors*.

Who is an employee?

You are likely to be classified as an employee if you are:

- engaged by a company under an award, Certified Agreement, Australian Workplace Agreement, or a contract of employment, and
- paid a salary, wages or commission.

Contractors are not employees. They are ordinary unsecured creditors of the company.

If you are an employee who is owed money for unpaid wages, superannuation, annual leave, sick leave, long service leave, retrenchment pay or other benefits, you are a creditor of the company. You may be entitled to some or all of what you are owed in priority to the company's other creditors.

The purpose of liquidation

The purpose of liquidation of an insolvent company is to have an independent and suitably qualified person (the liquidator) take control of the company so that its affairs can be wound up in an orderly and fair way for the benefit of creditors.

There are two types of insolvent liquidation:

- creditors' voluntary liquidation, and
- court liquidation.

The most common type is a creditors' voluntary liquidation, which usually begins in one of two ways:

- creditors vote for liquidation following a voluntary administration or a terminated deed of company arrangement, or
- an insolvent company's shareholders resolve to liquidate the company and appoint a liquidator. Within 11 days of being appointed by shareholders, the liquidator must call a meeting of creditors who may confirm the liquidator's appointment or appoint another liquidator of the creditors' choice.

Important note: This information sheet contains a summary of basic information on the topic. It is not a substitute for legal advice. Some provisions of the law referred to may have important exceptions or qualifications. This document may not contain all of the information about the law or the exceptions and qualifications that are relevant to your circumstances. You will need a qualified professional adviser to take into account your particular circumstances and to tell you how the law applies to you.

Liquidation Guide 2015

Didier Musso



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Republic of Moldova International Monetary Fund. Statistics Dept.,2019-09-04 This Technical Assistance Report on the Republic of Moldova provides details of IMF mission to review available source data for deposit takers and other sectors including other financial corporations OFCs and to review the current financial soundness indicators FSI compiled by the National Bank of Moldova with a view to ensure methodological consistency of the FSI compilation with the IMF s FSI Compilation Guide 2006 The mission found some deviations from the FSI Guide in key indicators currently compiled based on the International Financial Reporting Standards and Basel III principles as well as national supervisory standards Some methodological deviations include the measurement of capital In order to support progress in the above work areas the mission recommended a detailed action plan with several priority recommendations It is recommended to expand the coverage of the OFCs sector to include the non bank credit organizations microfinance institutions and leasing companies in collaboration and coordination with the National Commission for Financial Markets ACCA P6 Advanced Taxation FA2015 BPP Learning Media,2016-02-01 BPP Learning Media s status as official ACCA Approved Learning Provider Content means our ACCA Study Texts and Practice Revision Kits are reviewed by the ACCA examining team BPP Learning Media products provide you with the exam focussed material you need for exam success *CCH Financial and Estate Planning Guide* ,2001

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interim measures granted by tribunals detailed analysis of different types of interim measures including anti suit anti arbitration injunctions security for costs and interim measures in aid of foreign seated arbitrations the standards to be applied and the burden of proof to be demonstrated for each type of measure and issues of enforcement of interim measures in domestic international and foreign seated arbitrations The current position of law in India and the problems plaguing the country s Arbitration and Conciliation Act 1996 IAA as amended in 2015 with respect to interim measures are brought into direct comparison with other Model Law jurisdictions offering an analysis of case laws practical insights and cogent suggestions based on best practices that can be adopted by parties and tribunals The Appendices provide a detailed list of statutory provisions of countries that have adopted the Model Law along with rules of major arbitral institutions on interim measures The author not only describes the current position of law in India and other Model Law jurisdictions on interim measures but also reveals a comprehensive understanding of the requests for interim measures and their enforcement in domestic international and foreign seated arbitrations This book engages in a comprehensive and clear discussion on the fine line between court assistance and court intervention especially in the case of interim measures and suggests draft provisions that India and other jurisdictions can adopt in order to align with the 2006 revisions to the Model Law to foster certainty predictability and efficiency in case of interim measures in international commercial arbitration

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