

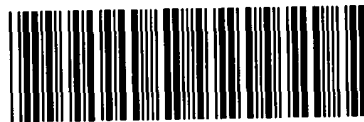
LIQ03

Notice of progress report in voluntary winding up



Companies House

TUESDAY



A9WZB5AW

A09

26/01/2021

#356

COMPANIES HOUSE

1 Company details

Company number

O	C	4	1	5	1	3	4
---	---	---	---	---	---	---	---

Company name in full Flying Tiger MA LLP

→ Filling in this form
Please complete in typescript or in
bold black capitals.

2 Liquidator's name

Full forename(s) David Frederick

Surname Wilson

3 Liquidator's address

Building name/number DFW Associates

Street 29 Park Square West

Post town Leeds

County/Region West Yorkshire

Postcode

L	S	1		2	P	Q
---	---	---	--	---	---	---

Country

4 Liquidator's name ①

Full forename(s)

Surname

① Other liquidator
Use this section to tell us about
another liquidator.

5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other liquidator
Use this section to tell us about
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

6 Period of progress report

From date	^d 2	^d 8	^m 1	^m 1	^y 2	^y 0	^y 1	^y 9
To date	^d 2	^d 7	^m 1	^m 1	^y 2	^y 0	^y 2	^y 0

7 Progress report

☒ The progress report is attached

8 Sign and date

Liquidator's signature

Signature

X



X

Signature date

^d 2	^d 2	^m 0	^m 1	^y 2	^y 0	^y 2	^y 1
----------------	----------------	----------------	----------------	----------------	----------------	----------------	----------------

LIQ03

Notice of progress report in voluntary winding up



Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name	Sam Booth
Company name	DFW Associates
Address	29 Park Square West
Post town	Leeds
County/Region	West Yorkshire
Postcode	L S 1 2 P Q
Country	
DX	
Telephone	0113 3907940



Checklist

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.



Important information

All information on this form will appear on the public record.



Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,
Crown Way, Cardiff, Wales, CF14 3UZ.
DX 33050 Cardiff.



Further information

For further information please see the guidance notes on the website at www.gov.uk/companieshouse or email enquiries@companieshouse.gov.uk

This form is available in an alternative format. Please visit the forms page on the website at www.gov.uk/companieshouse

Flying Tiger MA LLP
(In Liquidation)
Liquidator's Summary of Receipts & Payments

Statement of Affairs £		From 28/11/2019 To 27/11/2020 £	From 28/11/2018 To 27/11/2020 £
	ASSET REALISATIONS		
NIL	Office Equipment	NIL	NIL
Uncertain	Loan Account - Mr P Brett	NIL	NIL
		NIL	NIL
	UNSECURED CREDITORS		
(107,038.00)	Taxspecialefx LLP	NIL	NIL
		NIL	NIL
	DISTRIBUTIONS		
(5,101.00)	Mr C French	NIL	NIL
(5,114.00)	Mr J Fields	NIL	NIL
(15,722.00)	Ms K Nichols	NIL	NIL
		NIL	NIL
(132,975.00)		NIL	NIL
	REPRESENTED BY		
			NIL



David Frederick Wilson
Liquidator

**Liquidator's 1st Progress Report to Members and Creditors pursuant to Rule 18.3 of the Insolvency
(England & Wales) Rules 2016**

**Flying Tiger MA LLP – In Liquidation
("The Company")**

For the period to 28 November 2019 to 27 November 2020

**Date Deemed Delivered:
Creditor Portal 22 January 2021
1st Class Post 26 January 2021**

This report has been produced by the Liquidator solely to comply with his statutory duty to report to creditors on the progress of the Liquidation. The report is private and confidential and may not be relied upon, referred to, reproduced or quoted from, in whole or in part, by creditors for any purpose other than this report to them, or by any other person for any purpose whatsoever.

The affairs, business and property of the LLP are being dealt with by the Liquidator, who acts as the LLP's agent and without personal liability.

**Flying Tiger MA LLP – In Liquidation
22 January 2021**

CONTENTS

1. Statutory Information
2. Introduction
3. Progress during the Period
4. Outcome for Creditors
5. Liquidator's Remuneration
6. Liquidator's Disbursements & Expenses
7. Investigations into the Affairs of the LLP
8. Conclusion

APPENDICES

1. Appendix 1 – Receipts and Payments Account for the period 28 November 2019 to 27 November 2020 and cumulative for the Liquidation
2. Appendix 2 – Details of the Time Incurred in accordance with Statement of Insolvency Practice 9 for the period 28 November 2019 to 27 November 2020 and cumulative for the Liquidation
3. Appendix 3 – DFW Charging Policy
4. Appendix 4 – Creditor Claim Form
5. Appendix 5 – Extract from Rules 18.9 and 18.34 (Creditors' Rights)
6. Appendix 6 – DFW Associates Privacy Statement

ABBREVIATIONS

"The Act"	Insolvency Act 1986 (as amended)
"The Rules"	Insolvency Rules (England & Wales) 2016
"The Liquidator"	David Frederick Wilson
"Appointment"	28 November 2018
"Period of this report"	28 November 2019 to 27 November 2020

1. STATUTORY INFORMATION

Company Number:	OC415134			
Date of Incorporation:	17 December 2016			
Principal Activity:	Media Investment Advisers			
Previous Names:	Prescience MA LLP			
Trading Name:	Flying Tiger MA LLP			
Registered Office:	Valhalla House, 30 Ashby Road, Towcester, Northamptonshire, NN12 6PG			
Former Trading Address:	Valhalla House, 30 Ashby Road, Towcester, Northamptonshire, NN12 6PG			
Designated Members:		Profit Share %	Appointed	Resigned
	John James Michael Fields	25	1 Dec 17	-
	Colin John French	25	1 Dec 17	-
	Kathryn Ann Nichols	50	1 Dec 17	-
	Paul Adrian Peter Brett	Nil	17 Dec 16	7 May 18
Mortgage and charges:	None			
Connected LLP/Companies:	Taxspecialefx LLP			

2. INTRODUCTION

Purpose and Circulation

David Frederick Wilson was appointed as Liquidator of Flying Tiger MA LLP ("the LLP") on 28 November 2018. David Frederick Wilson is authorised to act as an insolvency practitioner by the Institute of Chartered Accountants England and Wales.

This report provides an update on the conduct of the Liquidation for the period from 28 November 2019 to 27 November 2020, as required by Section 104A(1) of the Act and Rule 18.3 of the Rules. It contains details of the progress made, the expected outcome for creditors and other information that the Liquidator is required to disclose and should be read in conjunction with the Liquidator's previous progress report dated 24 January 2020.

The Liquidator is obliged by the Statute to send this report to all known creditors of the LLP and to file a copy of it at Companies House.

Case Strategy

The overall strategy for the Liquidation was to realise the LLP's assets as expeditiously as possible which included conducting investigations to ensure that all valuable assets have been identified. These investigations have now been concluded. The only asset to be realised was the loan account due from Mr P Brett ("PB"), one of the designated members of the LLP.

The Liquidator has been and will continue to be assisted in the performance of my duties by a case manager, who has the day to day conduct of the case. The Liquidator has engaged the services of Carrick Read Solicitors ("CRS") to provide legal advice in relation to the loan account debt which has been disputed, this is detailed further at section 3 of this report below.

When seeking to agree that remuneration is to be paid on the basis of the Liquidator's time costs he is obliged to provide a statutory estimate of his fees. This acts as a cap on the amount of remuneration that he can draw out of the assets of the LLP without further authority from creditors. As there have been no asset realisations, it has not

been necessary to provide statutory fee and expense estimates to creditors for their approval at this stage. Should the position change then the Liquidator will circulate his statutory fee and expenses estimate for creditor approval.

The services to be provided by the Liquidator include those required by law and/or professional regulations to deal with the Liquidation.

The work that has been carried out in the period of this report is summarised below:

- Meeting and correspondence with LLP regarding the loan account transactions, supporting evidence for debt and disputes raised by PB;
- Corresponding with CRS, reviewing and providing documentation to review to determine the amounts to be repaid by PB to the LLP;
- Reaching an agreement with the designated members regarding amounts they considered to be due to be repaid by PB and obtaining legal advice in this regard;
- Subsequent legal advice obtained to state that contractual position of any potential debt recoveries;
- Statutory compliance matters, diary and case reviews; and
- All other work which is required by statute or professional regulations.

No non statutory reports have been issued by the Liquidator to any person.

Matters outstanding

The principal matters still to be dealt with before the Liquidation can be concluded are:

- Consult with the designated members/CRS regarding the balance of loan account due from PB;
- Final Corporation Tax return and obtaining HM Revenue & Customs clearance to close the case;
- Issue of a final report on the Liquidation; and
- Closure formalities.

3. PROGRESS DURING THE PERIOD

Loan Account – PB

As previously reported, PB held a current account with an overdrawn balance of approximately £130,740. The estimated to realise value was detailed as uncertain in the estimated statement of affairs.

Following the Liquidator's appointment he corresponded with PB to pursue the outstanding balance which has been disputed on the grounds that he was employed as a consultant for an associated company and not the LLP. In January 2020, the Liquidator met with the LLP's former designated members/representatives, to discuss the disputes raised and evidence available to support the validity of the amounts being claimed. It was agreed at this meeting that the consultancy fees would not have to be repaid but personal expenses and private medical cover were not covered by the LLP and would have to be repaid which total £9,068. CRS have reviewed all documentation and have been corresponding with PB on the Liquidator's behalf. PB disputes that the expenses are due and claims they were part of his agreement and his consultancy was not with the LLP but with an associated company. This matter is ongoing and I am due to review the position with the LLP and determine whether it is cost effective to pursue.

Receipts and Payments

Attached at Appendix 1 is a summary of the Liquidator's receipts and payments for the period 28 November 2019 to 27 November 2020, and cumulative for the period of the Liquidation.

4. OUTCOME FOR CREDITORS

Secured Creditor

There are no secured creditors in this instance.

Preferential Creditors

There are no preferential creditors in this instance.

Unsecured Creditors

The estimated statement of affairs, included in the Designated Members Information Pack, estimated total unsecured debts of £107,038 from 1 creditor. To date, the Liquidator has received claims of £118,481 from 2 creditors. No further unsecured claims are anticipated. As previously reported, any unsecured dividend distribution is dependent on realisations from the loan account debt.

Prescribed part for unsecured creditors pursuant to Section 176a of the Act

Section 176a of the Act provides that, where the LLP has created a floating charge on or after 15 September 2003, the Liquidator must make a prescribed part of the LLP's net property available for the unsecured creditors and not distribute it to the floating charge holder except in so far as it exceeds the amount required for the satisfaction of unsecured debts. The prescribed does not apply in this instance as there is no floating charge liability.

5. THE LIQUIDATOR'S REMUNERATION

Pre-Appointment Costs

A contribution to costs of £7,500 plus VAT plus disbursements was paid by the designated members prior to the appointment of the Liquidator in relation to the preparation of the convening shareholders meeting, notification to creditors of the Nomination of a Liquidator under the Deemed Consent procedure and drafting/circulating the Designated Members Information Pack.

Remuneration

No resolutions have been proposed to creditors in respect of the Liquidator's remuneration as there have been no realisation in the Liquidation. If the position changes then the Liquidator will circulate a statutory fee estimate for creditor approval.

Time Costs and Remuneration

The total time spent on the Liquidation by myself and my staff in the period of this report from 28 November 2019 to 29 November 2020 is 16.80 hours equating to time costs of £4,701 at an average rate of £279.82 per hour. As detailed above, there are insufficient realisations for any remuneration to be drawn in respect of my time costs.

The following information in relation to the time costs and disbursements are set out in the attachments below:

1. Appendix 2 – Time Costs incurred in the period of this report from 28 November 2019 to 27 November 2020;
2. Appendix 2 – Time Costs incurred during the Liquidation from 28 November 2018 to 27 November 2020;
3. Appendix 3 - DFW Associates charge out policy; and
4. Appendix 5 – Extract from Rules 18.9 and 18.34 (Creditors' Rights)

A copy of a Creditors' Guide to Liquidator's Remuneration, which also includes details of creditors' rights, is available for download from <https://www.r3.org.uk/what-we-do/publications/professional/fees>. Alternatively I shall be pleased to provide you with a hard copy free of charge on request.

A Creditor's Voluntary Liquidations a guide to unsecured creditors can be downloaded at the following website https://www.r3.org.uk/media/documents/publications/professional/Creditors_CVL.pdf. Alternatively I shall be pleased to provide you with a hard copy in request.

6. LIQUIDATOR'S EXPENSES & DISBURSEMENTS

Liquidators Statutory Statement of Expenses (including disbursements)

The Liquidator's bond and statutory advertising costs were paid pre-appointment by the designated members' as a contribution to costs.

No resolutions have been proposed to creditors in respect of the Liquidator's statutory statement of expenses. The Liquidator will circulate a statutory statement of expenses for creditor approval if there are any realisations into the case.

7. INVESTIGATIONS INTO THE AFFAIRS OF THE LLP & OTHER MATTERS

Report on the Conduct of Designated Members

I confirm that the Liquidator has completed his investigations into the affairs of the LLP and discharged his duties in relation to submitting his report on the Designated Members conduct to the Insolvency Service.

Best practice guidance requires a Liquidator to make enquiries of creditors regarding the way in which the LLP's business has been conducted, or any potential recoveries that they may be aware of for the estate. If you would like to bring any such issues to our attention, please do so in writing to the address stated above. Such a request for information is standard practice and does not imply any criticism, or cause of action against any person concerned in the management of the LLP's affairs.

Data Protection

Since 25 May 2018 creditors who are individuals (including former employees) now also have enhanced rights under UK Data Protection legislation.

The Liquidator is obliged to process personal data in the performance of his statutory duties. Information about the way that we will use, and store personal data on insolvency appointments is attached at Appendix 6.

8. CONCLUSION

Next Reporting

I will contact you again at the conclusion of the Liquidation or at the next annual progress reporting period, whichever is the sooner.

Should you have any further queries please contact my office on 0113 390 7940, alternatively direct any emails to sam.booth@dfwassociates.co.uk.



Dated: 22 January 2021

David Frederick Wilson
Liquidator

**Flying Tiger MA LLP
(In Liquidation)**

Liquidator's Summary of Receipts and Payments

RECEIPTS	Statement of Affairs (£)	From 28/11/2018 To 27/11/2019 (£)	From 28/11/2019 To 27/11/2020 (£)	Total (£)
Office Equipment	NIL	0.00	0.00	0.00
Loan Account - Mr P Brett	Uncertain	0.00	0.00	0.00
		0.00	0.00	0.00
PAYMENTS				
Taxspecialefx LLP	(107,038.00)	0.00	0.00	0.00
Mr C French	(5,101.00)	0.00	0.00	0.00
Mr J Fields	(5,114.00)	0.00	0.00	0.00
Ms K Nichols	(15,722.00)	0.00	0.00	0.00
		0.00	0.00	0.00
Net Receipts/(Payments)		0.00	0.00	0.00
MADE UP AS FOLLOWS				
		0.00	0.00	0.00

Time Entry - SIP9 Time & Cost Summary

CVL0107 - Flying Tiger MA LLP
All Post Appointment Project Codes
From: 28/11/2019 To: 27/11/2020

Classification of Work Function							
Partner	Manager	Other Senior Professionals	Assistant & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)	
Admin & Planning	0.00	0.20	0.00	0.20	48.00	245.00	
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	
Creditors	0.00	8.50	0.00	8.50	2,082.50	245.00	
Investigations	0.20	0.00	0.00	0.20	78.00	395.00	
Realisation of Assets	3.70	0.00	0.00	7.90	2,490.50	315.25	
Trading	0.00	0.00	0.00	0.00	0.00	0.00	
Total Hours	3.90	12.90	0.00	16.80	4,701.00	279.82	

Summary of chargeout rates for staff members involved with this case.

Grade Category	Minimum Rate	Maximum Rate
Partner	375	395
Manager	220	245
Assistant & Support Staff	160	180

Time Entry - SIP9 Time & Cost Summary

CVL0107 - Flying Tiger MA LLP
All Post Appointment Project Codes
From: 28/11/2018 To: 27/11/2020

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Admin & Planning	0.30	21.00	0.00	0.00	21.30	5,263.50	247.11
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	0.00	8.50	0.00	0.00	8.50	2,082.50	245.00
Investigations	3.10	14.50	0.00	0.00	17.60	4,777.00	271.42
Realisation of Assets	4.20	10.50	0.00	0.00	14.70	4,231.50	287.86
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Hours	7.60	54.50	0.00	0.00	62.10	16,354.50	263.36

Summary of chargeout rates for staff members involved with this case.

Grade Category	Minimum Rate	Maximum Rate
Partner	375	395
Manager	220	245
Assistants & Support Staff	180	180

DFW Associates Charging Policy

Introduction

This note applies where a licenced insolvency practitioner in the firm is acting as an office holder of an insolvent estate and seeks creditor approval to draw remuneration on the time properly spent in dealing with the case. It also applies where further information is to be provided to creditors regarding the office holder's fees. Following a passing of the resolution for the office holder to be remunerated on a time cost basis. Best practice guidance requires that such information should be disclosed to those who are responsible for approving remuneration.

In addition, this note applies where creditor approval is sought to make a separate charge by way of expenses or disbursements to recover the costs of facilities provided by the firm and where payments are to be made to outside parties in which the office holder or his firm or any associate has an interest. Best practice guidance requires that such charges should be disclosed to those who are responsible for approving the office holder's remuneration, together with an explanation of how those charges are calculated.

Office Holder's Fees in Respect of the Administration of the insolvent estate.

The office holder will delegate tasks to colleagues. Such delegation assists the office holder as it allows him/her to deal with the more difficult aspects of the case and ensures that work is allocated and completed at the appropriate level. There are various staff that are employed by the office holder and these appear below.

The firm operates a time recording system which allows the staff working on the case with the office holder to allocate their time to the case. The time is recorded at the individual hourly rate in force at that time which is detailed below.

Expenses Incurred By Office Holder In Respect Of the Administration of Insolvent Estates

Best practice guidance classifies expenses into two broad categories

- Category 1 disbursements (approval not required) – specific expenditure that is directly related to the case usually outsourced to a third party. Once these items of expenditure are incurred they are immediately charged to the case.
 - Category 2 disbursements (approval required) – items of incidental expenditure directly incurred on the case which include an element of shared or allocated cost and which are based on a reasonable method of calculation.
- (A) The following items of expenditure are charged to the case (subject to approval)
- Car Mileage is charged at a rate of 45p per mile
 - Expenses which should be treated as Category 2 disbursements (approval required) – in addition to the 2 categories referred to above best practice guidance indicates that where payments are made to outside parties in which the office holder or his firm or any associate has an interest these should be treated as category 2 disbursements
- (B) The following items of expenditure will normally be treated as general office overheads and will not be charged to the case although a charge may be made where the precise cost to the case can be determined because the item satisfies the test of a category 1 disbursement.
- Telephone and facsimile
 - Printing and photocopying
 - Stationery

DFW Charge-out Rate – From 20th November 2018

Time is recorded in 6 minute units.

Principal Associate	£395
Associate	£245
Junior	£330

Rule 14.4

Proof of Debt – General Form

IN THE

court name or "Office of Adjudicator"
(bankruptcy only)

Number:

Name of Bankrupt / Company in Liquidation: Flying Tiger MA LLP

Company registration number:

[Liquidation only]

OC415134

Date of Order:

[day, month, year]

28 November 2018

1 Name of creditor

(If a company, provide the company registration number).

2 Correspondence address of creditor

(including any email address)

3 Total amount of claim (£)

(include any Value Added Tax)

4 If amount in 3 above includes (£)

outstanding uncapitalised interest, state amount.

5 Details of how and when the debt was incurred.

(If you need more space, attach a continuation sheet to this form)

6 Details of any security held, the value of the security and the date it was given.

7 Details of any reservation of title claimed in respect of goods supplied to which the debt relates.

8 Details of any document by reference to which the debt can be substantiated

9 Signature of creditor
(or person authorised to act on the creditor's behalf)

10 Address of person signing if different from 2 above

11 Name in BLOCK LETTERS:

12 Position with, or relation to, creditor

Admitted to vote for

Admitted for dividend for

Amount (£)

Amount (£)

Date

Date

Office Holder (trustee / liquidator)

Office Holder (trustee / liquidator)

Notes:

1. There is no need to attach them now but the office holder may ask you to produce any document or other evidence which is considered necessary to substantiate the whole or any part of the claim, as may the chairman or convenor of any qualifying decision procedure.

2. This form can be authenticated for submission by email by entering your name in block capitals and sending the form as an attachment from an email address which clearly identifies you or has been previously notified to the office holder. If completing on behalf of a company, please state your relationship to the company.

EXTRACT FROM THE INSOLVENCY RULES (ENGLAND AND WALES) 2016

Creditors' and members' requests for further information in administration, winding up and bankruptcy

Rule 18.9

(1) The following may make a written request to the office-holder for further information about remuneration or expenses (other than pre-administration costs in an administration) set out in a progress report under rule 18.4(1)(b), (c) or (d) or a final report under rule 18.14—

- (a) a secured creditor;
- (b) an unsecured creditor with the concurrence of at least 5% in value of the unsecured creditors (including the creditor in question);
- (c) members of the company in a members' voluntary winding up with at least 5% of the total voting rights of all the members having the right to vote at general meetings of the company;
- (d) any unsecured creditor with the permission of the court; or
- (e) any member of the company in a members' voluntary winding up with the permission of the court.

(2) A request, or an application to the court for permission, by such a person or persons must be made or filed with the court (as applicable) within 21 days of receipt of the report by the person, or by the last of them in the case of an application by more than one member or creditor.

(3) The office-holder must, within 14 days of receipt of such a request respond to the person or persons who requested the information by—

- (a) providing all of the information requested;
- (b) providing some of the information requested; or
- (c) declining to provide the information requested.

(4) The office-holder may respond by providing only some of the information requested or decline to provide the information if—

- (a) the time or cost of preparation of the information would be excessive; or
- (b) disclosure of the information would be prejudicial to the conduct of the proceedings;
- (c) disclosure of the information might reasonably be expected to lead to violence against any person; or
- (d) the office-holder is subject to an obligation of confidentiality in relation to the information.

(5) An office-holder who does not provide all the information or declines to provide the information must inform the person or persons who requested the information of the reasons for so doing.

(6) A creditor, and a member of the company in a members' voluntary winding up, who need not be the same as the creditor or members who requested the information, may apply to the court within 21 days of—

- (a) the office-holder giving reasons for not providing all of the information requested; or
- (b) the expiry of the 14 days within which an office-holder must respond to a request.

(7) The court may make such order as it thinks just on an application under paragraph (6).

EXTRACT FROM THE INSOLVENCY RULES (ENGLAND AND WALES) 2016

Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive

Rule 18.34

(1) This rule applies to an application in an administration, a winding-up or a bankruptcy made by a person mentioned in paragraph (2) on the grounds that—

- (a) the remuneration charged by the office-holder is in all the circumstances excessive;
- (b) the basis fixed for the office-holder's remuneration under rules 18.16, 18.18, 18.19, 18.20 and 18.21 (as applicable) is inappropriate; or
- (c) the expenses incurred by the office-holder are in all the circumstances excessive.

(2) The following may make such an application for one or more of the orders set out in rule 18.36 or 18.37 as applicable—

(a) a secured creditor,

(b) an unsecured creditor with either—

- (i) the concurrence of at least 10% in value of the unsecured creditors (including that creditor), or
- (ii) the permission of the court, or

(c) in a members' voluntary winding up—

- (i) members of the company with at least 10% of the total voting rights of all the members having the right to vote at general meetings of the company, or
- (ii) a member of the company with the permission of the court.

(3) The application by a creditor or member must be made no later than eight weeks after receipt by the applicant of the progress report under rule 18.3, or final report or account under rule 18.14 which first reports the charging of the remuneration or the incurring of the expenses in question ("the relevant report").

DFW Associates

Privacy Statement for Data Subjects who are Individuals

Introduction

A Privacy Statement is a document explaining to you, if you are an individual, how your personal data will be used by us and what your rights are.

This Statement describes in general terms how we collect and use personal data about you. It has been prepared to meet the requirements of the General Data Protection Regulation (GDPR), the Data Protection Act and any other national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK ('Data Protection Legislation').

Please read the following carefully to understand our practices regarding your personal data.

Data Controller

DFW Associates is a Firm ('the Firm') of Insolvency Practitioners whose sole Principal is David Frederick Wilson ('Mr Wilson'). His and the Firm's contact details are given below. Mr Wilson is licensed to act as an insolvency practitioner in the United Kingdom by the Institute of Chartered Accountants in England and Wales.

Mr Wilson trading as DFW Associates is a Data Controller within the meaning of the Data Protection Legislation when the Firm is engaged to provide a service under the terms of a contract which requires it to process personal data. (The client in respect of whom personal data is being processed is also a Data Controller).

Where Mr Wilson is acting as an Officeholder (Administrative Receiver, Administrator, Liquidator, Nominee or Supervisor of a Voluntary Arrangement or a Trustee in Bankruptcy) under insolvency legislation he is the Data Controller for data processed by him as part of his statutory duties.

In this situation the Company or other legal entity over which he has been appointed as Officeholder will remain the Data Controller in respect of personal data collected and processed by it prior to his appointment (albeit it should now be contacted via the Officeholder).

For all purposes in relation to this Privacy Statement Mr Wilson can be contacted at:

DFW Associates
29 Park Square West
Leeds
LS1 2PQ

E: david.wilson@dfwassociates.co.uk
T: 0113 390 7940

Personal Data

Personal data means any information about an individual from which that person can be identified.

We may collect, use, store and transfer different kinds of personal data about you as follows:

- Identity Data – the information we use to identify you, which may include data contained in photographs.
- Contact Data – the information we use to contact you.
- Financial Data – details of your income and expenditure, assets and liabilities and ancillary data such as your bank account details
- Transaction Data - includes details about payments to and from you
- Communications Data - your communication preferences, for example any opt out exercised by you under Insolvency legislation.

We may collect some 'special category' personal data from you including (but not restricted to) details of your health, or whether you are a member of a Trade Union, where this is necessary to meet our legal or regulatory obligations. We may also collect information about criminal convictions and offences and whether you have been previously involved in any personal or corporate insolvency proceedings.

How we collect Personal Data

The personal data we initially used to contact you was provided by the Company or Individual on whose instructions DFW Associates is acting or in relation to which Mr Wilson has been appointed as Officeholder. Your personal data may also be collected from the following sources:

- Records that our client or the insolvent Company or individual already holds about you.
- Questionnaires and Forms completed and submitted by you, for example to the Redundancy Payments Service or to us.
- Correspondence and other communications or meetings between you and the Firm.
- Information provided to the Firm by third parties in relation to an appointment, for example your bank, your professional advisers or the Insolvency Service.
- Information held in the public domain (for example, at Companies House and the Land Registry).

Other data controllers (including clients) may also provide your personal data to us.

How we use Personal Data

Most processing is carried out to comply with the Officeholder's legal and regulatory obligations or to enable DFW Associates to provide a service in accordance with its contractual terms. Personal data will be used to verify identity (where this is required), for communications, to maintain records and process transactions. It may also be used to facilitate the performance of investigations (including the prevention of fraud), the realisation of assets and the agreement and settlement of financial claims. Your personal data may therefore be used for more than one purpose.

Disclosure of your personal data

Mr Wilson and the Firm have a legal obligation, in certain circumstances, to disclose personal data to:

- Mr Wilson's regulatory body, the Institute of Chartered Accountants in England and Wales.
- The Secretary of State (including, but not restricted to, the Official Receiver).

Mr Wilson and the Firm may also be under an obligation to provide your personal data to other third parties who have a statutory right to request it (for example, HMRC and Law Enforcement Agencies) or who have obtained an appropriate court order.

We may also share your personal data with:

- Our accountants, solicitors, insurers and sub-contractors
- Other Governmental or relevant regulatory bodies.
- Third parties who support us in providing our IT systems, including our website, e mails, data backup and storage.
- Third parties who archive our paper records
- Third party professional service providers instructed on a case by case basis by the Officeholder or the Firm, including (but not restricted to) accountants and tax advisers, solicitors, valuers, debt collection agencies and service providers who may assist with the calculation of employee claims or pension deficits and contributions. They will only process your data on our instructions and they are under a professional duty of confidentiality.

Protection of your personal data

Policies and commercially reasonable and appropriate procedures are in place to safeguard your personal data from loss, misuse and improper disclosure.

- Staff training
- Digital personal data is held in secure data centres potentially located worldwide (and therefore potentially outside of the EEC).
- Paper personal data is held at the Firm's offices in Leeds, or, if the case has been closed, in a secure off-site third party storage facility.

We also have procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

All our third-party service providers are required to take appropriate security measures to protect your personal information. We only allow third-party service providers to process your personal information for specified purposes and in accordance with our instructions.

Retention of Personal Data

We will only retain your personal data for as long as necessary. This necessity includes the purposes of satisfying any legal, accounting, regulatory or reporting requirements.

In line with these requirements personal data will generally be held for no longer than 6 years after the closure of an assignment or insolvency appointment.

If you have opted out of receiving future correspondence from us, your contact details will remain on our opt-out list to prevent you from receiving any further correspondence from us except where we are obliged to contact you by insolvency legislation.

Your rights

We will maintain an accurate record of personal data submitted to us. Please inform us of any changes to your information.

You are entitled to:

- Be notified that we hold and may process your personal data. This Notice meets that requirement
- Request access to and correction of your personal data.
- Request erasure of your personal data (unless we hold it under a legal obligation)
- Object to the processing of your personal data or seek to restrict its scope (unless we hold it under a legal obligation).
- Request the transfer of your personal data to you or to a third party (unless we hold it under a legal obligation).
- Withdraw consent at any time, where we are relying on consent to process your personal data. (Where the data received was not based on obtaining consent the right to withdraw consent does not apply).

To exercise any relevant rights, or to update your personal data, please contact Mr Wilson at david.wilson@dfwassociates.co.uk. We will seek to respond promptly and no later than 28 days.

We may need you to help us to confirm your identity or to ask you for further information to ensure that personal data is not disclosed to any person who has no right to receive it.

Complaints

We trust that this will not be necessary, but if you are concerned about an alleged breach of data privacy law by us please contact Mr Wilson at david.wilson@dfwassociates.co.uk and he will ensure that your complaint is investigated.

You also have the right to complain to the Information Commissioner's Office, the UK supervisory authority for data protection issues. Further information about how to do this can be found on the ICO website www.ico.org.uk

General

We may amplify this Privacy Statement at the point of data collection.

We may change the terms of this Privacy Statement from time to time and will place any updates on our website www.dfwassociates.co.uk. This version is dated 25 May 2018.

Paper copies of this Privacy Notice can be obtained free of charge by written request to our offices at the address given above.