



Contact:  
Kerry Fry: (08) 9463 3032  
E-mail: [kfry@wais.com.au](mailto:kfry@wais.com.au)  
Ref: ARK01

2 June 2010

**Attention: Mathew Foy**

Australian Stock Exchange  
Level 8  
Exchange Plaza  
2 The Esplanade  
PERTH WA 6000

*By facsimile (08) 9221 2020*

Dear Sir

**THE ARK FUND LIMITED (ADMINISTRATORS APPOINTED)**  
**ACN 009 204 175**  
**ABN 93 009 204 175**

I refer to the above matter.

I advise that Kim Strickland and I were appointed Joint and Several Voluntary Administrators of the abovenamed company on 1 June 2010 pursuant to section 436A of the Corporations Act 2001 ("the Act"). I enclose a copy of the notice of appointment (Form 505) lodged with the Australian Securities and Investments Commission for your reference.

Please also find enclosed, by way of lodgement, a letter from the company's Directors dated 2 June 2010.

If you have any queries in relation to the above matter, please contact Kerry Fry of my Perth office on (08) 9463 3032.

**Yours faithfully**  
**THE ARK FUND LIMITED (ADMINISTRATORS APPOINTED)**

A handwritten signature in black ink, appearing to read 'D Hurt'.

**D Hurt**  
**Administrator**

Encls.

**Corporate and  
Personal Insolvency  
Specialists**

- > Voluntary Administration
- > Receivership
- > Liquidation
- > Bankruptcy and Part X
- > Corporate and Business Restructuring
- > Security and Pre - Lending Reviews
- > Investigative Reports

**Perth**  
Level 10  
111 St George's Terrace  
Perth WA 6000

GPO Box E241  
66 St George's Terrace  
Perth WA 6001  
Phone: 08 9463 3000  
Fax : 08 9463 3099

**All mail to the Perth Office**

**Albany**  
59 Peels Place  
Albany WA 6330  
Phone: 08 9841 4930

**Bunbury**  
99 Beach Road  
Bunbury WA 6230  
Phone: 08 9791 6466

**Busselton**  
53 Peel Terrace  
Busselton WA 6280  
Phone: 08 9751 3895

**Esperance**  
Suite 9  
Esperance Business Centre  
93 Dempster Street  
Esperance WA 6450  
Phone: 08 9071 5874

**Kalgoorlie**  
Suite 14  
Kalgoorlie Business Centre  
47 Brookman Street  
Kalgoorlie WA 6430  
Phone: 08 9021 7066

Web: [www.wais.com.au](http://www.wais.com.au)

Australian Securities &  
Investments Commission**Notification of appointment or cessation  
of an external administrator****Form 505**Corporations Act 2001  
415(1), 427(2), 427(4),  
450A(1)(a),  
499(2C)(a) & (b), 537(1) & (2)  
Corporations Regulations  
2001  
5.3A.03

If there is insufficient space in any section of the form, you may photocopy the relevant page(s) and submit as part of this lodgement

**Company details**

Company Name

The Ark Fund Limited (Administrators Appointed)

ACN/ABN/ARBN

009 204 175

**Lodgement details**

Who should ASIC contact if there is a query about this form?

Firm/organisation

WA Insolvency Solutions Pty Ltd

Contact name/position description

Kerry Fry - Accountant

ASIC registered agent number (if applicable)

27190

Telephone number

(08) 9463 3000

Postal address

Level 10  
111 St George's Terrace  
PERTH WA 6000**1 Details of the person(s)/firm appointed**

Name

Kimberley Andrew Strickland

Firm name (if applicable)

WA Insolvency Solutions Pty Ltd

Address

Level 10  
111 St George's Terrace  
PERTH WA 6000**Type of appointment**

Appointed jointly and severally

**1 Continued... Details of the person(s)/firm appointed**

Name

David Ashley Norman Hurt

Firm name (if applicable)

WA Insolvency Solutions Pty Ltd

Address

Level 10  
111 St George's Terrace  
PERTH WA 6000

Type of appointment

☒ Appointed jointly and severally**2 Details of appointment**Type of administrator  
Tick one box

|   | Date of appointment                      | ASIC internal form code |
|---|--|-------------------------|
| <input checked="" type="checkbox"/> Administrator   | 01/06/2010<br>[D D] [M M] [Y Y]          | 505U                    |
| <input type="checkbox"/> Provisional liquidator   | Date of appointment<br>[D D] [M M] [Y Y] | 505S                    |
| <input type="checkbox"/> Liquidator of Court liquidation  | Date of appointment<br>[D D] [M M] [Y Y] | 505G                    |
| <input type="checkbox"/> Liquidator of members' voluntary liquidation   | Date of appointment<br>[D D] [M M] [Y Y] | 505H                    |
| <input type="checkbox"/> Liquidator of creditors' voluntary liquidation   | Date of appointment<br>[D D] [M M] [Y Y] | 505J                    |
| <input type="checkbox"/> Receiver of the property described in the Schedule   | Date of appointment<br>[D D] [M M] [Y Y] | 505A                    |
| <input type="checkbox"/> Receiver and manager of the property described in  | Date of appointment<br>[D D] [M M] [Y Y] | 505B                    |
| <input type="checkbox"/> Managing controller (other than receiver and manager) of the property described in the Schedule of property to this form                         | Date of appointment<br>[D D] [M M] [Y Y] | 505Q                    |
| <input type="checkbox"/> Controller (other than receiver, receiver and manager or managing controller) of the property described in the Schedule of property to this form | Date of appointment<br>[D D] [M M] [Y Y] | 505T                    |
| <input type="checkbox"/> Deed administrator   | Date of appointment<br>[D D] [M M] [Y Y] | 505V                    |
| <input type="checkbox"/> Scheme administrator under Part 5.1  | Date of appointment<br>[D D] [M M] [Y Y] | 505C                    |

**2 Continued... Details of appointment****Method of appointment**

If appointment by Court order, tick box to indicate the Court and provide details

☐ **Appointment by Court order**

☐ Federal Court of Australia  
State or territory registry

☐ Family Court of Australia  
State or territory registry

☐ Supreme Court  
State or territory

Date of obtaining order

[D D] / [M M] / [Y Y]

Proceeding-matter number

Year

☐ **Appointment by instrument**

Date of appointment

Date of instrument

Description of instrument

☐ Instrument registered in the Australian register of company charges  
Registered charge number

☐ Instrument registered in the register of charges of a State or Territory  
Registered charge number State or territory

☐ Instrument registered in other register  
Please specify details

☐ Instrument not registered  
Name of appointer

☐ **Appointment other than by Court or instrument**

Date of appointment

[D D] [M M] [Y Y]

☒ **Appointment by company by writing under its common seal**

Date of appointment

01/06/2010

[D D] [M M] [Y Y]

☐ **Appointment by liquidator or provisional liquidator**

Date of appointment

[D D] [M M] [Y Y]

**3 Ceasing, resignation or removal**

If a controller, show details of method of appointment in Section 2.

|   | Date of appointment | ASIC internal form code |
|---|---------------------|-------------------------|
| <input type="checkbox"/> Cessation, resignation or removal of administrator   | [D D] [M M] [Y Y]   | 505Y                    |
| <input type="checkbox"/> Resignation or removal of liquidator (including Court-appointed liquidator)                | [D D] [M M] [Y Y]   | 505R                    |
| <input type="checkbox"/> Resignation or removal of provisional liquidator   | [D D] [M M] [Y Y]   | 505R                    |
| <input type="checkbox"/> Cessation of receiver  | [D D] [M M] [Y Y]   | 505K                    |
| <input type="checkbox"/> Cessation of receiver and manager  | [D D] [M M] [Y Y]   | 505L                    |
| <input type="checkbox"/> Cessation of managing controller (other than receiver and manager)                         | [D D] [M M] [Y Y]   | 505VV                   |
| <input type="checkbox"/> Cessation of controller (other than receiver, receiver and manager or managing controller) | [D D] [M M] [Y Y]   | 505X                    |
| <input type="checkbox"/> Cessation, resignation or removal of deed administrator                                    | [D D] [M M] [Y Y]   | 505Z                    |
| <input type="checkbox"/> Cessation of scheme administrator under Part 5.1   | [D D] [M M] [Y Y]   | 505M                    |

**4 Schedule of property**

(If insufficient space) Further details are enclosed in the annexure marked ( ) of ( ) pages.

**5 Additional ASIC information requirements****Ceasing, Resignation or Removal**

Please note that for ASIC to form an opinion whether it may receive or register this document under s1274(9), the following information is required in relation to the ceasing, resignation or removal of an external administrator.

If this notice is lodged to notify the ceasing, resignation, removal of an external administrator or where an administrator has been appointed to replace a currently appointed person or persons, please show below the details of the person or persons who have resigned etc. If joint administrators, show only the names of the person or persons who have resigned etc.

Name

Name

Name

If one of the following administrators, please tick appropriate box and complete date of appointment of the person(s) who have ceased etc.

☐ Receiver

Date of appointment

[D D] [M M] [Y Y]

☐ Receiver and manager

Date of appointment

[D D] [M M] [Y Y]

☐ Managing controller (other than receiver and manager)

Date of appointment

[D D] [M M] [Y Y]

☐ Controller (other than receiver, receiver and manager or managing controller)

Date of appointment

[D D] [M M] [Y Y]

Please note that failure to supply this information may result in the rejection of this document.

**Signature**

This form must be signed by the external administrator/

Name

David Ashley Norman Hurt

Capacity:

Administrator

Signature



Date signed

2/6/10

**Lodgement**

Send completed and signed forms to:

Australian Securities and Investments  
Commission  
PO Box 4000  
Gippsland Mail Centre VIC 3841

For help or more information

Telephone 1300 300 630

Email [info.enquiries@asic.gov.au](mailto:info.enquiries@asic.gov.au)

Web [www.asic.gov.au](http://www.asic.gov.au)

**ARK FUND**

Wednesday 2 June 2010

Companies Announcement Office  
Australian Stock Exchange Limited  
20 Bridge Street  
SYDNEY NSW 2000

By e-lodgement

Dear Sir/Madam

**APPOINTMENT OF VOLUNTARY ADMINISTRATORS**

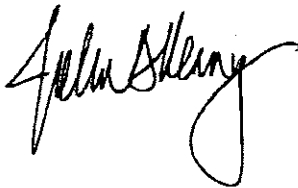
On Monday 31 May 2010, the National Australia Bank (**NAB**) served a written notice on the ARK Fund Limited (**ARK**) terminating the Standstill Agreement between ARK and the NAB entered into on 29 March 2010.

As a result of the receipt of that written notice the Board of ARK has formed the opinion that ARK is likely to become insolvent in the near future. As a consequence of that opinion it has appointed Kimberley Andrew Strickland and David Ashley Norman Hurt as Joint and Several Voluntary Administrators of ARK pursuant to section 436A of the Corporations Act 2001.

Written correspondence from Kimberley Andrew Strickland and David Ashley Norman Hurt regarding their appointment is attached.

Yours faithfully

**THE ARK FUND LIMITED**  
(Administrators Appointed)



**John D. Kenny**  
Chairman

The ARK Fund Limited  
ABN 93 009 204 175

Ground Floor, 50 Colin Street  
West Perth WA 6005, Australia  
PO Box 803, West Perth WA 6872, Australia  
T: +61 8 9324 1155 F: +61 8 9324 2155  
E: [ark@thearkfund.com.au](mailto:ark@thearkfund.com.au)  
W: [www.thearkfund.com.au](http://www.thearkfund.com.au)