



Transcript of Proceedings

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SUPREME COURT OF QUEENSLAND

CIVIL JURISDICTION

JONES J

Application No 138 of 2001

BONADIO FARMING (a firm)

Applicant

and

ATHMAISE COOPERATIVE LIMITED

Respondent

CAIRNS

..DATE 29/01/2002

JUDGMENT

HIS HONOUR: The respondent is a trading cooperative incorporated pursuant to the provisions of the Cooperatives Act 1997. The application is for the winding-up of that corporation. The Cooperatives Act of 1997 provides that the winding-up of such a body shall be done in accordance with the provisions of the Corporations Act, subject to certain provisions.

In this matter the initial application is a creditor of the corporation for the provisions of backhoe hire for the sum of \$2,175.80, which moneys have not been paid despite proper demand. When the matter came on for hearing, a notice of appearance was lodged also on behalf of the Deputy Commissioner for Taxation who is a creditor in the sum of \$252,218.21.

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It appears on the material before me that the corporation is unable to pay its debts and that it is proper that it should be wound up. The Registrar has certified to the due compliance of the statutory requirements and Mr Milner has consented to be the liquidator.

I will therefore make orders in terms of the draft initialled by me and placed with the papers.
