



Administrative Appeals Tribunal

ADMINISTRATIVE APPEALS TRIBUNAL)
) No: 2016/2617
TAXATION AND COMMERCIAL DIVISION)

Re: Randall Joubert
Applicant

And: Members of the Companies Auditors and Liquidators Disciplinary Board
Respondent

And: Australian Securities & Investments Commission
Joined Party

TRIBUNAL: Deputy President S E Frost

DATE: 21 July 2016

PLACE: Sydney

The Tribunal has, in accordance with section 41(4)(a) of the *Administrative Appeals Tribunal Act 1975* (AAT Act), given the Respondent a reasonable opportunity to make submissions to it in relation to the making of this order, and has taken into account the interests of the Respondent and any other persons who may be affected by the review of the Respondent's decision.

The Tribunal considers that the following order is appropriate for the purpose of securing the effectiveness of the hearing and determination of the application for review.

1. Pursuant to s 41(2) and s 41(6) of the AAT Act, the Tribunal orders that the implementation of the Respondent's decision of 11 May 2016 to cancel the Applicant's registration as a liquidator (**cancellation decision**) is stayed, subject to the following conditions:

- (a) the Applicant must not accept any appointments as external administrator that require him to be registered as a liquidator;

- (b) within the next 14 days of the making of these orders, the Applicant must, at his own personal cost and expense, send to every director, shareholder and creditor of each of his current external administrations to which he has been appointed an external administrator, the following:
- (i) a letter in the form annexed to these Orders and identified as Annexure A;
 - (ii) a copy of the cancellation decision and reasons of the Companies Auditors and Liquidators Disciplinary Board (the Board) dated 11 May 2016; and
 - (iii) a copy of these Orders;
- (c) within the next 21 days of the making of these Orders, the Applicant must provide to the Australian Securities and Investments Commission:
- (i) a list of every director, shareholder and creditor for each of the current external administrations referred to in paragraph (b) together with that person's postal or email address or telephone number;
 - (ii) an actual proforma version of the letter complying with subparagraph (b)(i) as sent to the persons referred to in subparagraph (c)(i);
 - (iii) a statement confirming that correspondence complying with subparagraphs (b)(i), (ii) and (iii) has been sent to each person referred to in subparagraph (c)(i), and the date on which the letter has been sent to each of those persons.
2. The interim Orders of the Tribunal (Deputy President Frost) made on 6 June 2016 and varied on 1 July 2016 are revoked.

..... [sgd]

Deputy President S E Frost

