

20 October 2020

NOTICE TO SELECTED TRAVEL PROVIDERS (EXCLUDING AIRLINES)

Dear Sir / Madam

**RE: STA TRAVEL PTY LTD (IN LIQUIDATION)
ACN 004 801 512
(REFERRED TO AS 'STA TRAVEL' OR THE 'COMPANY')**

I refer to the appointment of Tim Norman and myself as Joint & Several Administrators and subsequently Joint & Several Liquidators of the Company on 21 August 2020 and 25 September 2020 respectively. A copy of our appointment documents lodged with the Australian Securities & Investments Commission for both appointments is attached as **Annexure 1**.

The purpose of this Notice is to provide an update to Travel Providers (excluding airlines) regarding customer bookings made through STA Travel being:

1. **Customer monies to be refunded to the Administrators up to 21 August 2020** - Customer bookings where the date of departure was scheduled to have occurred up to 21 August 2020 (date of appointment of Administrators) and a refund had been requested by the customer with the Travel Provider prior to the appointment date; and separately
2. **Adoption of the customer by the Travel Provider for the period on or after 21 August 2020** - Customer bookings where the date of departure was scheduled to have occurred up to 21 August 2020 (date of appointment of Administrators) in which the customer has agreed on an alternate arrangement with the Travel Provider (i.e. credit with the Travel Provider and / or rescheduled travel plans) or alternatively travel plans that were scheduled to occur on or after 21 August 2020, the Travel Provider is to adopt the customer going forward.

Details regarding each category of customer booking is outlined below.

1. Customer bookings where the date of departure was scheduled to have occurred up to 21 August 2020 (date of appointment of Administrators) and a refund had been requested by the customer with the Travel Provider prior to the appointment date [i.e. Customer monies to be refunded to the Administrators up to 21 August 2020]

The Liquidators are presently in control of STA Travel and are entitled and obligated to take all reasonable steps to recover debts due and payable to STA Travel which arose prior to the appointment. This includes refunds for cancelled travel booked by STA Travel on behalf of its customers. We hereby demand payment of all customer refunds requested prior to 21 August 2020 to be paid into the bank account established by the Liquidators of the Company.

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Please provide remittance advice to this office once payment has been processed.

2. Customer bookings where the date of departure was scheduled to have occurred up to 21 August 2020 (date of appointment of Administrators) in which the customer has agreed on an alternate arrangement with the Travel Provider (i.e. credit with the Travel Provider and / or rescheduled travel plans) or alternatively travel plans that were scheduled to occur on or after 21 August 2020, the Travel Provider is to adopt the customer going forward [i.e. Adoption of the customer by the Travel Provider for the period on or after 21 August 2020]

STA Travel is now in liquidation and has made the vast majority of its staff redundant, with the effect that STA Travel will not be in a position to deal with ongoing queries in relation to these customers for an indeterminate period going forward.

It is our understanding that the Travel Provider has a direct contractual relationship with these customers and therefore the Liquidators' seek confirmation that the Travel Provider will honour those bookings according to their terms and deal directly with those customers going forward in relation to tickets, cancellations, variations and/or refunds. STA Travel was the agent of the Travel Provider resulting in the customer entering into a contract with the Travel Provider in respect of the supply of the relevant travel product.

To that end, we also ask that you provide us with a schedule of all extant bookings of customers of STA Travel who have purchased travel products with your organisation for the period on or after 21 August 2020. This request is made for three purposes:

- i.* *First*, for clarity about which customers are being dealt with by your organisation and which remain to be dealt with by STA Travel. While we are taking reasonable steps to confirm the veracity of STA Travel's records, we anticipate that your records will be more reliable than those of STA Travel.
- ii.* *Secondly*, we assume that your organisation is aware that many customers of STA Travel who have purchased their tickets using a credit card are claiming chargebacks from their credit card providers in respect of cancelled trips. In that regard, it will be of significant assistance if we are provided with the customer reference numbers for the particular bookings and corresponding customers with whom you have been dealing, or are proposing to deal, directly (rather than liaising with the Liquidators' office). Once the Liquidators have that material, we will be in a better position to communicate with your organisation regarding chargeback requests received by STA Travel's bank in relation to those customers. This will reduce the risk of refunds being paid to customers twice (for example, by both you and by the customer's credit card provider). That is in the interests of both your organisation and STA Travel, as it is desirable that customers do not improperly receive double recovery of any refund for a cancelled trip.
- iii.* *Thirdly*, an undertaking in writing from you that you will honour all customer bookings according to their terms and deal directly with those customers going forward in relation to tickets, cancellations, variations and/or refunds for all scheduled trips to occur on or after 21 August 2020.

We are comfortable for any sensitive information to be excluded from the schedule (such as the customer's personal details including an address, telephone number etc.) provided that the customer booking reference number and the status of any cancellation or refund by the Travel Provider is recorded.

Please kindly let us know if you will be unable to provide the requested confirmation and the requested booking information, by **5pm on Monday 26 October 2020**. There is urgency to this matter, given that STA Travel's bank is receiving chargeback requests which must be dealt with promptly. As noted above, this gives rise to a risk of double compensation being paid of customers to the extent that refunds have already been processed (or may in the future be processed) by the Travel Provider.

We look forward to your prompt response and confirmation regarding this matter.

Should you have any queries, please do not hesitate to contact our team at STATravel@deloitte.com.au

Yours faithfully



Jason Tracy
Joint and Several Liquidator

Encl.

Form 505

Corporations Act 2001

415(1), 427(2), 427(4), 450A(1)(a),

499(2C)(a) & (b), 537(1) & (2),

Insolvency Practice Rules (Corporations) 2016

s70-60(2)

External Administration or Controllership Appointment of an administrator or controller

Liquidator details

Registered liquidator number

429179

Registered liquidator name

JASON MARK TRACY

Company details

Company name

STA TRAVEL PTY. LTD.

ACN

004 801 512

Company industry type

Other (Business and Personal) Services

Add a new appointment

Appointee details

Liquidator No.

429179

Person Name

JASON MARK TRACY

Address

**DELOITTE TOUCHE TOHMATSU,
'GROSVENOR PLACE' LEVEL 1 225
GEORGE STREET SYDNEY NSW 2000
Australia**

Type of Appointment

**Appointed Jointly and
Severally**

Appointee details

Liquidator No. **296669**

Person Name
TIMOTHY BRYCE NORMAN

Address
**'DELOITTE TOUCHE TOHMATSU'
LEVEL 23 477 COLLINS STREET
MELBOURNE VIC 3000 Australia**

Type of Appointment **Appointed Jointly and Severally**

Appointment Details

Provide the date of appointment.
21-08-2020

Type of administrator
Administrator

Method of appointment
**appointment by company under writing
under its common seal**

Authentication

This form has been authenticated by
Name **JASON MARK TRACY**

This form has been submitted by
Name **Jack MCGRATH**
Date **21-08-2020**

Payment

You need to pay the fee (and any late fees if required) by Bpay or cheque in accordance with the instructions on your invoice

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Web www.asic.gov.au
Ask a question? www.asic.gov.au/question
Telephone 1300 300 630

Notice of special resolution to wind up a company

Liquidator Details

Registration No.

429179

Name

JASON MARK TRACY

Company details

Company name

STA TRAVEL PTY. LTD.

ACN

004 801 512

Special resolution passed or taken to have been passed

Type of resolution:

The creditors of the company (under administration) resolved that the company be wound up under s439C(c)

Date of resolution:

25-09-2020

The creditors have resolved that the appointed liquidator is:

the same as the administrator

and accordingly, the company is taken because of the application of:

Section 446A

to have passed a special resolution under section 491 that the company be wound up voluntarily.

Date on which the under paragraph 446A(2)(a) or paragraph 446AA(2)(a), the company is taken to have passed the special resolution:

25-09-2020

Liquidator(s)

Name

TRACY JASON MARK

Residential address

**DELOITTE TOUCHE TOHMATSU
'GROSVENOR PLACE' LEVEL 1
225 GEORGE STREET
SYDNEY NSW 2000**

Name

NORMAN TIMOTHY BRYCE

Residential address

**'DELOITTE TOUCHE TOHMATSU'
LEVEL 23
477 COLLINS STREET
MELBOURNE VIC 3000**

Authentication

This form has been authenticated by

Name

This form has been submitted by

Name

Zoe GREW

As

Date

29-09-2020

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