

# Safe Harbour Protection For Boards And Management

Your crisis may arise from a one-off event, but helping you through it is our day-to-day business. Our experts have an exceptional track-record of guiding boards and management dealing with difficult external circumstances as they strive to deliver corporate outcomes. We go beyond statutory advice, providing independent analysis, surge resources and new lines of communication, to support your corporate recovery journey.

## Why choose us as your Safe Harbour Advisor?

### Restructuring specialists

Our team includes seasoned restructuring professionals with decades of experience.

### Commercially minded

With a track record of managing businesses, we distil your commercial situation quickly, objectively assessing your strategic options.

### Hands-on

We deploy small, senior teams, with the commercial, technical and interpersonal skills to support leaders and key stakeholders.

### Listed company experience

We often work in the listed company environment, advising boards on high profile matters.

### Capital markets access

Incorporating one of Australia's leading investor relations advisory teams, our restructuring advice comes with deep capital markets understanding.

### Industry knowledge

Our industry teams possess deep experience across agribusiness, mining, construction, real estate and retail.

## WHAT IS SAFE HARBOUR PROTECTION?

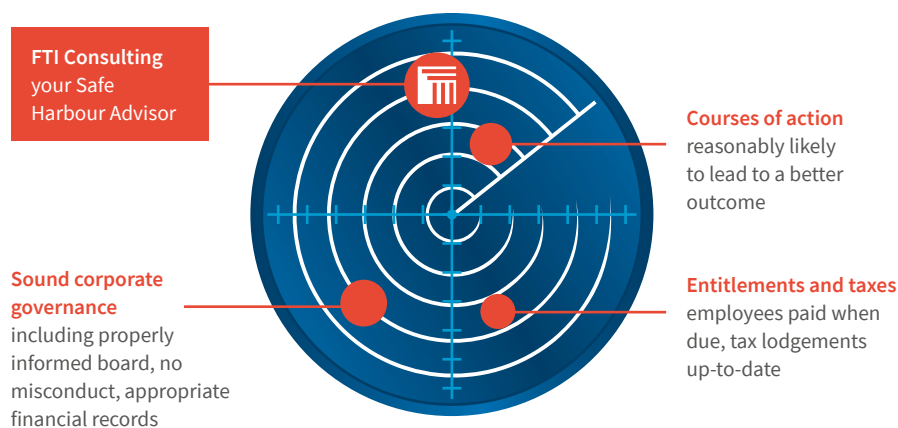
The safe harbour provisions of Section 588GA of the Corporations Act 2001 are there to provide directors and officers with the 'breathing space' to restructure businesses outside of formal insolvency, providing protection from insolvent trading liabilities should the restructuring be unsuccessful.

## HOW DO I ACCESS SAFE HARBOUR?

Central to accessing safe harbour protection is that directors and officers develop "one or more courses of action that are reasonably likely to lead to a better outcome for the company" – compared to the alternatives of immediate voluntary administration or liquidation.

Boards must also continue with sound governance, tax lodgements and looking after employees whilst, importantly, taking the advice of appropriately qualified professionals. As a global leader in restructuring with an enviable Australian track record, FTI Consulting meets this requirement.

## Helping leaders 'stay the course' to navigate a crisis



## ACCESS OUR DEEP EXPERIENCE

Our Australian Corporate Finance & Restructuring practice is a leading provider of informal restructuring solutions for business survival and turnaround. From experience we know the ingredients for success. Our advice is founded in decades of successfully resolving distressed situations.

Starting from an understanding of the legislative requirements and our clients’ business circumstances, we help meet the pre-requisites for safe harbour protection, offering skilled teams with the technical, commercial and inter-personal capabilities to support the delivery of optimised corporate outcomes.

We guide, and if required, can directly compile and maintain comprehensive restructuring plans, documenting your situation and the critical courses of action for its improvement. We complement this by assisting with ‘short-cycle’ monitoring of your progress and the recalibration of the plan as new circumstances emerge, leveraging our experience as you evaluate and advance your strategic options.

## SAFE HARBOUR IN PRACTICE - THE CORE ELEMENTS OF SUCCESS



## SELECT EXPERIENCE

### Listed Company – Safe Harbour Advisor

We were appointed by an ASX listed resource company to assist with the development of a revised Life-of-Mine Plan and cashflow forecasts, to support a senior debt refinancing. We transitioned to the role of Safe Harbour Advisor, supporting a successful going concern sale of the mine and processing operations.

### Listed Company – Safe Harbour Advisor

We were appointed as Safe Harbour Advisor to an ASX listed medical technologies company, which included providing advice regarding the restructuring plan for a better outcome, including reviewing the company’s financial situation. The company avoided formal insolvency.

#### JOHN PARK

Senior Managing Director  
+61 419 686 140  
john.park@fticonsulting.com

#### JOSEPH HANSELL

Senior Managing Director  
+61 439 589 384  
joseph.hansell@fticonsulting.com

#### ROSS BLAKELEY

Senior Managing Director  
+61 419 317 418  
ross.blakeley@fticonsulting.com

#### ANDREW BANTOCK

Senior Managing Director  
+61 412 125 799  
ian.francis@fticonsulting.com