

NW 820x2 - 072028

**395**

**Particulars of a mortgage or charge**

Pursuant to section 395 of the Companies Act 1985

**A fee of £10 is payable to Companies House in respect of each register entry for a mortgage or charge.**



Please do not write in this margin

Please complete legibly, preferably in black type or bold block lettering

\*Insert full name of company

To the Registrar of Companies  
(Address overleaf - Note 6)

For official use

Company number

11

FC10062

Name of company

\*ING BANK N.V., LONDON BRANCH (referred to in this Form M395 as "the Company")

Date of creation of the charge

30th June 1999

Description of the instrument (if any) creating or evidencing the charge (note 2)

Member's Agreement dated as of 30th June, 1999 (the "Agreement") between the Company and Emerging Markets Clearing Corporation ("EMCC"), and the Rules of EMCC (the "EMCC Rules")

Amount secured by the mortgage or charge

Any and all obligations and liabilities of the Company to EMCC.

Names and addresses of the mortgagees or persons entitled to the charge

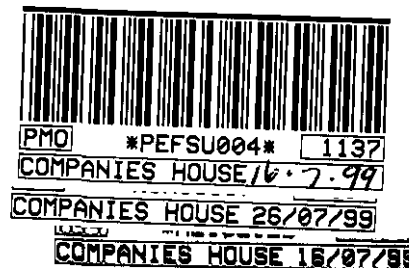
EMERGING MARKETS CLEARING CORPORATION, 55 WATER STREET, NEW YORK, NEW YORK 10041, U.S.A.

Postcode

Presentor's name, address and reference (if any):  
Slaughter and May  
35 Basinghall Street  
London EC2V 5DB  
(SDXW)DEM

For official use  
Mortgage section

105/6  
20/12  
Comment



Time critical reference

Short particulars of all the property mortgaged or charged

All assets and property placed by the Company in the possession of EMCC (or its agents acting on its behalf), including all securities and cash on deposit with EMCC or its agents pursuant to Rule 4 of the EMCC Rules.

Please do not write in this margin

Please complete legibly, preferably in black type or bold block lettering

Particulars as to commission allowance or discount (note 3)

N/A

A fee of £10 is payable to Companies House in respect of each register entry for a mortgage or charge. (See Note 5)

Signed

*Shaughnessy and May*

Date

23/7/1997

On behalf of [~~XXXXXXXXXXXX~~/chargee]\*

\*Delete as appropriate

Notes

1. The original instrument (if any) creating or evidencing the charge, together with these prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of creation of the charge (section 395). If the property is situated and the charge was created outside the United Kingdom delivery to the Registrar must be effected within 21 days after the date on which the instrument could in due course of post, and if dispatched with due diligence, have been received in the United Kingdom (section 398). A copy of the instrument creating the charge will be accepted where the property charged is situated and the charge was created outside the United Kingdom (section 398) and in such cases the copy must be verified to be a correct copy either by the company or by the person who has delivered or sent the copy to the registrar. The verification must be signed by or on behalf of the person giving the verification and where this is given by a body corporate it must be signed by an officer of that body. A verified copy will also be accepted where section 398(4) applies (property situate in Scotland or Northern Ireland) and Form No. 398 is submitted.
2. A description of the instrument, eg "Trust Deed", "Debenture", "Mortgage" or "Legal charge", etc, as the case may be, should be given.
3. In this section there should be inserted the amount or rate per cent. of the commission, allowance or discount (if any) paid or made either directly or indirectly by the company to any person in consideration of his;
  - (a) subscribing or agreeing to subscribe, whether absolutely or conditionally, or
  - (b) procuring or agreeing to procure subscriptions, whether absolute or conditional, for any of the debentures included in this return. The rate of interest payable under the terms of the debentures should not be entered.
4. If any of the spaces in this form provide insufficient space the particulars must be entered on the prescribed continuation sheet.
5. Cheques and Postal Orders are to be made payable to **Companies House**.
6. The address of the Registrar of Companies is:-

Companies House, Crown Way, Cardiff CF4 3UZ

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**FILE COPY**



**CERTIFICATE OF THE REGISTRATION  
OF A MORTGAGE OR CHARGE**

**Pursuant to section 401(2) of the Companies Act 1985**

COMPANY No. FC010062

THE REGISTRAR OF COMPANIES FOR ENGLAND AND WALES HEREBY CERTIFIES THAT A CLEARING FUND AGREEMENT DATED THE 30th JUNE 1999 AND CREATED BY ING BANK NV FOR SECURING THE CLEARING FUND INDEBTEDNESS DUE OR TO BECOME DUE FROM THE COMPANY TO EMERGING MARKETS CLEARING CORPORATION WAS REGISTERED PURSUANT TO CHAPTER 1 PART XII OF THE COMPANIES ACT 1985 ON THE 16th JULY 1999.

GIVEN AT COMPANIES HOUSE, CARDIFF THE 29th JULY 1999.



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES



**C O M P A N I E S H O U S E**