



Registration of a Charge

Company Name: **THE DON FISHING COMPANY, LIMITED**

Company Number: **SC005222**



Received for filing in Electronic Format on the: **23/08/2023**

XCAJL6U9

Details of Charge

Date of creation: **11/08/2023**

Charge code: **SC00 5222 0072**

Persons entitled: **THE ROYAL BANK OF SCOTLAND PLC**

Brief description: **40/64THS (FORTY / SIXTY FOURTHS) SHARES IN THE VESSEL 'SPARKLING STAR' (OFFICIAL NUMBER: C20039) AND ITS APPURTENANCES.**

Contains negative pledge.

Authentication of Form

This form was authorised by: **a person with an interest in the registration of the charge.**

Authentication of Instrument

Certification statement: **I CERTIFY THAT SAVE FOR MATERIAL REDACTED PURSUANT TO S.859G OF THE COMPANIES ACT 2006 THE ELECTRONIC COPY INSTRUMENT DELIVERED AS PART OF THIS APPLICATION FOR REGISTRATION IS A CORRECT COPY OF THE ORIGINAL INSTRUMENT.**

Certified by: **BRODIES LLP**



CERTIFICATE OF THE REGISTRATION OF A CHARGE

Company number: 5222

Charge code: SC00 5222 0072

The Registrar of Companies for Scotland hereby certifies that a charge dated 11th August 2023 and created by THE DON FISHING COMPANY, LIMITED was delivered pursuant to Chapter A1 Part 25 of the Companies Act 2006 on 23rd August 2023 .

Given at Companies House, Edinburgh on 24th August 2023

The above information was communicated by electronic means and authenticated by the Registrar of Companies under section 1115 of the Companies Act 2006



Companies House



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES

CERTIFIED A TRUE
COPY SAVE FOR THE
MATERIAL REDACTED
PURSUANT TO S859G
OF THE COMPANIES
ACT 2006

BRODIES LLP
Solicitors

21 AUGUST 2023

Ref: ROY141.293

Maritime &
Coastguard
Agency

MSF 4736 REV 1118

Mortgage of a Vessel

(The application form is to secure Account Current etc /
other obligation)

GUIDANCE NOTES – PLEASE READ

- If more than one mortgagor then a separate mortgage is required from each mortgagor, unless shares are jointly held.
- If more than one mortgage is submitted at the same time the mortgagees will be required to advise which mortgage to register first in a signed letter on headed paper.
- In respect of fishing vessels, mortgages may be registered only against those registered with FULL registration.
- The prompt registration of a mortgage deed with the Registry is essential to establish the priority of the mortgage. This is because the priority of the mortgage is determined by the date on which it is produced for registration and not from the date of the mortgage itself.
- If the mortgagor is a company the mortgage must be registered with the Registrar of Companies within 21 days of its execution.
- It is important that the Registry is informed of any changes.
- Please write in **BLOCK CAPITALS**, and tick boxes where appropriate. If an * is stated, then please delete as appropriate.

The mortgage reference number (issued by the mortgagee) is: ROY141.293

1: DETAILS OF THE VESSEL

Is this mortgage in respect of a Fishing Vessel?

Yes ☒

No ☐

Name of Vessel	Sparkling Star
Official Number	C20039

2: THE MORTGAGE

Whereas there is:

State "an account current" or write in a short description of the obligation.	an agreement or agreements and may from time to time hereafter be accounts and / or other obligations
---	---

between

Full Name(s) / Company Name	The Don Fishing Company, Limited, a limited company incorporated under the Companies Acts in Scotland (Registered Number: SC005222) (in its various capacities)
Address (Place of Business in respect of a company)	Having its registered office at Blenheim House, Fountainhall Road, Aberdeen, AB15 4DT and having a principal place of business at Bath House, Bath Street, Peterhead, AB42 1DX

*as joint mortgagors (hereinafter called "the mortgagor")

2: THE MORTGAGE (continued)

and

Full Name(s) / Company Name	The Royal Bank of Scotland plc, a company incorporated under the Companies Acts in Scotland (Registered Number: SC083026)
Address (Place of Business in respect of a company)	36 St Andrews Square, Edinburgh, Scotland, EH2 2YB

*as mortgagee (hereinafter called "the mortgagee")

Describe fully the nature of the liabilities secured. You may refer to another document.	Please see paper apart.

ACCOUNT CURRENT

Please complete the below in respect of "account current" by deleting where appropriate

~~I/We the mortgagor(s) in consideration of the advance made or to be made to *me/us by the mortgagee(s), bind~~
~~myself/ourselves to pay the mortgagee(s) the sums for the time being due on this security whether by way of~~
~~principle, interest or otherwise at the time(s) and in the manner mentioned above.~~

OTHER OBLIGATION

Please complete the below in respect of "other obligation".

***I/we the mortgagor(s) in consideration**

of the advances and/or banking facilities provided or to be provided by the mortgagee to the Partnership

bind *myself/ourselves to

pay to the mortgagee the sum at the relevant time being due to the mortgagee by the Partnership whether by way
of principal, interest or otherwise

for the purpose of better securing to the mortgagee(s) the *sums/obligation mentioned above.

***I/we hereby mortgage to the mortgagee(s)**

State the shares, in both figures and words	Figures	40/64 ths
	Words	Forty / Sixty Fourths

shares of which *I/we are the owners in the ship described above and its appurtenances.

Lastly, *I/we for myself/ourselves hereby declare that *I/we have the power to mortgage in the manner aforesaid the above-mentioned shares and that they are free from encumbrances. *Save as appears by the registry of the above ship.

PLEASE READ BEFORE COMPLETING SECTION 3:

If the mortgagor is a company, then **SECTION 3A must be completed.**

If the mortgagor(s) are one or more individuals, then **SECTION 3B must be completed.**

If the mortgagor(s) are a Limited Liability Partnership, then **SECTION 3C must be completed.**

When the mortgage is originally executed you should send this deed (with the applicable fee) via email or post to:

Registry of Shipping and Seamen

Anchor Court, Keen Road, Cardiff, CF24 5JW, UK.

Tel No: 0203 90 85200

Email:

Fishing:

Pleasure:

Commercial:

fishing.registry@mcga.gov.uk

part1.registry@mcga.gov.uk

comm.registry@mcga.gov.uk

3A: COMPLETE IF THE MORTGAGOR IS A COMPANY

◊ Executed by the mortgagor as a deed (in England, Wales and Northern Ireland)

◊ Subscribed by the mortgagor (in Scotland)

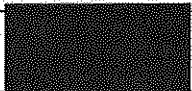
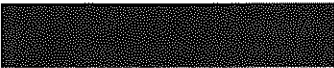
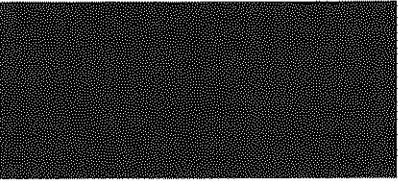
On this 11th day of August 2023 by:-

** (a) the affixing of the common seal of the mortgagor in the presence of the following persons signing; or

** (b) signing by the following persons;

**delete as appropriate

Company seal

Director	 <u>WILLIAM MCKEJIE</u>
Director or Secretary	
Authorised Signatory	
Authorised Signatory	
# Witnessed by (Signature)	
Name of Witness (PRINT NAME)	<u>DAVID JOHN MURROBBIE</u>
Address of Witness (PRINT ADDRESS)	

If the signature must be witnessed the name and address of the witness must be given

Note: IN ENGLAND, WALES & NORTHERN IRELAND – signature may be by (a) two directors; (b) by the company secretary and a director, or (c) by a director in the presence of a witness who completes the details above to attest the signature. If the common seal is affixed any special requirement of the company's articles about signing must be complied with.

IN SCOTLAND – signature may be by one director or the secretary of the company or one person authorised to sign the document on behalf of the company, or one member of the Limited Liability Partnership, provided such single signature is witnessed. Alternatively, signature may be effected without a witness by two directors, or a director and the secretary, or two persons authorised to sign the document on behalf of the company, or two members of the Limited Liability Partnership. Note that signature by one authorised signatory and either a director or the secretary of the company is not valid.

OFFICIAL USE ONLY			
Mortgage (Priority)	<input type="text"/>	Date of Entry into the Register	<input type="text"/>
Time of Entry	<input type="text"/>	Officer's Initials	<input type="text"/>

3B: COMPLETE IF THE MORTGAGOR(S) IS/ARE ONE OR MORE INDIVIDUAL(S)

* Executed as a deed (in England and Wales)

* Subscribed (in Scotland)

* Signed, sealed and delivered (in Northern Ireland)

* Delete as appropriate

On this day of 20

by the following person(s) signing as mortgagor(s):

Seal(s) if executed in Northern Ireland

Signature(s) of Mortgagor(s)		
In the presence of: Signature(s) of Witness(es)		
Name(s) of Witness(es)		
Address(es) of Witness(es)		
Occupation(s) of Witness(es)		

NOTE: Every signature must have one witness.

OFFICIAL USE ONLY

Mortgage (Priority)

Date of Entry into the Register

Time of Entry

Officer's Initials

3C: COMPLETE IF THE MORTGAGOR(S) ARE A LIMITED LIABILITY PARTNERSHIP

◊ Executed by the mortgagor as a deed (in England, Wales and Northern Ireland)

◊ Subscribed by the mortgagor (in Scotland)

* Delete as appropriate

On this day of 20 by signing by the following persons:

Member	
Member	
Witnessed by (Signature)	
Name of Witness (PRINT NAME)	
Address of Witness (PRINT ADDRESS)	

NOTE: In Scotland subscription may be by one member of the Limited Liability Partnership and one witness, or by two members of the Limited Liability Partnership.

OFFICIAL USE ONLY			
Mortgage (Priority)	<input type="text"/>	Date of entry into the Register	<input type="text"/>
Time of entry	<input type="text"/>	Officer's Initials	<input type="text"/>

4: TRANSFER OF MORTGAGE

*I/we, the above mentioned mortgagee(s), in consideration of: (Enter the sum of money or the nature of the obligation).	

This day (enter "paid to me/us" or a narrative suitable to the obligation).	

By:	Full Name(s) of Transferee	
	Address (Please write the place of business if a company)	

hereby transfer to *him/her/them the benefit of the within written security

PLEASE READ:

If the transferor is a company, then **SECTION 4A must be completed.**

If the transferor(s) are one or more individuals, then **SECTION 4B must be completed.**

If the transferor(s) are a Limited Liability Partnership, then **SECTION 4C must be completed.**

When a transfer of mortgage is executed you should send this deed by email or post to:

Registry of Shipping and Seamen

Anchor Court, Keen Road, Cardiff, CF24 5JW, UK.

Tel No: 0203 90 85200

Email:

Fishing:

fishing.registry@mcga.gov.uk

Pleasure:

part1.registry@mcga.gov.uk

Commercial:

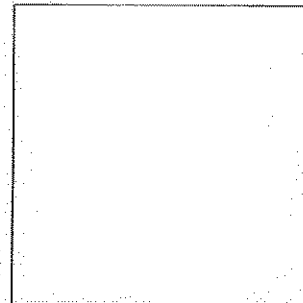
comm.registry@mcga.gov.uk

4A: COMPLETE IF THE TRANSFEROR IS A COMPANY

- ☐ Executed by the transferor as a deed (in England, Wales and Northern Ireland)
- ☐ Subscribed by the transferor (in Scotland)

On this day of 20 by:-

**** (a) the affixing of the common seal of the transferor in the presence of the following persons signing; or**



Company seal

**** (b) signing by the following persons; ** Delete as appropriate**

Director	
Director or Secretary	
Authorised Signatory	
Authorised Signatory	
** Witnessed by (Signature)	
Name of Witness (PRINT NAME)	
Address of Witness (PRINT ADDRESS)	

If the signature must be witnessed the name and address of the witness must be given

Note: IN ENGLAND, WALES & NORTHERN IRELAND – signature may be by (a) two directors; (b) by the company secretary and a director, or (c) by a director in the presence of a witness who completes the details above to attest the signature. If the common seal is affixed any special requirement of the company's articles about signing must be complied with.

IN SCOTLAND – signature may be by one director or the secretary of the company or one person authorised to sign the document on behalf of the company, or one member of the Limited Liability Partnership, provided such single signature is witnessed. Alternatively, signature may be effected without a witness by two directors, or a director and the secretary, or two persons authorised to sign the document on behalf of the company, or two members of the Limited Liability Partnership. Note that signature by one authorised signatory and either a director or the secretary of the company is not valid.

OFFICIAL USE ONLY			
Transfer of Mortgage (Priority)	<input type="text"/>	Date of Entry into the Register	<input type="text"/>
Time of Entry	<input type="text"/>	Officer's Initials	<input type="text"/>

4B: COMPLETE IF TRANSFEROR(S) IS/ARE ONE OR MORE INDIVIDUAL(S)

* Executed as a deed (in England and Wales)

* Subscribed (in Scotland)

* Signed, sealed and delivered (in Northern Ireland)

* Delete as appropriate

On this day of 20

by the following person(s) signing as transferor(s):

Seal(s) if executed in Northern Ireland

Signature(s) of Transferor(s)		
In the presence of: Signature(s) of Witness(es)		
Name(s) of Witness(es)		
Address(es) of Witness(es)		
Occupation(s) of Witness(es)		

NOTE: Every signature must have one witness.

OFFICIAL USE ONLY

Transfer of Mortgage (Priority)

Date of Entry into the Register

Time of Entry

Officer's Initials

4C: COMPLETE IF TRANSFEROR(S) ARE A LIMITED LIABILITY PARTNERSHIP

◊ Executed by the transferor as a deed (in England, Wales and Northern Ireland)

◊ Subscribed by the transferor (in Scotland)

* Delete as appropriate

On this day of 20 by signing by the following persons:

Member	
Member	
Witnessed by (Signature)	
Name of Witness (PRINT NAME)	
Address of Witness (PRINT ADDRESS)	

NOTE: In Scotland subscription may be by one member of the Limited Liability Partnership and one witness, or by two members of the Limited Liability Partnership.

OFFICIAL USE ONLY

Transfer of Mortgage (Priority)

Date of Entry into the Register

Time of Entry

Officer's Initials

5: DISCHARGE OF A MORTGAGE

* Received by the within-mentioned *mortgage(s)/transferee(s) of the mortgage, enter "the sum of £...", or a narrative suitable to the obligation.

This within written security is now discharged.

* The within-mentioned *mortgagee(s)/transferee(s) have agreed to discharge this within written security and it is therefore discharged.

PLEASE READ:

Warning: If the discharged deed is not presented to the Registry the mortgage will remain registered against the vessel.

If the Discharge is given by a company, then **SECTION 5A** must be completed.

If the Discharge is given by one or more individuals, then **SECTION 5B** must be completed.

If the Discharge is given by a Limited Liability Partnership, then **SECTION 5C** must be completed.

When a Discharge of Mortgage is executed you should send this deed via email or post to:

Registry of Shipping and Seamen

Anchor Court, Keen Road, Cardiff, CF24 5JW, UK.

Tel No: 0203 90 85200

Email:

Fishing:

fishing.registry@mcga.gov.uk

Pleasure:

part1.registry@mcga.gov.uk

Commercial:

comm.registry@mcga.gov.uk

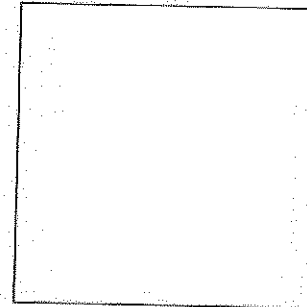
5A: COMPLETE IF DISCHARGE IS GIVEN BY A COMPANY

- ☐ Executed by the mortgagee/transferee as a deed (In England, Wales and Northern Ireland)
- ☐ Subscribed by the mortgagee/transferee (in Scotland)

On this day of 20 by:-

**** (a) the affixing of the common seal of the * mortgagee/transferee in the presence of the following persons signing; or**

**** (b) signing by the following persons; *delete as appropriate**



Company seal

Director	
Director or Secretary	
Authorised Signatory	
Authorised Signatory	
** Witnessed by (Signature)	
Name of Witness (PRINT NAME)	
Address of Witness (PRINT ADDRESS)	

If the signature must be witnessed the name and address of the witness must be given

Note: IN ENGLAND, WALES & NORTHERN IRELAND – signature may be by (a) two directors; (b) by the company secretary and a director, or (c) by a director in the presence of a witness who completes the details above to attest the signature. If the common seal is affixed any special requirement of the company's articles about signing must be complied with.

IN SCOTLAND – signature may be by one director or the secretary of the company or one person authorised to sign the document on behalf of the company, or one member of the Limited Liability Partnership, provided such single signature is witnessed. Alternatively, signature may be effected without a witness by two directors, or a director and the secretary, or two persons authorised to sign the document on behalf of the company, or two members of the Limited Liability Partnership. Note that signature by one authorised signatory and either a director or the secretary of the company is not valid.

OFFICIAL USE ONLY			
Discharge of Mortgage (Priority)	<input type="text"/>	Date of Entry into the Register	<input type="text"/>
Time of Entry	<input type="text"/>	Officer's Initials	<input type="text"/>

5B: COMPLETE IF DISCHARGE IS GIVEN BY ONE OR MORE INDIVIDUAL(S)

* Executed as a deed (in England and Wales)

* Subscribed (in Scotland)

* Signed, sealed and delivered (in Northern Ireland)

* Delete as appropriate

On this day of 20

by the following person(s) signing as mortgagee(s)/transferee(s):

Seal(s) if executed in Northern Ireland

Signature of Mortgagee(s)/Transferee(s)		
In the presence of: Signature(s) of Witness(es)		
Name(s) of Witness(es)		
Address(es) of Witness(es)		
Occupation(s) of Witness(es)		

NOTE: Every signature must have one witness.

OFFICIAL USE ONLY			
Discharge of Mortgage (Priority)	<input type="text"/>	Date of Entry into the Register	<input type="text"/>
Time of Entry	<input type="text"/>	Officer's Initials	<input type="text"/>

5C: COMPLETE IF DISCHARGE IS GIVEN BY A LIMITED LIABILITY PARTNERSHIP

- ◊ Executed by the mortgagor as a deed (in England, Wales and Northern Ireland)
◊ Subscribed by the mortgagor (in Scotland)

◊ Delete as appropriate

On this day of 20 by signing by the following persons:

Member	
Member	
Witnessed by	
Name (PRINT NAME)	
Address (PRINT ADDRESS)	

NOTE: In Scotland subscription may be by one member of the Limited Liability Partnership and one witness, or by two members of the Limited Liability Partnership.

Your Information

We collect personal information about you to carry out our official duty and to keep the UK ship register up to date and to make sure our services are planned to meet vessel owner's needs.

For more information on how we use your information please see our full privacy policy available on our website <https://www.gov.uk/government/organisations/maritime-and-coastguard-agency>.

OFFICIAL USE ONLY			
Discharge of Mortgage (Priority)	<input type="text"/>	Date of Entry into the Register	<input type="text"/>
Time of Entry	<input type="text"/>	Officer's Initials	<input type="text"/>

THIS IS THE PAPER APART REFERRED TO IN THE FOREGOING MORTGAGE OF A SHIP OVER THE VESSEL 'SPARKLING STAR' (OFFICIAL NUMBER: C20039) BY THE DON FISHING COMPANY, LIMITED (SC005222) IN FAVOUR OF THE ROYAL BANK OF SCOTLAND PLC

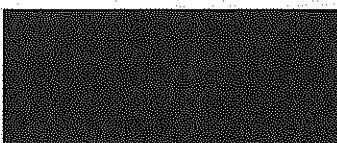
Under which agreement or agreements (a) the mortgagee has agreed to provide banking facilities and/or allow credit on one or more current accounts, loan accounts or other accounts in the name of the Partnership (as such agreements, facilities or accounts may be amended, restated, supplemented, novated or replaced from time to time); and (b) the mortgagor (in its own capacity and in its capacity as a partner and trustee for the Partnership) has entered into a deed of covenant (the "Deed of Covenant") on or around the date of this mortgage in favour of the mortgagee (as such Deed of Covenant may be amended, restated, supplemented, novated or replaced from time to time).

The mortgagor (in its own capacity and in its capacity as a partner and trustee of the Partnership) has agreed to grant this mortgage to secure:

- (i) any sums due or to become due to the mortgagee from the Partnership under the said facilities and/or on the said accounts with interest and expenses thereon; and
- (ii) all or any other money and liabilities which shall from time to time (and whether on or at any time after demand) be due, owing or incurred in whatsoever manner to the mortgagee by the Partnership, whether actually or contingently, solely or jointly and whether as principal, guarantor, cautioner or surety including any money and liabilities of the Partnership to a third party which have been assigned or novated to or otherwise vested in the mortgagee, and including interest, discount, commission and other lawful charges or expenses which the mortgagee may in the course of its business charge or incur in respect of any of those matters or for keeping the Partnership's account, and so that interest shall be computed and compounded according to the usual rates and practice of the mortgagee as well after as before any demand made or decree obtained under or in relation to this mortgage,

and the balance due at any time to be ascertained from the books of the mortgagee.

In this mortgage, "Partnership" has the meaning given to such term in the Deed of Covenant.



Director, for and on behalf of
The Don Fishing Company, Limited