

# M

COMPANIES FORM No. 410(Scot)

## Particulars of a charge created by a company registered in Scotland

# 410

Please do not  
write in  
this margin

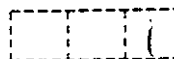
Pursuant to section 410 of the Companies Act 1985

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

To the Registrar of Companies  
(Address overleaf - Note 5)

For official use

Company number



SC34905

Name of company

\* Stewart Plant Sales Limited ("the Company")

\* insert full name  
of company

Date of creation of the charge (note 1)

29 June 1998

Description of the instrument (if any) creating or evidencing the charge (note 1)

Floating Charge ("the Floating Charge")

Amount secured by the charge

All sums of money which now are or which shall or may at any time or from time to time be or become due to JCB Service, an unlimited company incorporated in England and Wales under the Companies Acts (Registered Number 564955) ("JCB") by the Company in respect of a guarantee by the Company to JCB dated 29 June 1998 ("the Guarantee") relative to a loan stock instrument constituting £1,500,000 nominal secured loan stock (2004) dated 29 June 1998 ("the Loan Stock Instrument") made by Pacific Shelf 758 Limited incorporated in Scotland under the Companies Acts (Registered number 180256).

Names and addresses of the persons entitled to the charge

JCB Service, Lakeside Works, Rocester, Staffordshire ST14 5JP

Presentor's name address telephone  
number and reference (if any):

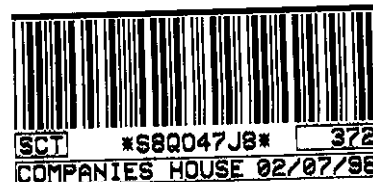
Burness, Solicitors  
242 West George Street  
Glasgow G2 4QY

AFS/GTS

For official use

Charges Section

Post room



**Short particulars of all the property charged.**

Please do not  
write in  
this margin

The whole of the property (including uncalled capital) which is or may be from time to time while the Floating Charge is in force comprised in the Company's property and undertaking.

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

Statement, in the case of a floating charge, as to any restrictions on power to grant further securities and any ranking provision (note 2)

The Floating Charge shall, except as may otherwise be previously agreed in writing by JCB and subject to sub-section (2) of Section 464 of the Companies Act 1985 as the same shall from time to time be amended or re-enacted (which Act, as so amended or re-enacted, is hereinafter referred to as "the Act"), rank in priority to any fixed security within the meaning of sub-section (1) of Section 486 of the Act created by the Company after execution of the Floating Charge, other than any fixed security in favour of JCB which may be created by the Company after execution of the Floating Charge, and to any other floating charge which shall be created by us after our execution hereof and, subject as aforesaid, no such fixed security or other floating charge shall (except with the agreement of JCB in writing) rank in priority to or equally with the Floating Charge.

Particulars as to commission, allowance or discount paid (see section 413(3))

None

Signed \_\_\_\_\_ Date 29.6.98

On behalf of [company] ~~[chargee]~~†

† delete as  
appropriate

**Notes**

1. A description of the instrument e.g. "Standard Security" "Floating Charge" etc. should be given. For the date of creation of a charge see section 410(5) of the Act. (Examples - date of signing of an instrument of Charge; date of recording / registration of a Standard Security; date of intimation of an Assignment.)

2. In the case of a floating charge a statement should be given of (1) the restrictions, if any, on the power of the company to grant further securities ranking in priority to, or pari passu with the floating charge; and / or (2) the provisions, if any, regulating the order in which the floating charge shall rank with any other subsisting or future floating charges or fixed securities over the property which is the subject of the floating charge or any part of it.

3. A certified copy of the instrument, if any, creating or evidencing the charge, together with this form with the prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of the creation of the charge. In the case of a charge created out of the United Kingdom comprising property situated outside the U.K., within 21 days after the date on which the copy of the instrument creating it could, in due course of post, and if despatched with due diligence, have been received in the U.K. Certified copies of any other documents relevant to the charge should also be delivered.

4. A certified copy must be signed by or on behalf of the person giving the certification and where this is a body corporate it must be signed by an officer of that body.

5. The address of the Registrar of Companies is:-

Companies House  
37 Castle Terrace  
Edinburgh EH1 2EB



**CERTIFICATE OF THE REGISTRATION  
OF A CHARGE**

Company number 34905

I hereby certify that a charge created by

STEWART PLANT SALES LIMITED

on 29 JUNE 1998

for securing

ALL SUMS DUE, OR TO BECOME DUE IN RESPECT OF £1,500,000  
NOMINAL SECURED LOAN STOCK (2004)

in favour of JCB SERVICE

was delivered pursuant to section 410 of the Companies Act, 1985,  
on 2 JULY 1998

Signed at Edinburgh  
3 JULY 1998



R. Graham  
For Registrar of Companies

N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

**REGISTER**

**OF**

**Charges**

**Alteration to Charges**

**Memoranda of Satisfaction**

**AND**

**Appointments and Cessations**

**of Receivers**

**OF**

**STEWART PLANT SALES LIMITED**

N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

# REGISTER of Charges, Alterations to Charges,

COMPANY: SC034905 CHARGE: 1

(1) Date of Registration	(2) Serial Number of Document on File	(3) Date of Creation of each Charge and Description thereof	(4) Date of the aquisition of the Property	(5) Amount secured by the Charge  £	(6) Short Particulars of the Property Charged	(7) Names of the Persons entitled to the Charge
02/07/1998		29/ 6/98 FLOATING CHARGE		ALL SUMS DUE, OR TO BECOME DUE IN RESPECT OF £1,500,000 NOMINAL SECURED LOAN STOCK (2004)	UNDERTAKING AND ALL PROPERTY AND ASSETS PRESENT AND FUTURE OF THE COMPANY INCLUDING UNCALLED CAPITAL	JCB SERVICE

# Memoranda of Satisfaction and Appointments etc. of Receivers

N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

COMPANY: SC034905 CHARGE: 1

(8)  In the case of a floating charge, a statement of the provisions, if any, prohibiting or restricting the creation by the company of any fixed security or any other floating charge having priority over, or ranking <i>pari passu</i> with the floating charge.	(9)  In the case of a floating charge, a statement of the provisions if any regulating the order in which the floating charge shall rank with any other subsisting or future floating charges or fixed securities over the property the subject of the floating charge or any part of it.	(10)  Amount or rate per cent of the Commission Allowance or discount	(11)  Memoranda of Satisfaction	(12)  Receiver		
				Name	Date of Appointment	Date of Ceasing to act
COMPANY ARE EXPRESSLY PROHIBITED FROM CREATING SUBSEQUENT FIXED SECURITY HAVING PRIORITY OVER OR RANKING EQUALLY WITH THE FLOATING CHARGE						