

# M

COMPANIES FORM No. 410(Scot)

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

# 410

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write in  
this margin

Pursuant to section 410 of the Companies Act 1985

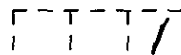
Please complete  
legibly, preferably  
in black type, or  
bold block lettering

\*  
insert full name  
of company

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

For official use

Company number



SC195923

Name of company

\* Loch Duart Limited ("the Company")

Date of creation of the charge (note 1)

13 November 1999

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

Floating Charge ("the Bank's Floating Charge")

Amount secured by the charge

All monies and liabilities due as at 13 November 1999 or which shall become due, owing or incurred to the Bank by the Company whether actually or contingently and whether presently or in the future and whether solely or jointly with any other person and whether as principal or surety or in any way whatsoever including (as well after as before any demand made or decree or judgement obtained) interest, discount, commission and other lawful charges and expenses computed and compounded from time to time in accordance with the terms agreed between the Company and the Bank relating thereto (if any) and in the absence of any such agreed terms computed and compounded from time to time according to the then current practice of the Bank (but so that interest shall be computed at the annual rate of 3% above the Bank's base rate from time to time).

Names and addresses of the persons entitled to the charge

HSBC Bank plc (Company Number 14259), having its Registered Office at Poultry, London EC2P 2BX and its successors and assignees ("the Bank")

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

Shepherd & Wedderburn WS  
Saltire Court  
20 Castle Terrace  
Edinburgh EH1 2ET  
DX ED553049  
(Ref: T:\AMK\OYEZ\MW191101

For official Use

Charges Section

Post room



SCT \*SSF58LKH\* 284  
COMPANIES HOUSE 19/11/99

Short particulars of all the property charged.

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

The whole of the property (including uncalled capital) which is as at 13 November 1999 or may be from time to time, while the Bank's Floating Charge is in force, comprised in the property and undertaking of the Company ("the Assets").

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 Company shall not, except with the prior written consent of the Bank, create or purport to create or permit to subsist over all or any of the Assets any standard security, mortgage, charge, lien, pledge or other fixed security or floating charge other than the Bank's Floating Charge and any other security in favour of the Bank.

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

None

Signed Shepherd & Macdonald Date 19-11-99

On behalf of [~~company~~] [chargee]<sup>†</sup>

<sup>†</sup> 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 Registration Office,  
102 George Street,  
Edinburgh EH2 3DJ



**CERTIFICATE OF THE REGISTRATION  
OF A CHARGE**

Company number 195923

I hereby certify that a charge created by

LOCH DUART LIMITED

on 13 NOVEMBER 1999

for securing ALL SUMS DUE, OR TO BECOME DUE

in favour of HSBC BANK plc

was delivered pursuant to section 410 of the Companies Act, 1985,  
on 19 NOVEMBER 1999

Given at Companies House, Edinburgh  
23 NOVEMBER 1999



**C O M P A N I E S   H O U S E**



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

**LOCH DUART 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: SC195923 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
19/11/1999		13/11/99 FLOATING CHARGE		ALL SUMS DUE, OR TO BECOME DUE	UNDERTAKING AND ALL PROPERTY AND ASSETS PRESENT AND FUTURE OF THE COMPANY INCLUDING UNCALLED CAPITAL	HSBC BANK plc

# 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: SC195923 CHARGE: 1

(8)	(9)	(10)	(11)	(12)		
				Receiver		
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.	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.	Amount or rate per cent of the Commission Allowance or discount	Memoranda of Satisfaction	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						