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

\* insert full name of company

COMPANIES FORM No 410 (Scot)

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

A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge

Pursuant to section 410 of the Companies Act 1985

To the Registrar of Companies  
(Address overleaf Note 6)

6  
For official use

# 410

**COMPANIES HOUSE**  
**FEE PAID**  
**EDINBURGH**

Company Number  
**SC209196**

Name of company

**\*BRUICHLADDICH DISTILLERY COMPANY LIMITED**

Date of creation of the charge (note 1)

**2 November 2006**

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

**Standard Security**

Amount secured by the charge

**See Paper Apart 1**

Names and addresses of the persons entitled to the charge

**The Governor and Company of the Bank of Scotland**  
**The Mound**  
**Edinburgh**  
**EH1 1YZ**

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

**Burness LLP**  
**242 West George Street**  
**Glasgow G2 4QY**

**Tel. 0141 248 4933**

**Ref. MIP/BRU/45/3**

For official use  
Charges Section

Post room

WEDNESDAY



\*S06KDKJM\*

SCT

15/11/2006

419

COMPANIES HOUSE

Short particulars of all the property charged

*Please do not write in this margin*

**See Paper Apart 2**

*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)

**N/A**

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

*S. S. W. L. L.*

Date 14 11 06

for and on behalf of Burness LLP

= delete as appropriate

On behalf of chargee

#### 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 of 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 or 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 Cheques and Postal Orders are to be made payable to Companies House
- 6 The address of the Registrar of Companies is Companies House, 37 Castle Street, Edinburgh EH1 2EB

S Sum h 2

**Papers apart relative to Companies House Form No. 410 (Scot) in respect of** *FOR BRUICHLADDICH*  
**Bruichladdich Distillery Company Limited**  
**Registered Number: SC209196**

In these Papers Apart

**“the Charge”** means the standard security by the Chargor in favour of the Lender dated 14 July 2006 and registered in the Land Register of Scotland under title number ARG12731 on 2 November 2006,

**“Chargor”** means Bruichladdich Distillery Company Limited, a company incorporated under the Companies Acts with registered number SC209196 and having its registered office at The Bruichladdich Distillery, Islay, Argyll PA49 7UN,

**“Lender”** means The Governor and Company of the Bank of Scotland, incorporated by an Act of Parliament and having its head office at The Mound, Edinburgh EH1 1YZ,

**“Secured Assets”** means ALL and WHOLE the subjects known as the Brewer’s House, Bruichladdich, aforesaid in the Parish of Kilchoman and County of Argyll and being the subjects more particularly described in, disposed by and shown delineated in red on the plan annexed and signed as relative to the Disposition by Bruichladdich Distillery Company Limited in favour of John Mackinnon and Mrs Flora Margaret Mackinnon dated Twenty fifth October and registered in the Division of the General Register of Sasines applicable to the County of Argyll on Nineteenth November, both months of Nineteen hundred and ninety one, and now registered in the Land Register of Scotland under title number ARG12731, and

**“Secured Liabilities”** has the same meaning as in the Lender’s SME Standard Security Conditions dated 27 January 2004 and registered in the Books of Council and Session on 29 January 2004

#### **Paper Apart 1**

The amount secured by the Charge is the Secured Liabilities

#### **Paper Apart 2**

The property charged by the Charge is the Secured Assets

**FILE COPY**



**CERTIFICATE OF THE REGISTRATION  
OF A CHARGE**

Company number 209196

I hereby certify that a charge created by

BRUICHLADDICH DISTILLERY COMPANY LIMITED

on 2 NOVEMBER 2006

for securing ALL SUMS DUE, OR TO BECOME DUE

in favour of

THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND

was delivered pursuant to section 410 of the Companies Act, 1985,  
on 15 NOVEMBER 2006 given at Companies House, Edinburgh  
17 NOVEMBER 2006



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

