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COMPANIES FORM No. 466(Scot)

Particulars of an instrument of alteration to a floating charge created by a company registered in Scotland

466

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

Please do not
write in
this margin

Pursuant to section 410 and 466 of the Companies Act 1985

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

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

For official use

Company number

1

SC301188

Name of company

* SPARK ENERGY LIMITED

* insert full name
of company

Date of creation of the charge (note 1)

26/07/2007

Description of the instrument creating or evidencing the charge or of any ancillary document which has been altered (note 1)

FLOATING CHARGE

Names of the persons entitled to the charge

HSBC BANK PLC

Short particulars of all the property charged

UNDERTAKING AND ALL PROPERTY AND ASSETS PRESENT AND FUTURE OF THE COMPANY INCLUDING ANY UNCALLED CAPITAL.

Presenter's name address and
reference (if any):

For official use (02)
Charges Section

WEDNESDAY



SSEGXWKR

SCT

10/08/2011

184

COMPANIES HOUSE

115

Names, and addresses of the persons who have executed the instrument of alteration (note 2)

HSBC BANK PLC, 8 CANADA SQUARE, LONDON, E4 5HQ, SIR TIMOTHY NOBLE, ARDNAHANE, BARNTON AVENUE, EDINBURGH, EH4 6JJ, SEBSED LIMITED, C/O SCOTTISH BORDERS, BRIDGE STREET, GALASHIELS, TD1 1SW, CLAIRE FLETCHER, 63 GREAT KING STREET, EDINBURGH, EH3 6RP, RICHARD BURNS, 31 SAXE COBURG PLACE, EDINBURGH, EH3 5BP, ROBERT DOUGLAS MILLER, BAVELAW CASTLE, BALERNO, MIDLOTHIAN, EH14 7JS, JEAN KEMMIS-MATTERSON, 25 MORAY PLACE, EDINBURGH, EH3 6DA, SPARK ENERGY LIMITED, 5TH FLOOR, 7 CASTLE STREET, EDINBURGH, EH2 3AH.

*Please do not
write in
this margin*

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

Date(s) of execution of the instrument of alteration

21 JUNE 2011, 28 JUNE 2011, 29 JUNE 2011, 27 JULY 2011, 30 JULY 2011, 1 AUGUST 2011

A statement of the provisions, if any, imposed by the instrument of alteration prohibiting or restricting the creation by the company of any fixed security or any other floating charge having, priority over, or ranking pari passu with the floating charge

N/A

Short particulars of any property released from the floating charge

N/A

The amount, if any, by which the amount secured by the floating charge has been increased

N/A

A statement of the provisions, if any, imposed by the instrument of alteration varying or otherwise regulating the order of the ranking of the floating charge in relation to fixed securities or to other floating charges

*Please do not
write in
this margin*

*Please complete
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in black type, or
bold block lettering*

THE BANK, THE POSTPONED CREDITORS, THE SECOND POSTPONED CREDITORS AND THE COMPANY AGREE THAT THE SUMS SECURED OR TO BE SECURED BY THE SECURITIES WILL RANK IN THE FOLLOWING ORDER OF PRIORITY:-

1. THE BANK FLOATING CHARGE TO THE EXTENT OF THE BANK PRIORITY DEBT; THEN
2. THE POSTPONED FLOATING CHARGE TO THE EXTENT OF THE POSTPONED PRIORITY DEBT; THEN
3. THE BANK FLOATING CHARGE TO THE EXTENT OF ALL REMAINING SUMS DUE TO THE BANK; THEN
4. THE SECOND POSTPONED FLOATING CHARGE TO THE EXTENT OF THE SECOND POSTPONED DEBT DUE TO THE SECOND POSTPONED CREDITORS.

THE RANKING PROVISIONS IN THIS AGREEMENT WILL NOT PREJUDICE THE RIGHT OF THE BANK TO RECEIVE PREFERENTIAL PAYMENTS, PROVIDED THAT ANY PREFERENTIAL PAYMENTS PAYABLE WILL NOT BE COUNTED TOWARDS REPAYMENT OF THE BANK DEBT FOR THE PURPOSES OF CALCULATING THE EXTENT OF ANY PRIORITY TO WHICH THE BANK IS ENTITLED TO UNDER CLAUSE 1 OF THIS RANKING AGREEMENT.

BANK = HSBC

POSTPONED CREDITORS = SEBSED

SECOND POSTPONED CREDITORS = TIMOTHY NOBLE, CLAIRE FLETCHER, RICHARD BURNS, ROBERT DOUGLAS MILLER, JEAN KEMMIS-MATTERSON

BANK PRIORITY DEBT = £500,000

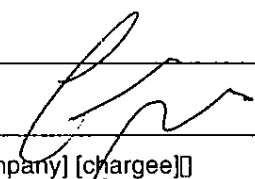
POSTPONED PRIORITY DEBT = £50,000

SECOND POSTPONED DEBT = £915,000

Continuation of the statement of the provisions, if any, imposed by the instrument of alteration varying or otherwise regulating the order of the ranking of the floating charge in relation to fixed securities or to other floating charges

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bold block lettering*

Signed  Date 8/8/11
On behalf of [company] [chargee] ☐

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

Notes

1. A description of the instrument e.g. "Instrument of Charge" "Debenture" etc as the case may be, should be given. For the date of creation of a charge see section 410(5) of the Companies Act. ☐ delete as appropriate
2. In accordance with section 466(1) the instrument of alteration should be executed by the company, the holder of the charge and the holder of any other charge (including a fixed security) which would be adversely affected by the alteration.
3. A certified copy of the instrument of alteration, 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 execution of that instrument.
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. A fee of £13 is payable to Companies House in respect of each register entry for a mortgage or charge. Cheques and Postal Orders are to be made payable to **Companies House**.
6. The address of the Registrar of Companies is: Companies Registration Office, 139 Fountainbridge, Edinburgh EH3 9FF
DX 235 Edinburgh or LP - 4 Edinburgh 2



FILE COPY

**CERTIFICATE OF THE REGISTRATION
OF AN ALTERATION TO A FLOATING CHARGE**

COMPANY NO. 301188

CHARGE NO. 1

I HEREBY CERTIFY THAT PARTICULARS OF AN INSTRUMENT
OF ALTERATION DATED 1 AUGUST 2011

WERE DELIVERED PURSUANT TO SECTION 878 OF THE
COMPANIES ACT 2006
ON 10 AUGUST 2011

THE INSTRUMENT RELATES TO A CHARGE CREATED ON 26
JULY 2007

BY SPARK ENERGY LIMITED

IN FAVOUR OF
HSBC BANK PLC

FOR SECURING ALL SUMS DUE OR TO BECOME DUE

GIVEN AT COMPANIES HOUSE, EDINBURGH 16 AUGUST 2011



Companies House
— for the record —



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES