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JRM No. 402

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## Particulars of a mortgage or charge

ch 25/00  
COMPANIES REGISTRATION

# 402

Pursuant to Article 402(1) of the Companies (Northern Ireland) Order 1986.

To the Registrar of Companies

For official use

Company number

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NI 27826
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29527

Name of company

• BEN SHERMAN (MANUFACTURING) LIMITED

Date of creation of the charge

14 February 1996

Description of the instrument (if any) creating or evidencing the charge (note 2)

Fixed and Floating Charge dated 14 February 1996

Amount secured by the mortgage or charge

All monies and liabilities now or at any time hereafter due owing or incurred to the Bank by the Company in any way whatsoever.

Names and addresses of the mortgagees or persons entitled to the charge

Midland Bank plc, whose registered office is at Poultry, in the City of London

Postcode

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

L'Estrange & Brett  
7&9 Chichester Street  
Belfast  
BT1 4JG  
Ref: PMcB

For official use  
Public Office  
DEPARTMENT OF  
ECONOMIC DEVELOPMENT

Companies Registration

RECEIVED  
21 FEB 1996

RECEIPT No.

CHECKED (Initials)

Mortgage Section

DEPT. OF ECONOMIC DEVELOPMENT  
REGISTERED

21 FEB 1996

COMPANIES REGISTRATION  
NORTHERN IRELAND

Short particulars of all the property mortgaged or charged

First Fixed Charge on all book debts and other debts now and from time to time hereafter due owing or incurred to the Company other than such of the said debts as the Bank may have specifically agreed in writing to exclude from such first fixed charge; and all goodwill and uncalled capital for the time being of the Company; and all patents patent applications inventions trade marks trade names registered designs copyrights know how and other intellectual property rights and all licences and ancillary rights and benefits including all royalties fees and other income deriving from the same both present and future of the Company; and

Floating Charge on all other the Undertaking of the Company and all its property whatsoever and wheresoever both present and future including its uncalled capital for the time being and such of the book debts and other debts referred to the above which are not charged under the said first fixed charge (collectively called "the assets") but so that the Company shall not except with the prior written consent of the Bank:

- (a) create or permit to subsist over all or any of the assets any mortgage charge lien pledge or other security ranking in priority to or parri passu with the said floating charge; or
- (b) part with sell or dispose of all or except in the ordinary course of the Company's business and for the purpose of carrying on the same any of the assets; or
- (c) deal with its book or other debts or securities for money forming part of the assets otherwise than in the ordinary course of getting in and realising the same which course shall not include or extend to the selling or assigning or in any other way factoring or discounting of any of the said debts or securities

Particulars as to commission, allowance or discount (note 3)

Nil

Signed

Date 16/2/96

On behalf of [company]/[mortgagee/chargee]†

†delete as appropriate

Notes

- 1 The original instrument (if any) creating or evidencing the charge, together with these prescribed particulars correctly completed must be delivered to the Registrar of Companies within 21 days after the date of creation of the charge (Article 402). If the property is situated and the charge was created outside the United Kingdom delivery to the Registrar must be effected within 21 days after the date on which the instrument could in due course of post, and if dispatched with due diligence, have been received in the United Kingdom (Article 405). A copy of the instrument creating the charge will be accepted where the property charged is situated and the charge was created outside the United Kingdom (Article 405), and in such cases the copy must be verified to be a correct copy either by the company or by the person who has delivered or sent the copy to the Registrar. The verification must be signed by or on behalf of the person giving the verification and where this is given by a body corporate it must be signed by an officer of that body. A verified copy will also be accepted where Article 405(4) applies (property situate in Great Britain) and Form No. 405 is submitted.
- 2 A description of the instrument, eg "Trust Deed", "Debenture", "Mortgage" or "Legal charge", etc, as the case may be, should be given.
- 3 In this Box there should be inserted the amount or rate per cent, of the commission, allowance or discount (if any) paid or made either directly or indirectly by the company to any person in consideration of his:
  - (a) subscribing or agreeing to subscribe, whether absolutely or conditionally, or
  - (b) procuring or agreeing to procure subscriptions, whether absolute or conditional,for any of the debentures included in this return. The rate of interest payable under the terms of the debentures should not be entered.
- 4 If any of the spaces in this form are insufficient the particulars must be entered on the prescribed continuation sheet.

DUPLICATE FOR THE FILE



NI27826

CERTIFICATE OF THE REGISTRATION OF A MORTGAGE  
Pursuant to Article 409(3) of the  
Companies (Northern Ireland) Order 1986

I HEREBY CERTIFY that a Mortgage or Charge  
dated the fourteenth day of February One thousand nine hundred and  
ninety six and created by

BEN SHERMAN (MANUFACTURING) LIMITED

for securing all moneys now due, or hereafter to become due, or from  
time to time accruing due from the Company to

MIDLAND BANK plc

on any account whatsoever, was this day REGISTERED pursuant to  
Part XIII of the Companies (Northern Ireland) Order 1986.

Given under my hand at Belfast, this twenty-first day of  
February One thousand nine hundred and ninety six

A handwritten signature in dark ink, appearing to read 'J. Boyd'.

Assistant Registrar of Companies for  
Northern Ireland

Certificate  
received by

A handwritten signature in dark ink, appearing to be a stylized name.

Date 26/2/86