

# CERTIFIED COPY INTERLOCUTOR

The Petition of

**F&C PRIVATE EQUITY TRUST PLC**, a company incorporated under the Companies Act 1985 and having its registered office at 80 George Street, Edinburgh EH2 3BU

for an order confirming the cancellation of its share premium account

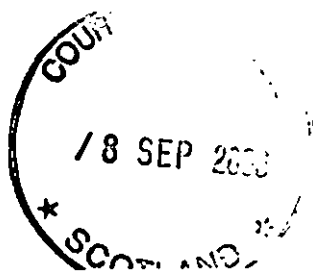
08 September 2006

Lord Drummond Young

Act: Delibegovic-Broome

The Lord Ordinary, having resumed consideration of the Petition and proceedings along with the Report by Mr Adrian E R Bell, No.9 of process, and having heard Counsel for the Petitioner, Directs that the provisions of Section 136(3) (4) and (5) of the Companies Act 1985 shall not apply as regards the creditors of F & C Private Equity Trust plc or any class of them; Makes an order confirming the cancellation of share premium account resolved upon by Special Resolution made on 9 August 2005 and set forth in the Petition; Appoints the Company to deliver to the Register of Companies a certified copy of the interlocutor confirming the reduction of capital; Directs the Registrar of Companies to register said order, and on said order being so registered, Orders notice thereof to be given by advertisement once in the Edinburgh Gazette newspaper, and Decerns.

" J.E. Drummond Young "



EDINBURGH 8<sup>TH</sup> SEPTEMBER 2006  
CERTIFY A TRUE COPY  
*C. S. R.*  
ASSISTANT CLERK OF SESSION