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

# 410

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

CHFP025

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write in this  
margin

Pursuant to section 410 of the Companies Act 1985

COMPANIES HOUSE  
FEE PAID  
EDINBURGH

To the Registrar of Companies  
(Address overleaf Note 6)

For official use

Company number

[1][3]

SC264324

Name of company

\* CATHKIN ENERGY LIMITED (the "Company")

Date of creation of the charge (note 1)

22 February 2007

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

BOND AND FLOATING CHARGE (the "Charge")

Amount secured by the charge

All Obligations incurred from time to time by the Company under or in  
connection with the Tranche B2 Facility and the Tranche C Facility of the  
Facilities Agreement when they become due for payment or discharge

See Continuation Sheet 1 for definitions

Names and addresses of the persons entitled to the charge

FORTIS BANK S A /N V , Camomile Court, 23 Camomile Street, London EC3A 7PP  
(the "Security Trustee")

Presentor's name address telephone  
number and reference (if any)  
Maclay Murray & Spens LLP  
3 Glenfinlas Street  
Edinburgh  
EH3 6AQ

0131 226 5196

LEB/CEXM/RJL/NOR/1/23

For official use (06/2005)  
Charges Section

Post room

THURSDAY



\*SIYDCNO8\*

SCT

08/03/2007

690

COMPANIES HOUSE

Short particulars of all the property charged

The whole of the property, assets and undertaking (including uncalled capital) from time to time of the Company (the "Assets").

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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)

The Charge shall, subject to section 464(2) of the Companies Act 1985, rank in priority to any Fixed Security (other than any Fixed Security granted by the Company in favour the Security Trustee which shall rank in priority to the Charge) and to any other floating charge,  
The Company shall not, without the prior written consent of the Security Trustee, create or permit to exist any Fixed Security or floating charge over all or any part of the Assets which ranks in priority to or equally with the Charge except for any Fixed Security granted by the Company in favour of the Security Trustee

See Continuation Sheet 1 for definitions

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

Nil

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

Signed RAH Date 8 March 2007

On behalf of ~~XXXXXX~~ [chargee] †

FOR AND ON BEHALF OF  
MACLAV MURRAY & SPENS LLP

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 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 House, 37 Castle Terrace, Edinburgh EH1 2EB  
DX 235 Edinburgh or LP 4 Edinburgh 2

† delete as  
appropriate

## **Continuation sheet 1**

To the Registrar of Companies

Name of company

Company number

SC264324

Cathkin Energy Limited  
("the Company")

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In this Form 410 the following definitions shall apply

**"Facilities Agreement"** means the £117,000,000 facilities agreement dated 23 January 2007 between among others MEIF LG Energy Limited and the Security Trustee (as defined therein) as it may from time to time be amended restated, novated or replaced (however fundamentally including by an increase of any size in the amount of the facilities made available under it, the alteration of the nature, purpose or period of those facilities or the change of its parties),

**"Fixed Security"** shall have the meaning given to it in section 486 of the Companies Act 1985,

**"Obligations"** in relation to a person, means all obligations or liabilities of any kind of that person from time to time, whether they are

- (a) to pay money or to perform (or not to perform) any other act,
- (b) express or implied,
- (c) present, future or contingent,
- (d) joint or several,
- (e) incurred as a principal or surety or in any other manner, or
- (f) originally owing to the person claiming performance or acquired by that person from someone else

**"Tranche B2 Facility"** has the meaning given to it in the Facilities Agreement,

**"Tranche C Facility"** has the meaning given to it in the Facilities Agreement

All other defined terms have the meaning given to them in the Facilities Agreement

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## CERTIFICATE OF THE REGISTRATION OF A CHARGE

Company number 264324

I hereby certify that a charge created by

CATHKIN ENERGY LIMITED

on 22 FEBRUARY 2007

for securing ALL SUMS DUE, OR TO BECOME DUE

in favour of FORTIS BANK S.A./N.V.

was delivered pursuant to section 410 of the Companies Act, 1985,  
on 8 MARCH 2007      given at Companies House, Edinburgh  
12 MARCH 2007



C O M P A N I E S   H O U S E

