

M

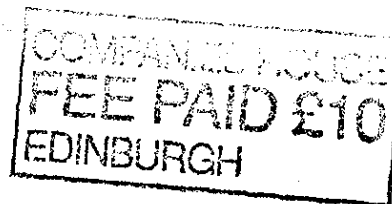
COMPANIES FORM No. 410(Scot)

Particulars of a charge created by a company registered in Scotland

410

Please do not
write in
this margin

Pursuant to section 410 of the Companies Act 1985

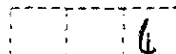


Please complete
legibly, preferably
in black type, or
bold block lettering

To the Registrar of Companies
(Address overleaf - Note 5)

For official use

Company number



SC195923

Name of company

insert full name
of company

Loch Duart Limited

Date of creation of the charge (note 1)

2nd May 2000

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

Floating Charge

Amount secured by the charge

All monies and liabilities which shall for the time being be due, owing or incurred by whatsoever manner to Dr Elizabeth Jean Balfour CBE by Loch Duart Limited in terms of the Loan Agreement between Dr Elizabeth Jean Balfour CBE and Loch Duart Limited and dated of even date with the floating charge and any liability incurred by Dr Elizabeth Jean Balfour CBE in consequence of the guarantee in respect of deferred consideration up to £460,000 relating to the Purchase Agreement entered into by Loch Duart Limited and Joseph Johnston & Sons Limited dated 26th August 1999, or otherwise.

Names and addresses of the persons entitled to the charge

Dr Elizabeth Jean Balfour CBE

Kirkforthar House

Markinch, Glenrothes. Fife

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

For official use
Charges Section

Post room



SCT S6EUVQE5 0323
COMPANIES HOUSE 11/05/00

Short particulars of all the property charged.

Please do not
write in
this margin

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

The whole of the property (including uncalled capital) which is or may be from time to time comprised in the property and undertaking of Loch Duart Limited

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 Company is prohibited from creating any subsequent fixed security or other floating charge having priority over or ranking pari passu with the charge hereby created otherwise than in favour of Dr Elizabeth Jean Balfour CBE. Any such subsequent charge shall rank later in priority to the charge hereby created.

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

Signed And Hal Date 9/5/00
in behalf of [company] (charges)†

† delete as
appropriate

Notes

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 Standard Security; date of intimation of an Assignment.)

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.

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.

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.

The address of the Registrar of Companies is:-

Companies House
Castle Terrace
London EC1A 3ER



**CERTIFICATE OF THE REGISTRATION
OF A CHARGE**

Company number 195923

I hereby certify that a charge created by

LOCH DUART LIMITED

on 2 MAY 2000

for securing ALL SUMS DUE, OR TO BECOME DUE

in favour of DR ELIZABETH JEAN BALFOUR CBE

was delivered pursuant to section 410 of the Companies Act, 1985,
on 11 MAY 2000

Given at Companies House, Edinburgh
12 MAY 2000



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



**THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES**

N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

REGISTER of Charges, Alterations to Charges,

COMPANY: SC195923 CHARGE: 4

(1) Date of Registration	(2) Serial Number of Document on File	(3) Date of Creation of each Charge and Description thereof	(4) Date of the aquisition of the Property	(5) Amount secured by the Charge £	(6) Short Particulars of the Property Charged	(7) Names of the Persons entitled to the Charge
11/05/2000		2/ 5/00 FLOATING CHARGE		ALL SUMS DUE, OR TO BECOME DUE	UNDERTAKING AND ALL PROPERTY AND ASSETS PRESENT AND FUTURE OF THE COMPANY INCLUDING UNCALLED CAPITAL	DR ELIZABETH JEAN BALFOUR CB

Memoranda of Satisfaction and Appointments etc. of Receivers

N.B. Searchers may find it desirable to refer to the documents mentioned in column (2) for more detailed particulars

COMPANY: SC195923 CHARGE: 4

(8)	(9)	(10)	(11)	(12)		
In the case of a floating charge, a statement of the provisions, if any, prohibiting or restricting the creation by the company of any fixed security or any other floating charge having priority over, or ranking <i>pari passu</i> with the floating charge.	In the case of a floating charge, a statement of 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 the subject of the floating charge or any part of it.	Amount or rate per cent of the Commission Allowance or discount	Memoranda of Satisfaction	Receiver		
				Name	Date of Appointment	Date of Ceasing to act
COMPANY ARE EXPRESSLY PROHIBITED FROM CREATING SUBSEQUENT FIXED SECURITY HAVING PRIORITY OVER OR RANKING EQUALLY WITH THE FLOATING CHARGE						