

# MG01

## Particulars of a mortgage or charge

135603 / 13



**A fee is payable with this form**  
We will not accept this form unless you send the correct fee  
Please see 'How to pay' on the last page

**What this form is for**  
You may use this form to register  
particulars of a mortgage or charge  
in England and Wales or Northern  
Ireland

**What this form is NOT for**  
You cannot use this form to  
particulars of a charge for a  
company To do this, please  
form MG01s

FRIDAY



\*A11VM2KQ\*  
A37 03/02/2012 #146  
COMPANIES HOUSE

### 1 Company details

Company number 0 6 0 5 0 6 7 5

Company name in full ENRC Finance Limited

For official use

→ **Filling in this form**  
Please complete in typescript or in  
bold black capitals  
All fields are mandatory unless  
specified or indicated by \*

### 2 Date of creation of charge

Date of creation <sup>d</sup>3 <sup>d</sup>1 <sup>m</sup>0 <sup>m</sup>1 <sup>y</sup>2 <sup>y</sup>0 <sup>y</sup>1 <sup>y</sup>2

### 3 Description

Please give a description of the instrument (if any) creating or evidencing the  
charge, e.g. 'Trust Deed', 'Debenture', 'Mortgage', or 'Legal charge'

Description Cash Collateral and Deposit Agreement

### 4 Amount secured

Please give us details of the amount secured by the mortgage or charge

Amount secured All present and future obligations and liabilities whether actual or  
contingent and whether owed jointly or severally, as principal or  
surety and/or in any other capacity whatsoever, of ENRC Finance  
Limited (the "Chargor") to Bank of China Limited (the "Bank") from  
time to time pursuant to or under or in connection with the Counter  
Indemnity or the Cash Collateral and Deposit Agreement (the  
"Secured Liabilities")

**Continuation page**  
Please use a continuation page if  
you need to enter more details.

MG01

Particulars of a mortgage or charge

<b>5</b>	<b>Mortgagee(s) or person(s) entitled to the charge (if any)</b>		<b>Continuation page</b> Please use a continuation page if you need to enter more details
	Please give the name and address of the mortgagee(s) or person(s) entitled to the charge		
Name	Bank of China Limited		
Address	1 Lothbury		
	London		
Postcode	E C 2 R 7 D B		
Name			
Address			
Postcode			

<b>6</b>	<b>Short particulars of all the property mortgaged or charged</b>		<b>Continuation page</b> Please use a continuation page if you need to enter more details.
	Please give the short particulars of the property mortgaged or charged		
Short particulars	<p>The Company charged the Deposit by way of fixed charge in favour of the Bank as continuing security for the payment of the Secured Liabilities</p> <p>The Charge contained the following obligation on the Company not to create, purport to create or permit to subsist any Encumbrance on, or in relation to, the Deposit, or sell, assign, transfer, part with possession of or otherwise dispose of in any manner (or purport to do so) all or any part of, or any interest in, the Deposit, or create or grant (or purport to create or grant) any interest in the Deposit in favour of a third party</p> <p><b>Defined Terms</b></p> <p>"Account" means the United States Dollar blocked cash margin account in the Chargor's name with the Bank with account number 191134-0253-060 as that account may be renumbered or redesignated from time to time</p> <p>"Counter Indemnity" means the counter indemnity of even date entered into by the Chargor in favour of the Bank, in respect of the Bank agreeing to providing credit facility for the issuance of bonds and guarantees in excess of USD Fifty Million (the "Specified Limit") for and/ or on behalf of Eurasian Natural Resources Corporation Plc</p> <p>"Deposit" means all monies from time to time standing to the credit of the Account together with all other rights and benefits accruing to or arising in connection with the Account including if any, accrued interest,</p> <p>"Encumbrance" means any mortgage, deed (whether fixed or floating, legal or equitable), pledge, lien, assignment by way of security or other security interest securing any obligation of any person, or any other agreement or arrangement having a similar effect</p> <p>"Secured Liabilities" means all present and future obligations and liabilities whether actual or contingent and whether owed jointly or severally, as principal or surety and/or in any other capacity whatsoever, of ENRC Finance Limited (the "Chargor") to Bank of China Limited ( the "Bank") from time to time pursuant to or under or in connection with the Counter Indemnity or the Cash Collateral and Deposit Agreement</p>		

# MG01

## Particulars of a mortgage or charge

7

### Particulars as to commission, allowance or discount (if any)

Please insert the amount or rate percent of any commission, allowance or discount paid or made either directly or indirectly by the company to any person on consideration of his

- subscribing or agreeing to subscribe, whether absolutely or conditionally, or
- procuring or agreeing to procure subscriptions, whether absolute or conditional,

for any debentures included in this return The rate of interest payable under the terms of the debentures should not be entered

Commission allowance or discount

None

8

### Delivery of instrument

You must deliver the original instrument (if any) creating or evidencing the charge and these prescribed particulars to the Registrar of Companies within 21 days after the date of creation of the charge (section 860) If the property is situated and the charge was created outside the United Kingdom (UK), you must deliver the information to the Registrar within 21 days after the date on which the instrument could have been received in the UK in the normal course of post and assuming you had posted it promptly (section 866)

We will accept a verified copy of the instrument creating the charge where the property charged is situated and the charge was created outside the UK (section 870) The company or the person who has delivered the copy to the Registrar must verify it to be a correct copy and sign it Where a body corporate gives the verification, an officer of that body must sign it We will also accept a verified copy where section 867(2) applies (property situated in another part of UK)

9

### Signature

Please sign the form here

Signature

Signature

X  X

This form must be signed by a person with an interest in the registration of the charge

# MG01

## Particulars of a mortgage or charge

### Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form and will establish where we return the original documents. The contact information you give will be visible to searchers of the public record.

Contact name **Lucy Tagoe**

Company name **Bank of China Limited**

Address **1 Lothbury**

**London**

Post town

County/Region

Postcode **E C 2 R 7 D B**

Country

DX

Telephone **020 7282 8765**

### Certificate

We will send your certificate to the presenter's address if given above or to the Company's Registered Office if you have left the presenter's information blank.

### Checklist

**We may return forms completed incorrectly or with information missing**

**Please make sure you have remembered the following**

- The company name and number match the information held on the public Register
- You have included the original deed with this form
- You have entered the date the charge was created
- You have supplied the description of the instrument
- You have given details of the amount secured by the mortgagee or chargee
- You have given details of the mortgagee(s) or person(s) entitled to the charge
- You have entered the short particulars of all the property mortgaged or charged
- You have signed the form
- You have enclosed the correct fee

### Important information

**Please note that all information on this form will appear on the public record**

### How to pay

**A fee of £13 is payable to Companies House in respect of each mortgage or charge**

Make cheques or postal orders payable to 'Companies House'

### Where to send

**You may return this form to any Companies House address, however for expediency we advise you to return it to the appropriate address below**

#### **For companies registered in England and Wales.**

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ  
DX 33050 Cardiff

#### **For companies registered in Scotland**

The Registrar of Companies, Companies House,  
Fourth floor, Edinburgh Quay 2,  
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF  
DX ED235 Edinburgh 1  
or LP - 4 Edinburgh 2 (Legal Post)

#### **For companies registered in Northern Ireland**

The Registrar of Companies, Companies House,  
First Floor, Waterfront Plaza, 8 Laganbank Road,  
Belfast, Northern Ireland, BT1 3BS  
DX 481 N R Belfast 1

### Further information

For further information, please see the guidance notes on the website at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

**This form is available in an alternative format. Please visit the forms page on the website at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)**