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# Particulars of an instrument of alteration to a floating charge created by a company registered in Scotland

**466**

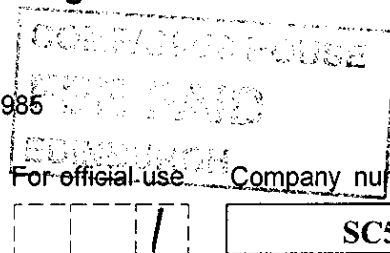
CHWP007

A fee of £10 is payable to Companies House in respect of each register entry for a mortgage or charge.

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write in  
this margin

Pursuant to section 410 and 466 of the Companies Act 1985

To the Registrar of Companies  
(Address overleaf)



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

Name of company

* <b>HEART OF MIDLOTHIAN PLC</b>
----------------------------------

\* insert full name  
of Company

Date of creation of the charge (note 1)

<b>28 MARCH 1968</b>
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Description of the instrument creating or evidencing the charge or of any ancillary document which has been altered (note 1)

<b>A BOND AND FLOATING CHARGE</b>
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Names of the persons entitled to the charge

<b>THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND</b>
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Short particulars of all the property charged

<b>the whole assets of the company</b>
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Presentor's name address  
and reference (if any):

**Anderson Strathern WS**  
**48 Castle Street, Edinburgh,**  
**EH2 3IX**  
**DX ED3 EDINBURGH-1**  
**DJM.BSO0004.272.AE**

For official use  
Charges Section

Post room



Names, and addresses of the persons who have executed the instrument of alteration (note 2)

**Heart of Midlothian plc, Tynecastle Stadium , Gorgie Road, Edinburgh, EH11 2NL**

**The Governor and Company of the Bank of Scotland, The Mound, Edinburgh**

**Scottish & Newcastle plc, 33 Ellersley Road, Edinburgh**

**SMG Investments Limited, 200 Renfield Street, Glasgow**

*Please do not  
write in  
this margin*

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

Date(s) of execution of the instrument of alteration

**8th, 11th and 13th November 2002**

A statement of the provisions, if any, imposed by the instrument of alteration prohibiting or restricting the creation by the company of any fixed security or any other floating charge having, priority over, or ranking pari passu with the floating charge

**None**

Short particulars of any property released from the floating charge

**Not applicable**

The amount, if any, by which the amount secured by the floating charge has been increased

Please do not  
write in  
this margin

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

**the following summary adopts the definitions contained within the Ranking Agreement:-**

**1. Wheatfield Street Property**

- i. The Bank's Standard Security over the above for all sums, interest, outlays and expenses due and to become due ("all sums");**
- ii. The Bank Floating Charge for all sums;**
- iii. S&N Floating Charge to S&N First Security Limited (now £81,000);**
- iv. SMG Floating Charge for all sums due under convertible loan stock instrument;**
- v. S&N Floating Charge for all further sums due.**

**2. The Stadium**

- i. The Bank's Standard Security over the above for all sums;**
- ii. S&N to S&N First Security limit;**
- iii. The Bank's Floating Charge for all sums;**
- iv. S&N Floating Charge for all sums up to S&N First Security Limit;**
- v. SMG Floating Charge for all sums due under convertible loan stock instrument;**
- vi. S&N Standard Security for all further sums due;**
- vii. S&N Floating Charge for all further sums due;**

**3. The McLeod Street Property**

- i. The Bank's Standard Security over the above for all sums;**
- ii. The Bank's Floating Charge for all sums;**
- iii. S&N Floating Charge to S&N First Security Limit;**
- iv. SMG Floating Charge for all sums due under convertible loan stock instrument;**
- v. S&N Floating Charge for all further sums due.**

**4. The Sports Academy**

- i. The Bank's Assignment for all sums;**
- ii. The Bank's Floating Charge for all sums;**

**5. The Remaining Property**

- i. The Bank's Floating Charge for all sums;**
- ii. S&N Floating Charge to S&N Floating First Security Limit;**
- iii. SMG Floating Charge for all sums due under convertible loan stock instrument;**
- iv. S&N Floating Charge for all further sums due.**

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

*A fee of £10 is  
payable to  
Companies House  
in respect of each  
register entry for a  
mortgage or  
charge.  
(See Note 5)*

Signed \_\_\_\_\_ Date \_\_\_\_\_

On behalf of [company] [chargee]†

#### Notes

1. A description of the instrument e.g. "Instrument of Charge" "Debenture" etc as the case may be, should be given. For the date of creation of a charge see section 410(5) of the Companies Act.
2. In accordance with section 466(1) the instrument of alteration should be executed by the company, the holder of the charge and the holder of any other charge (including a fixed security) which would be adversely affected by the alteration.
3. A certified copy of the instrument of alteration, 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 execution of that instrument.
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. Cheques and Postal Orders are to be made payable to **Companies House**.
6. The address of the Registrar of Companies is :-  
Companies Registration Office, 37 Castle Terrace, Edinburgh EH1 2EB

† delete as  
appropriate

# FILE COPY



## **CERTIFICATE OF THE REGISTRATION OF AN ALTERATION TO A FLOATING CHARGE**

Company number 5863

I hereby certify that particulars of an instrument of alteration dated  
13 NOVEMBER 2002

were delivered pursuant to section 410 of the Companies Act, 1985,  
on 27 NOVEMBER 2002.

The instrument relates to a charge created on 28 MARCH 1968

by HEART OF MIDLOTHIAN PLC

in favour of

THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND

for securing

ALL SUMS DUE OR TO BECOME DUE BY THE COMPANY TO THE CHARGEЕ

Given at Companies House, Edinburgh



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



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: SC005863 CHARGE: 1**

(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
05/04/1968	144	28/ 3/68 BOND & FLOATING CHARGE		ALL SUMS DUE OR TO BECOME DUE BY THE COMPANY TO THE CHARGE	THE WHOLE ASSETS OF THE COMPANY	THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND

# 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: SC005863 CHARGE: 1

(8)	(9)	(10)	(11)	(12)		
				Receiver		
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	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			16/ 1/95 PARTIAL PROPERTY RELEASE			

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

COMPANY: SC005863 CHARGE: 1

Instruments of Alteration to a Floating Charge					
(13) Date of Execution	(14) Names of the persons who have executed the instrument	(15) 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.	(16) The provisions, if any, varying or otherwise regulating the order of the ranking of the floating charge in relation to fixed securities or to other floating charges.	(17) Short particulars of any property released from the floating charge	(18) The amount, if any, by which the amount secured by the floating charge has been increased.  £
24/04/86 23/12/86 30/05/88 04/09/89	<p>THE COMPANY THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND SCOTTISH &amp; NEWCASTLE BREWERIES PLC THE COMPANY THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND THE COMPANY THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND ALLIED IRISH BANKS PLC THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND THE COMPANY</p> <p>JAMES GERARD AND ANOTHER THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND HEART OF MIDLOTHIAN PLC</p> <p>JAMES GERARD AND ANOTHER NEW HEARTS LIMITED THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND HEART OF MIDLOTHIAN PLC</p> <p>JAMES GERARD &amp; SUSAN MARGARET GERARD SCOTTISH &amp; NEWCASTLE PLC NEW HEARTS LTD THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND HEART OF MIDLOTHIAN PLC</p> <p>SCOTTISH &amp; NEWCASTLE plc AND ANOTHER JAMES GERARD &amp; MRS SUSAN MARGARET GERARD THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND HEART OF MIDLOTHIAN plc</p> <p>SMG INVESTMENTS LIMITED SCOTTISH &amp; NEWCASTLE PLC THE GOVERNOR AND COMPANY OF THE BANK OF</p>		SEE PAGE 3 DOC 229 SEE PAGE 3 DOC 231 SEE PAGE 3 OF DOC SEE PAGE 3 OF DOC		