

M

COMPANIES FORM No. 466(Scot)

466

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

Please do not write in this margin

Pursuant to section 410 and 466 of the Companies Act 1985

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

* insert full name of company

To the Registrar of Companies

For official use

Company number

[117]

5863

Name of company

* HEART OF MIDLOTHIAN PLC

Date of creation of the charge (note 1)

2nd December 1996

Description of the instrument creating or evidencing the charge or of any ancillary document which has been altered (note 1)

Bond and Floating Charge

Names of the persons entitled to the charge

New Hearts Limited

Short particulars of all the property charged

Whole property and undertaking of the company

PRINTED AND SUPPLIED BY

JordansJORDAN & SONS LIMITED
JORDAN HOUSE
BRUNSWICK PLACE
LONDON N1 6EE
TELEPHONE 01 253 3030
TELEX 26 1010

Presentor's name address and reference (if any):

Caesar & Howie
DX 460
BATHGATE
Ref. IDKFor official Use
Charges Section

Post room



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

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write in
this margin

1. Heart of Midlothian PLC, Tynecastle Park, Gorgie Road, Edinburgh
2. The Governor and Company of the Bank of Scotland, The Mound, Edinburgh
3. New Hearts Limited, 19 Ainslie Place, Edinburgh
4. James Gerard and Mrs Susan Margaret Gerard, Eastacres, 575 Lanark Road West,
Balerno

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

Date(s) of execution of the instrument of alteration

1. 4th March 1998
2. 23rd March 1998
3. 4th March 1998
4. 15th March 1998

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

None

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

None

Please do not
write in
this margin

A statement of the provisions, if any, imposed by the instrument of alteration varying or otherwise regulating the order of the ranking of the floating charge in relation to fixed securities or to other floating charges

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

1. Standard Security by the Company in favour of James Gerard and Mrs Susan Margaret Gerard recorded GRS Midlothian 29th August 1997 which shall rank first.
2. Standard Security by the Company in favour of The Governor and Company of the Bank of Scotland recorded said GRS 17th February 1998 which shall rank second.
3. Floating Charge by the Company in favour of The Governor and Company of the Bank of Scotland which shall rank third.
4. Floating Charge by the Company in favour of New Hearts Limited which shall rank fourth.

Continuation of the statement of the provisions, if any, imposed by the instrument of alteration varying or otherwise regulating the order of the ranking of the floating charge in relation to fixed securities or to other floating charges

Please do not write in this margin

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

Signed _____

Date 25.3.98

† delete as appropriate

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.

A certified copy must be signed by or on behalf of the person giving the certification and where this is a member of that body



**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
23 MARCH 1998

was delivered pursuant to section 410 of the Companies Act, 1985,
on 26 MARCH 1998.

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 CHARGE

Signed at Edinburgh
27 MARCH 1998

R. Graham
For 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: 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)		
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			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 & 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>		SEE PAGE 3 DOC 229 SEE PAGE 3 DOC 231 SEE PAGE 3 OF DOC SEE PAGE 3 OF DOC		

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: 17

(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
13/12/1996		2/12/96 BOND & FLOATING CHARGE		ALL SUMS DUE, OR TO BECOME DUE	UNDERTAKING AND ALL PROPERTY AND ASSETS PRESENT AND FUTURE OF THE COMPANY INCLUDING UNCALLED CAPITAL	NEW HEARTS LIMITED

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: 17

(8) 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.	(9) 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.	(10) Amount or rate per cent of the Commission Allowance or discount	(11) Memoranda of Satisfaction	(12) 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						

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

COMPANY: SC005863 CHARGE: 17

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. £
	<p>JAMES GERARD AND ANOTHER NEW HEARTS LIMITED 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>				