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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

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

For official use

Company number

		2
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155051
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Name of company

**ALBA COUNTRY FOODS LIMITED**

\*insert full name  
of company

Date of creation of charge (note 1)

**14.11.97**

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

**BOND AND FLOATING CHARGE**

Names of the persons entitled to the charge

**KELLOCK LIMITED**

Short particulars of all the property charged

The whole of the assets and property (including uncalled capital and all book and other debts to which the Company are now or shall at any time hereafter become entitled) which are or may be from time to time while this charge is in force comprised in the Company's property and undertaking.

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

For official Use  
Charges Section

Post room



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

MIDLAND BANK ("The Bank")  
Poultry, London, EC2P 2PX  
Kellock Limited, Abbey Gardens, 4 Abbey Street, Reading, Berkshire RG1 3BA ("The Factor")  
Alba Country Foods Limited, Capercaillie, Howletts Ha', West Ruther, Gordon, Berwickshire

**Dates (s) of execution of the instrument of alteration**

10.12.97  
14.11.97  
12.12.97

**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**

The company shall not grant any further fixed or floating charge over its assets or any part thereof including its heritable, real or leasehold property without the joint written consent of the Bank and the Factors.

**Short particulars of any property released from the floating charge**

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

**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**

Notwithstanding the terms of the Securities, the respective dates of their creation or of their registration, the Securities shall rank in the following order of priority, (FIRST) the Bond and Floating Charge in favour of the Factors (but only quoad the book and other debts to which the Company is or shall at any time in the future become entitled) in respect of all sums secured thereby together with interest thereon and the costs, charges and expenses of the Factors in relation thereto, (SECOND) the Bond and Floating Charge in favour of the Bank in respect of all sums secured thereby together with interest thereon and the costs, charges and expenses of the Bank in relation thereto, and (THIRD) the Bond and Floating Charge in favour of the Factors in respect of all sums secured thereby (together with interest thereon and the costs, charges and expenses of the Factors in relation thereto) which are not recovered by the Factors in terms of the foregoing priority in their favour.

Signed  Date 16.12.97

On behalf of ~~[company]~~ [chargee]

**Notes**

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.

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.

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 body corporate it must be signed by an officer of that body.

The address of the Registrar of Companies is:-  
Companies Registration Office, 102 George Street, Edinburgh EH2 3DJ



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

Company number 155051

I hereby certify that particulars of an instrument of alteration dated  
12 DECEMBER 1997

was delivered pursuant to section 410 of the Companies Act, 1985,  
on 17 DECEMBER 1997.

The instrument relates to a charge created on 14 NOVEMBER 1997

by ALBA COUNTRY FOODS LIMITED

in favour of KELLOCK LIMITED

for securing ALL SUMS DUE, OR TO BECOME DUE

Signed at Edinburgh  
18 DECEMBER 1997

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: SC155051 CHARGE: 2

(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
26/11/1997		14/11/97 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	KELLOCK 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: SC155051 CHARGE: 2

(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: SC155051 CHARGE: 2

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.  £
	ALBA COUNTRY FOODS LIMITED KELLOCK LIMITED MIDLAND BANK PLC				