

# MG01s

## Particulars of a charge created by a company registered in Scotland

26/042985



### 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 charge created by a  
Scottish company.

X **What this form is NOT for**  
You cannot use this form to register  
particulars of a mortgage  
created by a company in  
England and Wales or Northern Ireland.  
If you are creating such a charge in  
this, please use form MG01.

THURSDAY



SCT

\*S1EGNF4J\*

02/08/2012

#67

COMPANIES HOUSE

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### Company details

Company number S C 1 9 9 4 9 5

Company name in full Speyside Distillers Company Limited (formerly known as  
Speyside Distillery Company Limited) (the "Borrower")

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 \*

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### Date of creation of charge

Date of creation d0 d1 m0 m8 y2 y0 y1 y2

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### Description

Please give a description of the instrument (if any) creating or evidencing the  
charge e.g. 'Standard security', 'Floating charge' etc.

Description

Standard Security (the "Standard Security")

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### Amount secured

Please give us details of the amount secured by the charge.

Amount secured

All or any money and liabilities which shall from time  
to time (and whether on or at any time after demand) be  
due, owing or incurred in whatsoever manner to BoS by  
the Borrower, whether actually or contingently, solely  
or jointly and whether as principal, guarantor,  
cautioner or surety, including any money or liabilities  
of the Borrower to a third party which have been  
assigned or novated to or otherwise vested in BoS, and  
including discount, commission and other lawful charges  
or expenses which BoS may in the course of its business  
charge or incur in respect of any of those matters or  
for keeping the Borrower's account, together with  
Interest upon them and Expenses relating to them (the  
"Secured Liabilities").

Please see continuation sheet for definitions.

### Continuation page

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

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## 5 Mortgagee(s) or person(s) entitled to the charge

Please give the name and address of the mortgagee(s) or person(s) entitled to the charge.

Name Bank of Scotland plc ("BoS")

Address The Mound

Edinburgh

Postcode E H 1 1 Y Z

Name

Address

Postcode

### Continuation page

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

## 6 Short particulars of all the property charged

Please give the short particulars of the property charged.

### Continuation page

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

Short particulars

The subjects on the Northeast side of Cambuslang Road, Rutherglen, Glasgow and registered at the Land Register of Scotland under Title Number LAN72683 (the "Property").

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**Statement, in the case of a floating charge, as to any restrictions on power to grant further securities and any ranking provision ①**

N/A

① 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.

**Continuation page**

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

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## 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 N/A

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## Delivery of instrument

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 (UK), comprising property situated outside the UK, 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 UK. Certified copies of any other documents relevant to the charge should also be delivered.

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## Signature ②

Please sign the form here.

Signature

Signature

X

For and on behalf of Maclay Murray & Spens LLP

X

### ② Signature

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

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## 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 MDD/CPD/BAN/13/4691

Company name Maclay Murray & Spens LLP

Address Quatermile One

15 Lauriston Place

Post town Edinburgh

County/Region Midlothian

Postcode E H 3 9 E P

Country United Kingdom

DX ED137

Telephone 0131 228 7000



## 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 a certified copy of the deed (if any) 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 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 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 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,  
Second Floor, The Linenhall, 32-38 Linenhall Street,  
Belfast, Northern Ireland, BT2 8BG.  
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)

# MG01s - continuation page

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4	Amount secured	
	Please give us details of the amount secured by the charge.	
Amount secured	<p>"Act" means the Conveyancing and Feudal Reform (Scotland) Act 1970 as amended by the Redemption of Standard Securities (Scotland) Act 1971 and any further amendment to it or re-enactment or replacement of it from time to time.</p> <p>"Conditions" means the conditions contained in the BoS Deed of Standard Security Conditions (2006 Edition) dated 24 May 2006 and recorded in the Books of Council and Session on 25 May 2006 and the Standard Conditions (as varied and extended by the BoS Deed of Standard Security Conditions (2006 Edition)), and reference to a numbered Condition is to the relevant Condition in the BoS Deed of Standard Security Conditions (2006 Edition).</p> <p>"Expense" or "Expenses" mean the total of the following:</p> <ul style="list-style-type: none"> <li>(i) any commission and other charges which BoS may from time to time charge to the Borrower in the ordinary course of BoS's business in respect of the Secured Liabilities or any service provided by BoS to the Borrower;</li> <li>(ii) any costs, charges, premiums, fees and expenses incurred from time to time by BoS under the Conditions and which are either repayable by the Borrower under the Conditions or are incurred in the exercise by BoS of its powers under the Conditions;</li> <li>(iii) any costs, charges and expenses incurred by BoS in connection with BoS doing anything to protect the Standard Security or to obtain possession of or sell or deal (in any other way allowed by the Conditions) with the Property;</li> </ul> <p>together with Value Added Tax upon such sums where appropriate.</p> <p>"Interest" means any sum of money payable to BoS by way of interest upon the Secured Liabilities.</p> <p>"Standard Conditions" means the Standard Conditions set out in Schedule 3 to the Act.</p>	



**FILE COPY**

**CERTIFICATE OF THE REGISTRATION  
OF A CHARGE**

COMPANY NO. 199495

CHARGE NO. 6

I HEREBY CERTIFY THAT A CHARGE CREATED BY SPEYSIDE  
DISTILLERS COMPANY LIMITED

ON 1 AUGUST 2012

FOR SECURING ALL SUMS DUE OR TO BECOME DUE

IN FAVOUR OF BANK OF SCOTLAND PLC

WAS DELIVERED PURSUANT TO SECTION 878 OF THE  
COMPANIES ACT 2006 ON 2 AUGUST 2012

GIVEN AT COMPANIES HOUSE, EDINBURGH 2 AUGUST 2012



*Companies House*  
— for the record —



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES