

SCHEDULE 1

Regulation 3

MODIFICATIONS TO PROVISIONS OF THE 1985 ACT

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*Formalities of Carrying on Business*

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36B(1) (execution of documents by companies)

**Floating charges and Receivers (Scotland)**

462 (power of incorporated company to create floating charge)(2) In subsection (1), for the words “an incorporated company (whether a company within the meaning of this Act or not),” substitute “a limited liability partnership”, and the words “(including uncalled capital)” are omitted.

463 (effect of floating charge on winding up)(3)

466(4) (alteration of floating charges)  
Subsections (1), (2), (3) and (6)

486 (interpretation for Part XVIII generally)(5) For the definition of “company” substitute ““company” means a limited liability partnership;”

487 (extent of Part XVIII)

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- (1) Section 36B was inserted by section 130(3) of the Companies Act 1989 and was substituted by section 14(1), Schedule 14 of the Requirements of Writing (Scotland) Act 1995 (c. 7)
  - (2) Section 462 was amended by section 74(1), (2), Schedule 8, paragraph 33(6), Schedule 9 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40), section 14(2) and Schedule 5 of the Requirements of Writing (Scotland) Act 1985 (c. 7) and section 439(1), Schedule 13, Part I of the Insolvency Act 1986.
  - (3) Section 463 was amended by section 140 of the Companies Act 1989 (c. 40) and sections 439(1), Schedule 13, Part I and section 438 and Schedule 12 of the Insolvency Act 1986.
  - (4) Section 466 was amended by sections 130, 140 and 212 of, and paragraph 9 of Schedule 17 and Schedule 24 to, the Companies Act 1989 (c. 40).
  - (5) Section 486 was amended by section 438 of and Schedule 12 to the Insolvency Act 1986.