



Law of Property (Joint Tenants) Act 1964

1964 CHAPTER 63

An Act to amend the law with respect to land vested in joint tenants. [31st July 1964]

Modifications etc. (not altering text)

C1 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)

1 Assumptions on sale of land by survivor of joint tenants.

- (1) For the purposes of section 36(2) of the ^{M1}Law of Property Act 1925, as amended by section 7 of and the Schedule to the ^{M2}Law of Property (Amendment) Act 1926, the survivor of two or more joint tenants shall, in favour of a purchaser of the legal estate, be deemed to be solely and beneficially interested if he conveys as beneficial owner or the conveyance includes a statement that he is so interested.

Provided that the foregoing provisions of this subsection shall not apply if, at any time before the date of the conveyance by the survivor—

- (a) a memorandum of severance (that is to say a note or memorandum signed by the joint tenants or one of them and recording that the joint tenancy was severed in equity on a date therein specified) had been endorsed on or annexed to the conveyance by virtue of which the legal estate was vested in the joint tenants; or
- (b) [^{F1} a bankruptcy order] made against any of the joint tenants, or a petition for such an order, had been registered under the ^{M3}Land Charges Act 1925, being an order or petition of which the purchaser has notice, by virtue of the registration, on the date of the conveyance by the survivor.
- (2) The foregoing provisions of this section shall apply with the necessary modifications in relation to a conveyance by the personal representatives of the survivor of joint tenants as they apply in relation to a conveyance by such a survivor.

Textual Amendments

F1 Words substituted by [Insolvency Act 1985 \(c. 65, SIF 66\), s. 235\(1\), Sch. 8 para. 13](#) (with saving in [Insolvency Act 1986 \(c. 45, SIF 66\), s. 437, Sch. 11 para. 10](#))

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Law of Property (Joint Tenants) Act 1964. (See end of Document for details)

Marginal Citations

- M1** 1925 c. 20.
M2 1926 c. 11.
M3 1925 c. 22.

2 Retrospective and transitional provisions.

Section 1 of this Act shall be deemed to have come into force on 1st January 1926, and for the purposes of that section in its application to a conveyance executed before the passing of this Act a statement signed by the vendor or by his personal representatives that he was solely and beneficially interested shall be treated as if it had been included in the conveyance.

3 Exclusion of registered land.

This Act shall not apply to any land the title of which has been registered under the provisions of the ^{M4}Land Registration Acts 1925 and ^{M5}1936.

Marginal Citations

- M4** 1925 c. 21.
M5 1936 c. 26.

4 Short title, construction, citation and extent.

- (1) This Act may be cited as the Law of Property (Joint Tenants) Act 1964, and shall be construed as one with the ^{M6}Law of Property Act 1925.
- (2) The Law of Property Acts 1925 to 1932, and this Act, may be cited together as the Law of Property Acts 1925 to 1964.
- (3) This Act extends to England and Wales only.

Marginal Citations

- M6** 1925 c. 20.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Law of Property (Joint Tenants) Act 1964.