



Law of Property Act 1925

1925 CHAPTER 20 15 and 16 Geo 5

PART IV

EQUITABLE INTERESTS AND THINGS IN ACTION

136 Legal assignments of things in action.

- (1) Any absolute assignment by writing under the hand of the assignor (not purporting to be by way of charge only) of any debt or other legal thing in action, of which express notice in writing has been given to the debtor, trustee or other person from whom the assignor would have been entitled to claim such debt or thing in action, is effectual in law (subject to equities having priority over the right of the assignee) to pass and transfer from the date of such notice—
- the legal right to such debt or thing in action;
 - all legal and other remedies for the same; and
 - the power to give a good discharge for the same without the concurrence of the assignor:

Provided that, if the debtor, trustee or other person liable in respect of such debt or thing in action has notice—

- that the assignment is disputed by the assignor or any person claiming under him; or
- of any other opposing or conflicting claims to such debt or thing in action; he may, if he thinks fit, either call upon the persons making claim thereto to interplead concerning the same, or pay the debt or other thing in action into court under the provisions of the ^{M1}Trustee Act, 1925.

- (2) This section does not affect the provisions of the ^{M2}Policies of Assurance Act, 1867.

- [^{F1}(3) The county court has jurisdiction (including power to receive payment of money or securities into court) under the proviso to subsection (1) of this section where the amount or value of the debt or thing in action does not exceed [^{F2}£30,000].]

Status: Point in time view as at 11/08/2022.

Changes to legislation: Law of Property Act 1925, Section 136 is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** S. 136(3) added by County Courts Act 1984 (c. 28, SIF 34), s. 148(1), **Sch. 2 Pt. II para. 4**
F2 Words in s. 136(3) substituted (1.7.1991) by S.I. 1991/724, art. 2(8), **Sch. Pt. I** (with art. 12)

Modifications etc. (not altering text)

- C1** S. 136 excluded (12.2.1992) by S.I. 1992/225, **reg. 18(2)(c)**; and (19.12.1995) by S.I. 1995/3272, **reg. 32(5)**
S. 136 excluded (26.11.2001) by S.I. 2001/3755, **reg. 38(5)**
S. 136 excluded (26.12.2003) by The Financial Collateral Arrangements (No. 2) Regulations 2003 (S.I. 2003/3226), **reg. 4(3)**
C2 S. 136(1) proviso extended (1.7.1991) by S.I. 1991/724, **art. 2(5)** (with art. 12)
C3 S. 136(3) modified by County Courts Act 1984 (c. 28, SIF 34), **s. 24(2)(c)**

Marginal Citations

- M1** 1925 c. 19.
M2 1867 c. 144.

Status:

Point in time view as at 11/08/2022.

Changes to legislation:

Law of Property Act 1925, Section 136 is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.