



# Partnership Act 1890

1890 CHAPTER 39 53 and 54 Vict

*Dissolution of Partnership, and its consequences*

## 36 Rights of persons dealing with firm against apparent members of firm.

- (1) Where a person deals with a firm after a change in its constitution he is entitled to treat all apparent members of the old firm as still being members of the firm until he has notice of the change.
- (2) An advertisement in the London Gazette as to a firm whose principal place of business is in England or Wales, in the Edinburgh Gazette as to a firm whose principal place of business is in Scotland, and in the [<sup>F1</sup>Belfast Gazette] as to a firm whose principal place of business is in Ireland, shall be notice as to persons who had not dealings with the firm before the date of the dissolution or change so advertised.
- (3) The estate of a partner who dies, or who becomes bankrupt, or of a partner who, not having been known to the person dealing with the firm to be a partner, retires from the firm, is not liable for partnership debts contracted after the date of the death, bankruptcy, or retirement respectively.

### Textual Amendments

**F1** Words substituted by virtue of S.R. & O. 1921/1804 (Rev. XVI, p. 967: 1921, p. 422) art. 7(a)

### Modifications etc. (not altering text)

- C1** S. 36(1) excluded by 1907 c. 24, s. 6(6) (as inserted (6.4.2017) by [The Legislative Reform \(Private Fund Limited Partnerships\) Order 2017 \(S.I. 2017/514\)](#), arts. 1(2), 2(4)(e))
- C2** Reference to Ireland to be construed as exclusive of Republic of Ireland: S.R. & O. 1923/405 (Rev. X, p. 298: 1923, p. 400), art. 2
- C3** S. 36(3) applied (E.W.) (25.1.2018) by [Landfill Disposals Tax \(Wales\) Act 2017 \(anaw 3\)](#), ss. 82(5), 97(2); S.I. 2018/35, art. 2(w)

**Changes to legislation:**

There are currently no known outstanding effects for the Partnership Act 1890, Section 36.