

Reprint
as at 1 January 2008

Partition Act 1540

Partition Act 1540: ceased to have effect as part of the laws of New Zealand, on 1 January 2008, pursuant to section 365(1) of the Property Law Act 2007 (2007 No 91).

Imperial Act 32

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Joint tenants for life or yeres

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

Source: New Zealand Parliamentary Library, International Documents Collection

**1 St 31 H VIII c1 for Partition by Joint-Tenants, etc
extended to Persons having particular Estates for Life
or Years.**

FORASMUCHE as in the parlament begon at Westminster the xxviiiith day of Aprill and there contynued till the xxviiiith day of June the xxxi year of the Kinges mooste noble and victorouse reigne that nowe is, it was amongst other thinges there¹ enacted and established that all joyncte tenantis and tenantis in comon that then were or hereafter shulde be of anny estate or estatis of inheritaunce, in their owne rightis or in the right of their wives, of anny mannours landis tenementis or hereditamentis within this Realme of England Wales or Marches of the same, shall and may be coacted and compellid by vertue of the said acte to make partition betwene them of all suche mannours landis tentis and hereditamentis as they than hilde² or hereafter shulde holde as joynte ten'ntis or ten'ntis in coen; as more (³) at large apperith by the said estatute: And forasmuche as the said estatute dothe not extende to joyncte tenantis or tenantis in comon for terme of life or yeris, nother to joyncte tenantis or tenantis in comon where one or some of them have but a particulier estate for terme of life or yeris and thother have estate or estatis of inheritaunce of and in any mannours landis tenementis and hereditas; Be it therefore enacted by the Kinge our Souveraine Lorde and by the assent of his Lordis spuall and temporall and the Comons in this present parlament assembled and by the auctoritie of the same, that all joynct tenantis and tenauntis in comen and every of them, which nowe hold or hereafter shal holde joynctly or in comon for terme of life yere or yeres, or joyncttenantis or tenantis in comon where one or some of them have or shall have estate or estatis for terme of life or yeris with thother that have or shal have estate or estatis of inheritaunce or freeholde, in any manours landes tentis or hereditamentis, shall and may be compellable from hensfurth, by writte of partition to be pursued out of the Kinges Courtis of Chauncery upon his or their cace or caces, to make severaunce and partition of all

¹ O. omits

² then holde O.

³ playnly O.

suche manours landis tenementis and hereditamentis whiche they holde joyntely or in comon for terme of lyf or lifes yere or yeris, where one or some of them holde joyntly or in comon for terme of life or yeris with other, or that have an estate or estatis of inheritaunce or freeholde.

2 Such Partition shall not prejudice others, not Parties.

PROVIDED alway and be it enacted that no suche partition nor severaunce hereafter to be made by force of this acte be nor shall be prejudiciall or hurtefull to anny personne or personnes their heirs or successours other than suche whiche be parties unto the said partition their Executors or Assigneis.

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Notes**1 General**

This is an eprint of the Partition Act 1540. It incorporates all the amendments to the Act as at 1 January 2008. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

2 About this eprint

This eprint has not been officialised. For more information about officialisation, please see “Making online legislation official” under “Status of legislation on this site” in the About section of this website.

**3 List of amendments incorporated in this eprint
(most recent first)**

Property Law Act 2007 (2007 No 91): section 365(1)
