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**CHAPTER 167****RENT APPORTIONMENT****ARRANGEMENT OF SECTIONS**

## SECTION

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## CHAPTER 167

## RENT APPORTIONMENT

**An Act to amend an Act of the eleventh year of the reign of King George the Second, respecting the apportionment of rents, annuities, and other periodical payments.**

*4 & 5 Will. 4, c. 22  
extended by 10 of  
1872*

*[Commencement 16th June, 1834]*

1. [This Act may be cited as the Rent Apportionment Act.]

Short title.

[Recites 11 Geo. 2, c. 19, chapter 165 of this Edition.]

2. ..... Rents reserved and made payable on any Demise or Lease of Lands, Tenements, or Hereditaments which have been and shall be made, and which Leases or Demises determined or shall determine on the Death of the Person making the same (although such Person was not strictly Tenant for Life thereof), or on the Death of the Life or Lives for which such Person was entitled to such Hereditaments, shall so far as respects the Rents reserved by such Leases, and the Recovery of a Proportion thereof by the Person granting the same, his or her Executors or Administrators (as the Case may be), be considered as within the Provisions of the said recited Act.

Rents reserved on Leases determining on the Death of the Person making them (though not strictly Tenant for Life), etc., to be considered as within the Provisions of recited Act.

3. ..... All Rents Service reserved on any Lease by a Tenant in Fee or for any Life Interest, or by any Lease granted under any Power (and which Leases shall have been granted after the passing of this Act) and all Rents Charge and other Rents, Annuities, Pensions, Dividends, Moduses, Compositions, and all other Payments of every Description, ..... made payable or coming due at fixed Periods under any Instrument that shall be executed after the passing of this Act, or (being a Will or Testamentary Instrument) that shall come into operation after the passing of this Act, shall be apportioned so and in such Manner that on the Death of any Person interested in any such Rents, Annuities, Pensions, Dividends, Moduses, Compositions, or other Payments as aforesaid, or in the Estate, Fund, Office, or Benefice from or in respect of

All rents, Annuities, and other Payments coming due at fixed Periods to be apportioned; subject to all just Deductions. Remedies for obtaining the apportioned Parts.

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which the same shall be issuing or derived, or on the Determination by any other Means whatsoever of the Interest of any such Person, he or she, and his or her Executors, Administrators, or Assigns, shall be entitled to a Proportion of such Rents, Annuities, Pensions, Dividends, Moduses, Compositions, and other Payments according to the Time which shall have elapsed from the Commencement or last Period of Payment thereof respectively (as the Case may be), including the Day of the Death of such Person, or of the Determination of his or her Interest, all just Allowances and Deductions in respect of Charges on such Rents, Annuities, Pensions, Dividends, Moduses, Compositions, and other Payments being made; and that every such Person, his or her Executors, Administrators, and Assigns, shall have such and the same Remedies at Law and in Equity for recovering such apportioned Parts of the said Rents, Annuities, Pensions, Dividends, Moduses, Compositions, and other Payments, when the entire Portion of which such apportioned Parts shall form Part shall become due and payable, and not before, as he, she, or they would have had for recovering and obtaining such entire Rents, Annuities, Pensions, Dividends, Moduses, Compositions, and other Payments if entitled thereto, but so that Persons liable to pay Rents reserved by any Lease or Demise, and the Lands, Tenements, and Hereditaments comprised therein, shall not be resorted to for such apportioned Parts specifically as aforesaid, but the entire Rents of which such Portions shall form a Part shall be received and recovered by the Person or Persons who if this Act had not passed would have been entitled to such entire Rents; and such Portions shall be recoverable from such Person or Persons by the Parties entitled to the same under this Act in any Action or Suit at Law or in Equity.

Act not to apply  
to certain Cases.

4. Provided always, ..... that the Provisions herein contained shall not apply to any Case in which it shall be expressly stipulated that no Apportionment shall take place, or to annual Sums made payable in Policies of Assurance of any Description.