



THE STATUTES OF THE REPUBLIC OF SINGAPORE

PARTNERSHIP ACT 1890

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Partnership Act 1890

ARRANGEMENT OF SECTIONS

Nature of partnership

Section

1. Definition of partnership
2. Rules for determining existence of partnership
3. Postponement of rights of person lending or selling in consideration of share of profits in case of insolvency
4. Meaning of firm

Relations of partners to persons dealing with them

5. Power of partner to bind firm
6. Partners bound by acts on behalf of firm
7. Partner using credit of firm for private purposes
8. Effect of notice that firm will not be bound by acts of partner
9. Liability of partners
10. Liability of firm for wrongs
11. Misapplication of money or property received for or in custody of firm
12. Liability for wrongs joint and several
13. Improper employment of trust property for partnership purposes
14. Persons liable by "holding out"
15. Admissions and representations of partners
16. Notice to acting partner to be notice to firm
17. Liabilities of incoming and outgoing partners
18. Revocation of continuing guaranty by change in firm

Relations of partners to one another

19. Variation by consent of terms of partnership
20. Partnership property
21. Property bought with partnership money
22. Conversion into personal estate of land held as partnership property
23. Procedure against partnership property for partner's separate judgment debt

Section

- 24. Rules as to interests and duties of partners subject to special agreement
- 25. Expulsion of partner
- 26. Retirement from partnership at will
- 27. Where partnership for term is continued over, continuance on old terms presumed
- 28. Duty of partners to render accounts, etc.
- 29. Accountability of partners for private profits
- 30. Duty of partner not to compete with firm
- 31. Rights of assignee of share in partnership

Dissolution of partnership, and its consequences

- 32. Dissolution by expiration or notice
- 33. Dissolution by bankruptcy, death or charge
- 34. Dissolution by illegality of partnership
- 35. Dissolution by court
- 36. Rights of persons dealing with firm against apparent members of firm
- 37. Right of partners to notify dissolution
- 38. Continuing authority of partners for purposes of winding up
- 39. Rights of partners as to application of partnership property
- 40. Apportionment of premium where partnership prematurely dissolved
- 41. Rights where partnership dissolved for fraud or misrepresentation
- 42. Right of outgoing partner in certain cases to share profits made after dissolution
- 43. Retiring or deceased partner's share to be debt
- 44. Rule for distribution of assets on final settlement of accounts

Supplemental

- 45. Interpretation
- 46. Saving for rules of equity and common law
- 47. Short title

An Act to declare and amend the Law of Partnership.

[12 November 1993*]

* Date when this Act was made applicable by the Application of English Law Act (Cap. 7A).

*Nature of partnership***Definition of partnership**

1.—(1) Partnership is the relation which subsists between persons carrying on a business in common with a view of profit.

(2) But the relation between members of any company or association which is —

- (a) registered as a company under the Companies Act 1967 or under any previous corresponding law; or
- (b) formed or incorporated by or in pursuance of any other Act of Parliament,

is not a partnership within the meaning of this Act.

Rules for determining existence of partnership

2. In determining whether a partnership does or does not exist, regard shall be had to the following rules:

- (a) joint tenancy, tenancy in common, joint property, common property, or part ownership does not of itself create a partnership as to anything so held or owned, whether the tenants or owners do or do not share any profits made by the use thereof;
- (b) the sharing of gross returns does not of itself create a partnership, whether the persons sharing such returns have or have not a joint or common right or interest in any property from which or from the use of which the returns are derived;
- (c) the receipt by a person of a share of the profits of a business is prima facie evidence that he is a partner in the business, but the receipt of such a share, or of a payment contingent on or varying with the profits of a business, does not of itself make him a partner in the business; and in particular —
 - (i) the receipt by a person of a debt or other liquidated amount by instalments or otherwise out of the