



Partnership Act 1890

1890 CHAPTER 39 53 and 54 Vict

Nature of Partnership

4 **Meaning of firm.**

- (1) Persons who have entered into partnership with one another are for the purposes of this Act called collectively a firm, and the name under which their business is carried on is called the firm-name.
- (2) In Scotland a firm is a legal person distinct from the partners of whom it is composed, but an individual partner may be charged on a decree or diligence directed against the firm, and on payment of the debts is entitled to relief *pro ratâ* from the firm and its other members.
- [^{F1}(3) In relation to a limited partnership registered under the Limited Partnerships Act 1907, subsection (2) applies only if the limited partnership was registered by the registrar for Scotland.]

Textual Amendments

- F1** S. 4(3) inserted (26.10.2023 for specified purposes) by [Economic Crime and Corporate Transparency Act 2023 \(c. 56\)](#), **ss. 150**, 219(1)(2)(b)

Modifications etc. (not altering text)

- C1** S. 4(2) excluded by [Agricultural Holdings \(Amendment\) \(Scotland\) Act 1983 \(c. 46, SIF 2:3\)](#), s. 1(3), **Sch. 1 para. 3(b)** and by [Capital Transfer Tax Act 1984 \(c. 51, SIF 65\)](#), **s.119(2)**
- C2** S. 4(2) excluded (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 25(5), 89(2), **Sch. 2 Pt. III**, para. 3(b) (with s. 45(3), Sch. 12 para. 3)

Changes to legislation:

There are currently no known outstanding effects for the Partnership Act 1890, Section 4.