



Partnership Act 1890

1890 CHAPTER 39 53 and 54 Vict

Dissolution of Partnership, and its consequences

38 Continuing authority of partners for purposes of winding up.

After the dissolution of a partnership the authority of each partner to bind the firm, and the other rights and obligations of the partners, continue notwithstanding the dissolution so far as may be necessary to wind up the affairs of the partnership, and to complete transactions begun but unfinished at the time of the dissolution^{F1}, and in relation to any prosecution of the partnership by virtue of section 1 of the Partnerships (Prosecution) (Scotland) Act 2013], but not otherwise.

Provided that the firm is in no case bound by the acts of a partner who has become bankrupt; but this proviso does not affect the liability of any person who has after the bankruptcy represented himself or knowingly suffered himself to be represented as a partner of the bankrupt.

Textual Amendments

- F1** Words in s. 38 inserted (26.4.2013) by [Partnerships \(Prosecution\) \(Scotland\) Act 2013 \(c. 21\)](#), **ss. 6(2), 8(2)** (with s. 8(3)(4))

Changes to legislation:

There are currently no known outstanding effects for the Partnership Act 1890, Section 38.