

ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER A100

APPORTIONMENT ACT

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APPORTIONMENT ACT

Interpretation

1. In this Act—

"annuities" includes salaries and pensions;

"dividends" includes (besides dividends strictly so called) all payments made by the name of dividend, bonus, or otherwise, out of the revenue of trading or other public companies, divisible, between all or any of the members of such respective companies, whether such payments shall be usually made or declared at any fixed time or otherwise; and all such divisible revenue, shall for the purposes of this Act, be deemed to have accrued by equal daily increment during and within the period for or in respect of which the payment of the same revenue shall be declared or expressed to be made, but the word "dividend" does not include payments in the nature of a return or reimbursement of capital;

"rents" includes rent-service, rent-charge, and rent-seck, and all periodical payments or renderings in the nature of rent.

Rents, etc., to accrue from day to day and be apportionable in respect of time

2. All rents, annuities, dividends, and other periodical payments in the nature of income (whether reserved or made payable under an instrument in writing or otherwise) shall, like interest on money lent, be considered as accruing from day to day, and shall be apportionable in respect of time accordingly.

Apportioned part to be payable when next entire portion due

3. The apportioned part of any such rent, annuity, dividend, or other payment shall be payable or recoverable, in the case of a continuing rent, annuity, or other such payment, when the entire portion of which such apportioned part shall form part shall become due and payable, and not before, and, in the case of a rent, annuity, or other such payment determined by re-entry, death or otherwise, when the next entire portion of the same would have been payable if the same had not so determined, and not before.

Persons shall have same remedies for recovering apportioned parts as for entire portions

4. All persons and their respective heirs, executors, administrators and assigns, and also the executors, administrators and assigns respectively of persons whose interests determine with their own deaths, shall have such and the same remedies, at law and in equity, for recovering such apportioned parts as aforesaid when payable (allowing proportionate parts of all just allowances) as they respectively would have had for recovering such entire portions as aforesaid if entitled thereto respectively, but persons liable to pay rents reserved out of or charged on lands or other hereditaments of any tenure, and the same lands or other hereditaments, shall not be resorted to for any such apportioned part forming part of an entire or continuing rent as aforesaid specifically, but the entire or continuing rent, including such apportioned part, shall be recovered and received by the heir or other person who, if the rent had not been apportionable under this Act, or otherwise, would have been entitled to such entire or continuing rent; and such apportioned part shall be recoverable from such

heir or other person by the executors of other parties entitled under this Act to the same, by action at law.

Act not to apply to policies of assurance

5. Nothing in this Act contained shall render apportionable any annual sums made payable in policies of assurance of any description.

Nor where stipulation made to the contrary

6. The provisions of this Act shall not extend to any case in which it is, or shall be, expressly stipulated that no apportionment shall take place.

Citation

7. This Act may be cited as the Apportionment Act, Revised Statutes of Anguilla, Chapter A100.