



**Isle of Man**

*Ellan Vannin*

**AT 17 of 1982**

**APPORTIONMENT ACT 1982**





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## APPORTIONMENT ACT 1982

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**Isle of Man***Ellan Vannin*

## APPORTIONMENT ACT 1982

*Received Royal Assent:* 30 December 1982  
*Passed:* 18 January 1983  
*Commenced:* 18 February 1983

**AN ACT** to provide for the apportionment of periodical income.

### **1 Periodical income to be apportionable**

[P1870/35/2 and 3]

- (1) Any periodical income shall be considered as accruing from day to day, in the same way as interest on money lent, and shall accordingly be apportionable in respect of time.
- (2) Where any periodical income is apportioned, the apportioned part of such income shall be due and payable when the entire amount is due and payable, and not before.
- (3) Where any periodical income is determined by death, re-entry or otherwise, the apportioned part of such income shall be due and payable when the next entire amount would have been due and payable, and not before.

### **2 Recovery of apportioned income**

[P1870/35/4]

- (1) Subject to subsection (2), any person and his successors (including the successors of a person entitled to periodical income determining on his death) shall have the same remedies for recovering an apportioned part of periodical income as they would have had for recovery of the entire amount, if they had been entitled thereto.
- (2) Where any continuing rent is apportioned, the entire rent shall be due and payable to the person who would have been entitled thereto if it had not been apportioned, and such person shall account for the apportioned part of such rent to the person entitled thereto.

### 3 Exclusions and validation

[P1870/35/6 and 7]

- (1) Nothing in this Act shall render apportionable —
  - (a) any annual sum payable under a policy of assurance; or
  - (b) any periodical income where it is expressly stipulated that no apportionment shall be made.
- (2) Where before the commencement of this Act any periodical income has been apportioned in respect of time, such apportionment shall be deemed to have been validly made as if this Act had then been in operation.

### 4 Interpretation

[P1870/35/5]

- (1) In this Act —

“**dividends**” includes payments by way of dividend, bonus or otherwise out of the revenue of a company and divisible among some or all of the members of the company, whether ordinary or extraordinary, and whether at fixed times or otherwise, but does not include payments in the nature of a return or reimbursement of capital;

“**periodical income**” means rents, annuities, salaries, pensions, dividends and other periodical payments in the nature of income, whether reserved or made payable by an instrument in writing or not;

“**rent**” includes rent service, rent charge and rent seck, and any other periodical payments in respect of the occupation, possession or use of land;

“**successors**” means heirs, executors, administrators and assigns.

- (2) For the purposes of this Act, a dividend shall be deemed to have accrued by equal daily increment during the period in respect of which it is declared or expressed to be made.

### 5 Short title and commencement

This Act may be cited as the Apportionment Act 1982, and shall come into operation on the expiration of one month from the date it is passed.

## ENDNOTES

### Table of Endnote References