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STATUTORY INSTRUMENTS

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**1989 No. 1339**

**The Limitation (Northern Ireland) Order 1989**

**PART III**

**ACTIONS TO RECOVER LAND, ACTIONS IN RESPECT OF  
MORTGAGES OR CHARGES AND CERTAIN OTHER ACTIONS**

*Actions in respect of mortgages and charges*

**Time limit: incumbrancers claiming sale of land**

**32.**—(1) Subject to paragraph (2), no action may be brought by any person (other than the Crown) claiming the sale of land which is subject to a mortgage or charge after the expiration of twelve years from the date on which the right of action accrued—

- (a) to the person bringing it; or
- (b) if it first accrued to some person through whom he claims, to that person.

(2) Where—

- (a) the right of action first accrued to the Crown; and
- (b) the person bringing the action claims through the Crown,

the action may be brought at any time before the expiration of—

- (i) the period during which the action could have been brought by the Crown; or
- (ii) twelve years from the date on which the right of action accrued to some person other than the Crown,

whichever period first expires.

(3) No action may be brought by the Crown claiming the sale of land which is subject to a mortgage or charge after the expiration of thirty years from the date on which the right of action accrued—

- (a) to the Crown, or
- (b) if it first accrued to some person through whom the Crown claims, to that person.