

SCHEDULES

SCHEDULE 1

ACCRUAL OF RIGHTS OF ACTION TO RECOVER LAND

Accrual of right of action: present interests in land

1. Where the person bringing an action to recover land, or some person through whom he claims—

- (a) has been in possession of the land; and
- (b) has, while entitled to possession of the land, been dispossessed or discontinued his possession,

the right of action is to be treated as having accrued on the date of the dispossession or discontinuance.

2. Where—

- (a) any person brings an action to recover any land of a deceased person, whether under a will or on intestacy; and
- (b) the deceased person—
 - (i) was on the date of death in possession of the land or, in the case of a rentcharge created by will or taking effect upon his death, in possession of the land charged; and
 - (ii) was the last person entitled to the land to be in possession of it,

the right of action is to be treated as having accrued on the date of his death.

3. Where—

- (a) any person brings an action to recover land, being an estate or interest in possession assured, otherwise than by will, to him or to some person through whom he claims, by a person who, at the date when the assurance took effect—
 - (i) was in possession of the land; or
 - (ii) as respects a rentcharge created by the assurance, was in possession of the land charged; and
- (b) no person has been in possession of the land by virtue of the assurance,

the right of action is to be treated as having accrued on the date when the assurance took effect.

Changes to legislation:

There are currently no known outstanding effects for the The Limitation (Northern Ireland) Order 1989, Accrual of right of action: present interests in land.