



Limitation Amendment Act 1980

1980 CHAPTER 24

Miscellaneous amendments of Limitation Act 1939

4 Licence not to be implied by law to defeat adverse possession

The following subsection shall be added at the end of section 10 of the principal Act (right of action not to accrue or continue unless there is adverse possession)—

“(4) For the purpose of determining whether a person occupying any land is in adverse possession of the land it shall not be assumed by implication of law that his occupation is by permission of the person entitled to the land merely by virtue of the fact that his occupation is not inconsistent with the latter's present or future enjoyment of the land.

This provision shall not be taken as prejudicing a finding to the effect that a person's occupation of any land is by implied permission of the person entitled to the land in any case where such a finding is justified on the actual facts of the case.”