



Limitation Act 1980

1980 CHAPTER 58

PART II

EXTENSION OR EXCLUSION OF ORDINARY TIME LIMITS

Acknowledgment and part payment

29 Fresh accrual of action on acknowledgment or part payment

- (1) Subsections (2) and (3) below apply where any right of action (including a foreclosure action) to recover land or an advowson or any right of a mortgagee of personal property to bring a foreclosure action in respect of the property has accrued.
- (2) If the person in possession of the land, benefice or personal property in question acknowledges the title of the person to whom the right of action has accrued—
 - (a) the right shall be treated as having accrued on and not before the date of the acknowledgment; and
 - (b) in the case of a right of action to recover land which has accrued to a person entitled to an estate or interest taking effect on the determination of an entailed interest against whom time is running under section 27 of this Act, section 27 shall thereupon cease to apply to the land.
- (3) In the case of a foreclosure or other action by a mortgagee, if the person in possession of the land, benefice or personal property in question or the person liable for the mortgage debt makes any payment in respect of the debt (whether of principal or interest) the right shall be treated as having accrued on and not before the date of the payment.
- (4) Where a mortgagee is by virtue of the mortgage in possession of any mortgaged land and either—
 - (a) receives any sum in respect of the principal or interest of the mortgage debt; or
 - (b) acknowledges the title of the mortgagor, or his equity of redemption;an action to redeem the land in his possession may be brought at any time before the expiration of twelve years from the date of the payment or acknowledgment.

Status: This is the original version (as it was originally enacted).

- (5) Subject to subsection (6) below, where any right of action has accrued to recover—
- (a) any debt or other liquidated pecuniary claim ; or
 - (b) any claim to the personal estate of a deceased person or to any share or interest in any such estate ;
- and the person liable or accountable for the claim acknowledges the claim or makes any payment in respect of it the right shall be treated as having accrued on and not before the date of the acknowledgment or payment.
- (6) A payment of a part of the rent or interest due at any time shall not extend the period for claiming the remainder then due, but any payment of interest shall be treated as a payment in respect of the principal debt.
- (7) Subject to subsection (6) above, a current period of limitation may be repeatedly extended under this section by further acknowledgments or payments, but a right of action, once barred by this Act, shall not be revived by any subsequent acknowledgment or payment.