



# Limitation Act 1980

## 1980 CHAPTER 58

### PART I

#### ORDINARY TIME LIMITS FOR DIFFERENT CLASSES OF ACTION

##### *Actions to recover land and rent*

#### **15 Time limit for actions to recover land.**

- (1) No action shall be brought by any person to recover any land after the expiration of twelve years from the date on which the right of action accrued to him or, if it first accrued to some person through whom he claims, to that person.
- (2) Subject to the following provisions of this section, where—
  - (a) the estate or interest claimed was an estate or interest in reversion or remainder or any other future estate or interest and the right of action to recover the land accrued on the date on which the estate or interest fell into possession by the determination of the preceding estate or interest; and
  - (b) the person entitled to the preceding estate or interest (not being a term of years absolute) was not in possession of the land on that date;no action shall be brought by the person entitled to the succeeding estate or interest after the expiration of twelve years from the date on which the right of action accrued to the person entitled to the preceding estate or interest or six years from the date on which the right of action accrued to the person entitled to the succeeding estate or interest, whichever period last expires.
- (3) Subsection (2) above shall not apply to any estate or interest which falls into possession on the determination of an entailed interest and which might have been barred by the person entitled to the entailed interest.
- (4) No person shall bring an action to recover any estate or interest in land under an assurance taking effect after the right of action to recover the land had accrued to the person by whom the assurance was made or some person through whom he claimed or some person entitled to a preceding estate or interest, unless the action is brought

*Status: Point in time view as at 13/10/2003.*

*Changes to legislation: There are currently no known outstanding effects for the Limitation Act 1980, Cross Heading: Actions to recover land and rent. (See end of Document for details)*

within the period during which the person by whom the assurance was made could have brought such an action.

- (5) Where any person is entitled to any estate or interest in land in possession and, while so entitled, is also entitled to any future estate or interest in that land, and his right to recover the estate or interest in possession is barred under this Act, no action shall be brought by that person, or by any person claiming through him, in respect of the future estate or interest, unless in the meantime possession of the land has been recovered by a person entitled to an intermediate estate or interest.
- (6) Part I of Schedule 1 to this Act contains provisions for determining the date of accrual of rights of action to recover land in the cases there mentioned.
- (7) Part II of that Schedule contains provisions modifying the provisions of this section in their application to actions brought by, or by a person claiming through, the Crown or any spiritual or eleemosynary corporation sole.

**Modifications etc. (not altering text)**

- C1 S. 15 restricted (31.10.1994) by 1994 c. 21, ss. 10(2)(a)(4), 68(2)(a); S.I. 1994/2553, art. 2  
 S. 15 excluded (13.10.2003) by The Proceeds of Crime Act 2002 (c. 9), ss. 96(1), 136(2) (with s. 129);  
 S.I. 2003/1725, art. 2

## 16 Time limit for redemption actions.

When a mortgagee of land has been in possession of any of the mortgaged land for a period of twelve years, no action to redeem the land of which the mortgagee has been so in possession shall be brought after the end of that period by the mortgagor or any person claiming through him.

**Modifications etc. (not altering text)**

- C2 S. 16 excluded (13.10.2003) by 2002 c. 9, ss. 96(2), 136(2) (with s. 129); S.I. 2003/1725, art. 2

## 17 Extinction of title to land after expiration of time limit.

Subject to—

- (a) section 18 of this Act;<sup>F1</sup> . . .  
 (b) <sup>F1</sup> . . . . .

at the expiration of the period prescribed by this Act for any person to bring an action to recover land (including a redemption action) the title of that person to the land shall be extinguished.

**Textual Amendments**

- F1 S. 17(b) and the word immediately preceding repealed (13.10.2003) by 2002 c. 9, ss. 135, 136(2), Sch. 13 (with s. 129, Sch. 12 para. 1); by S.I. 2003/1725, art. 2

**Modifications etc. (not altering text)**

- C3 S. 17 restricted (31.10.1994) by 1994 c. 21, ss. 10(2)(a)(4), 68(2)(a); S.I. 1994/2553, art. 2

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S. 17 excluded (13.10.2003) by The Proceeds of Crime Act 2002 (c. 9), ss. 96(3), 136(2) (with s. 129); S.I. 2003/1725 {art. 2}

## 18 Settled land and land held on trust.

- (1) Subject to section 21(1) and (2) of this Act, the provisions of this Act shall apply to equitable interests in land <sup>F2</sup> . . . as they apply to legal estates.

Accordingly a right of action to recover the land shall, for the purposes of this Act but not otherwise, be treated as accruing to a person entitled in possession to such an equitable interest in the like manner and circumstances, and on the same date, as it would accrue if his interest were a legal estate in the land (and any relevant provision of Part I of Schedule 1 to this Act shall apply in any such case accordingly).

- (2) Where the period prescribed by this Act has expired for the bringing of an action to recover land by a tenant for life or a statutory owner of settled land—
- (a) his legal estate shall not be extinguished if and so long as the right of action to recover the land of any person entitled to a beneficial interest in the land either has not accrued or has not been barred by this Act; and
  - (b) the legal estate shall accordingly remain vested in the tenant for life or statutory owner and shall devolve in accordance with the <sup>M1</sup>Settled Land Act 1925;

but if and when every such right of action has been barred by this Act, his legal estate shall be extinguished.

- (3) Where any land is held upon trust <sup>F2</sup> . . . and the period prescribed by this Act has expired for the bringing of an action to recover the land by the trustees, the estate of the trustees shall not be extinguished if and so long as the right of action to recover the land of any person entitled to a beneficial interest in the land <sup>F2</sup> . . . either has not accrued or has not been barred by this Act; but if and when every such right of action has been so barred the estate of the trustees shall be extinguished.
- (4) Where—
- (a) any settled land is vested in a statutory owner; or
  - (b) any land is held upon trust <sup>F2</sup> . . . ;

an action to recover the land may be brought by the statutory owner or trustees on behalf of any person entitled to a beneficial interest in possession in the land <sup>F2</sup> . . . whose right of action has not been barred by this Act, notwithstanding that the right of action of the statutory owner or trustees would apart from this provision have been barred by this Act.

### Textual Amendments

**F2** Words in s. 18(1)(3)(4) repealed (1.1.1997) by 1996 c. 47, s. 25(2), Sch. 4 (with ss. 24(2), 25(4)(5)); S.I. 1996/2974, art.2

### Marginal Citations

**M1** 1925 c. 18(98:3)

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## **19 Time limit for actions to recover rent.**

No action shall be brought, or distress made, to recover arrears of rent, or damages in respect of arrears of rent, after the expiration of six years from the date on which the arrears became due.

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**Changes to legislation:**

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