
STATUTORY INSTRUMENTS

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 to recover land

Time limit: actions to recover present interests in land

21.—(1) Subject to paragraph (2), no action may be brought by any person (other than the Crown) to recover any land after the expiration of twelve years from the date on which the right of action accrued—

- (a) to him, 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) Subject to paragraphs (4) and (5), no action may be brought by the Crown to recover any land 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.

(4) Paragraph (3) applies to an action to recover any land which comprises or forms part of an intestate's estate to which the Crown is entitled as if the reference in that paragraph to thirty years were a reference to twelve years. In this paragraph “intestate” includes a person—

- (a) who leaves no will; and
- (b) who leaves a will but dies intestate as to some beneficial interest in his property.

(5) An action to recover foreshore may be brought by the Crown at any time before the expiration of sixty years from the date on which the right of action accrued to the Crown.

(6) Where any right of action to recover land, which has ceased to be foreshore but remains in the ownership of the Crown, accrued when the land was foreshore, the action may be brought at any time before the expiration of—

Changes to legislation: *There are currently no known outstanding effects for the The Limitation (Northern Ireland) Order 1989, Section 21. (See end of Document for details)*

- (a) sixty years from the date of the accrual of the right of action, or
 - (b) thirty years from the date on which the land ceased to be foreshore,
- whichever period first expires.
- (7) Schedule 1 sets out provisions for determining when certain actions to recover land accrue.

Changes to legislation:

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