

Changes to legislation: *The Limitation (Northern Ireland) Order 1989, Accrual of right of action: certain tenancies is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 1

ACCRUAL OF RIGHTS OF ACTION TO RECOVER LAND

Accrual of right of action: certain tenancies

5.—(1) Subject to paragraph (2), for the purposes of this Order—

- (a) a tenancy from year to year or other period, without a lease in writing, is to be treated as being determined at the expiration of the first year or other period, and
- (b) accordingly, the right of action of the person entitled to the land subject to the tenancy is to be treated as having accrued on the date on which the tenancy is determined.

(2) Where any rent or other periodic payment has subsequently been received in respect of the tenancy, the right of action is to be treated as having accrued on the date of the last receipt of rent or other periodic payment.

6.—(1) Where—

- (a) any person is in possession of land by virtue of a lease in writing by which a yearly conventional rent of not less than ten pounds is reserved; and
- (b) the rent is received by some person (in this paragraph referred to as “the wrongful recipient”) wrongfully claiming to be entitled to the land in reversion immediately expectant on the determination of the lease; and
- (c) no rent is subsequently received by the person rightfully so entitled,

the right of action of the last#named person to recover the land is to be treated as having accrued at the date when the rent was first received by the wrongful recipient and not at the date of the determination of the lease.

(2) Sub#paragraph (1) does not apply to a lease granted by the Crown or a lease the lessor's interest under which is vested in the Crown.

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- [Order applied by 2024 c. 13 s. 234\(5\)](#)