

## SCHEDULES

### SCHEDULE 3

Sections 7 & 8: Schedule 1.

#### RIGHTS AND OBLIGATIONS WHICH ARE IMPRESCRIPTIBLE FOR THE PURPOSES OF SECTIONS 7 AND 8 AND SCHEDULE 1

The following are imprescriptible rights and obligations for the purposes of sections 7(2) and 8(2) of, and paragraph 2(h) of Schedule 1 to, this Act, namely—

- (a) any real right of ownership in land ;
- (b) the right in land of the lessee under a recorded lease ;
- (c) any right exercisable as a *res merae facultatis* ;
- (d) any right to recover property *extra commercium* ;
- (e) any obligation of a trustee—
  - (i) to produce accounts of the trustee's intromissions with any property of the trust;
  - (ii) to make reparation or restitution in respect of any fraudulent breach of trust to which the trustee was a party or was privy ;
  - (iii) to make furthcoming to any person entitled thereto any trust property, or the proceeds of any such property, in the possession of the trustee, or to make good the value of any such property previously received by the trustee and appropriated to his own use ;
- (f) any obligation of a third party to make furthcoming to any person entitled thereto any trust property received by the third party otherwise than in good faith and in his possession ;
- (g) any right to recover stolen property from the person by whom it was stolen or from any person privy to the stealing thereof ;
- (h) any right to be served as heir to an ancestor or to take any steps necessary for making up or completing title to any interest in land.