
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 in respect of the estates of deceased persons

Time limit: personal estate of deceased persons

44.—(1) Subject to Article 45, no action in respect of any claim to the personal estate of a deceased person or to any share or interest in such estate, whether under a will or on intestacy, may be brought after the expiration of twelve years from the date when the right to receive the share or interest accrued.

(2) Subject to Article 45, no action to recover arrears of interest in respect of any legacy or damages in respect of such arrears may be brought after the expiration of six years from the date on which the interest became due.

Actions against personal representatives

45.—(1) In an action against a personal representative or any person claiming through him, other than an action to which paragraph (2) applies, the rights and privileges conferred by this Order may be enjoyed in the like manner and to the like extent as they would have been enjoyed in the action if the personal representative had not been made a trustee by virtue of any provision of the Administration of Estates Act (Northern Ireland) 1955^{F1}.

(2) No time limit fixed by this Order applies to an action against—

- (a) a personal representative; or
- (b) any person claiming through him,

where the claim is founded on any fraud to which the personal representative was party or privy.

F1 1955 c. 24 (NI)

Changes to legislation:

There are currently no known outstanding effects for the The Limitation (Northern Ireland) Order 1989, Cross Heading: Actions in respect of the estates of deceased persons.