

SCHEDULES

SCHEDULE 1

PROVISIONS WITH RESPECT TO ACTIONS TO RECOVER LAND

PART I

ACCUAL OF RIGHTS OF ACTION TO RECOVER LAND

Accrual of right of action in case of present interests in land

- 1 Where the person bringing an action to recover land, or some person through whom he claims, has been in possession of the land, and has while entitled to the land been dispossessed or discontinued his possession, the right of action shall be treated as having accrued on the date of the dispossession or discontinuance.
- 2 Where any person brings an action to recover any land of a deceased person (whether under a will or on intestacy) and the deceased person—
 - (a) was on the date of his death in possession of the land or, in the case of a rentcharge created by will or taking effect upon his death, in possession of the land charged ; and
 - (b) was the last person entitled to the land to be in possession of it;the right of action shall be treated as having accrued on the date of his death.
- 3 Where any person brings an action to recover land, being an estate or interest in possession assured otherwise than by will to him, or to some person through whom he claims, and—
 - (a) the person making the assurance was on the date when the assurance took effect in possession of the land or, in the case of a rentcharge created by the assurance, in possession of the land charged ; and
 - (b) no person has been in possession of the land by virtue of the assurance ;the right of action shall be treated as having accrued on the date when the assurance took effect.