



# Bills of Exchange Act 1882

1882 CHAPTER 61 45 and 46 Vict

## PART II

### BILLS OF EXCHANGE

#### *Discharge of Bill*

#### **59 Payment in due course.**

- (1) A bill is discharged by payment in due course by or on behalf of the drawee or acceptor.  
“Payment in due course” means payment made at or after the maturity of the bill to the holder thereof in good faith and without notice that his title to the bill is defective.
- (2) Subject to the provisions herein-after contained, when a bill is paid by the drawer or an indorser it is not discharged; but
  - (a) Where a bill payable to, or to the order of, a third party is paid by the drawer, the drawer may enforce payment thereof against the acceptor, but may not re-issue the bill.
  - (b) Where a bill is paid by an indorser, or where a bill payable to drawer’s order is paid by the drawer, the party paying it is remitted to his former rights as regards the acceptor or antecedent parties, and he may, if he thinks fit, strike out his own subsequent indorsements, and again negotiate the bill.
- (3) Where an accommodation bill is paid in due course by the party accommodated the bill is discharged.

**Changes to legislation:**

There are currently no known outstanding effects for the Bills of Exchange Act 1882, Section 59.