



# Bills of Exchange Act 1882

1882 CHAPTER 61 45 and 46 Vict

## [<sup>F1</sup>PART 4A

PRESENTMENT OF CHEQUES AND OTHER INSTRUMENTS BY ELECTRONIC MEANS

### [<sup>F1</sup>89A Presentment of instruments by electronic means

- (1) Presentment for payment of an instrument to which this section applies may be effected by provision of an electronic image of both faces of the instrument, instead of by presenting the physical instrument, if the person to whom presentment is made accepts the presentment as effective.

This is subject to regulations under subsection (2) and to section 89C.

- (2) The Treasury may by regulations prescribe circumstances in which subsection (1) does not apply.
- (3) Regulations under subsection (2) may in particular prescribe circumstances by reference to—
- (a) descriptions of instrument;
  - (b) arrangements under which presentment is made;
  - (c) descriptions of persons by or to whom presentment is made;
  - (d) descriptions of persons receiving payment or on whose behalf payment is received.
- (4) Where presentment for payment is made under subsection (1)—
- (a) any requirement—
    - (i) that the physical instrument must be exhibited, presented or delivered on or in connection with presentment or payment (including after presentment or payment or in connection with dishonour for non-payment), or
    - (ii) as to the day, time or place on or at which presentment of the physical instrument may be or is to be made, and
  - (b) any other requirement which is inconsistent with subsection (1),

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*Changes to legislation: There are currently no known outstanding effects for the Bills of Exchange Act 1882, Section 89A. (See end of Document for details)*

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does not apply.

- (5) Subsection (4) does not affect any requirement as to the latest time for presentment.
- (6) References in subsections (4) and (5) to a requirement are to a requirement or prohibition, whether imposed by or under any enactment, by a rule of law or by the instrument in question.
- (7) Where an instrument is presented for payment under this section—
- (a) any banker providing the electronic image,
  - (b) any banker to whom it is provided, and
  - (c) any banker making payment of the instrument as a result of provision of the electronic image,

are subject to the same duties in relation to collection and payment of the instrument as if the physical instrument had been presented.

This is subject to any provision made by or under this Part.]

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**Textual Amendments**

- F1** Pt. 4A inserted (26.3.2015, 31.7.2016 in so far as not already in force) by [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), **ss. 13(2)**, 164(4)

**Changes to legislation:**

There are currently no known outstanding effects for the Bills of Exchange Act 1882, Section 89A.