



Bills of Exchange Act 1882

1882 CHAPTER 61 45 and 46 Vict

PART II

BILLS OF EXCHANGE

General Duties of the Holder

41 Rules as to presentment for acceptance, and excuses for non-presentment.

- (1) A bill is duly presented for acceptance which is presented in accordance with the following rules:
- (a) The presentment must be made by or on behalf of the holder to the drawee or to some person authorised to accept or refuse acceptance on his behalf at a reasonable hour on a business day and before the bill is overdue:
 - (b) Where a bill is addressed to two or more drawees, who are not partners, presentment must be made to them all, unless one has authority to accept for all, then presentment may be made to him only:
 - (c) Where the drawee is dead presentment may be made to his personal representative:
 - (d) Where the drawee is bankrupt, presentment may be made to him or to his trustee:
 - (e) Where authorised by agreement or usage, a presentment through [^{F1}a postal operator] is sufficient.
- (2) Presentment in accordance with these rules is excused, and a bill may be treated as dishonoured by non-acceptance—
- (a) Where the drawee is dead or bankrupt, or is a fictitious person or a person not having capacity to contract by bill:
 - (b) Where, after the exercise of reasonable diligence, such presentment cannot be effected:
 - (c) Where, although the presentment has been irregular, acceptance has been refused on some other ground.

Changes to legislation: There are currently no known outstanding effects for the Bills of Exchange Act 1882, Section 41. (See end of Document for details)

- (3) The fact that the holder has reason to believe that the bill, on presentment, will be dishonoured does not excuse presentment.

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Textual Amendments

F1 Words in s. 41(1)(e) substituted (26.3.2001) by [S.I. 2001/1149](#), art. 3(1), [Sch. 1 para. 4\(3\)](#)

Changes to legislation:

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