



Bills of Exchange Act 1882

1882 CHAPTER 61 45 and 46 Vict

PART III

CHEQUES ON A BANKER

Crossed Cheques

79 Duties of banker as to crossed cheques.

- (1) Where a cheque is crossed specially to more than one banker except when crossed to an agent for collection being a banker, the banker on whom it is drawn shall refuse payment thereof.
- (2) Where the banker on whom a cheque is drawn which is so crossed nevertheless pays the same, or pays a cheque crossed generally otherwise than to a banker, or if crossed specially otherwise than to the banker to whom it is crossed, or his agent for collection being a banker, he is liable to the true owner of the cheque for any loss he may sustain owing to the cheque having been so paid.

Provided that where a cheque is presented for payment which does not at the time of presentment appear to be crossed, or to have had a crossing which has been obliterated, or to have been added to or altered otherwise than as authorised by this Act, the banker paying the cheque in good faith and without negligence shall not be responsible or incur any liability, nor shall the payment be questioned by reason of the cheque having been crossed, or of the crossing having been obliterated or having been added to or altered otherwise than as authorised by this Act, and of payment having been made otherwise than to a banker or to the banker to whom the cheque is or was crossed, or to his agent for collection being a banker, as the case may be.

Modifications etc. (not altering text)

- C1** S. 79 extended by [Cheques Act 1957 \(c. 36, SIF 14\)](#), [s. 5](#), [S.I. 1972/641](#), [reg. 7\(2\)](#), [1972/764](#), [reg. 21\(5\)](#), [1972/765](#), [reg. 8\(2\)](#) and [1976/2012](#), [reg. 22\(2\)](#)
- C2** Ss. 78–81 extended by [S.I. 1984/779](#), [reg. 7\(2\)](#)
Ss. 78–81 extended by [S.I. 1991/1031](#), [reg. 7\(2\)](#)

Changes to legislation: *There are currently no known outstanding effects for the Bills of Exchange Act 1882, Section 79. (See end of Document for details)*

- Ss. 78-81 applied by S.I. 1991/1407, **reg. 7(2)**
- C3** Ss. 78-81 applied (6.4.2015) by The National Savings (No. 2) Regulations 2015 (S.I. 2015/624), regs. 1(1), **96**
- C4** Ss. 78-81 applied (with modifications) (6.4.2015) by The National Savings Regulations 2015 (S.I. 2015/623), regs. 1(1), **58**

Changes to legislation:

There are currently no known outstanding effects for the Bills of Exchange Act 1882, Section 79.