



Bills of Exchange Act 1882

1882 CHAPTER 61 45 and 46 Vict

PART II

BILLS OF EXCHANGE

Negotiation of Bills

38 Rights of the holder.

The rights and powers of the holder of a bill are as follows:

- (1) He may sue on the bill in his own name:
- (2) Where he is a holder in due course, he holds the bill free from any defect of title of prior parties, as well as from mere personal defences available to prior parties among themselves, and may enforce payment against all parties liable on the bill:
- (3) Where his title is defective (a) if he negotiates the bill to a holder in due course, that holder obtains a good and complete title to the bill, and (b) if he obtains payment of the bill the person who pays him in due course gets a valid discharge for the bill.

Changes to legislation:

There are currently no known outstanding effects for the Bills of Exchange Act 1882, Section 38.