



Jersey

CHEQUES (JERSEY) LAW 1957

Official Consolidated Version

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CHEQUES (JERSEY) LAW 1957

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CHEQUES (JERSEY) LAW 1957

A LAW relating to cheques and certain other instruments

Commencement [[see endnotes](#)]

1 Protection of bankers paying unindorsed or irregularly indorsed cheques, etc.

- (1) Where a banker in good faith and in the ordinary course of business pays a cheque drawn on the banker which is not indorsed or is irregularly indorsed, the banker does not, in doing so, incur any liability by reason only of the absence of, or irregularity in, indorsement, and the banker is deemed to have paid it in due course.
- (2) Where a banker in good faith and in the ordinary course of business pays any such instrument as the following, namely, –
 - (a) a document issued by a customer of the banker which, though not a bill of exchange, is intended to enable a person to obtain payment from the banker of the sum mentioned in the document;
 - (b) a draft payable on demand drawn by the banker upon himself or herself, whether payable at the head office or some other office of the banker's bank,

the banker does not, in doing so, incur any liability by reason only of the absence of, or irregularity in, indorsement, and the payment discharges the instrument.

2 Rights of bankers collecting cheques not indorsed by holders

A banker who gives value for, or has a lien on, a cheque payable to order which the holder delivers to the banker for collection without indorsing it, has such (if any) rights as the banker would have had if, upon delivery, the holder had indorsed it in blank.

3 Unindorsed cheques as evidence of payment

- (1) An unindorsed cheque which appears to have been paid by the banker on whom it is drawn is evidence of the receipt by the payee of the sum payable by the cheque.
- (2) For the purposes of paragraph (1), a copy of a cheque to which that paragraph applies is evidence of the cheque if –
 - (a) the copy is made by the banker in whose possession the cheque is after presentment; and
 - (b) it is certified by the banker to be a true copy of the original.¹

4 Non-transferable cheques²

Where a cheque is crossed and bears across its face the words “account payee” or “a/c payee”, either with or without the word “only”, the cheque shall not be transferable, but shall only be valid as between the parties thereto.

5 Protection of bankers collecting payment of cheques, etc.

- (1) Where a banker, in good faith and without negligence, –
 - (a) receives payment for a customer of an instrument to which this Article applies; or
 - (b) having credited a customer’s account with the amount of such an instrument, receives payment thereof for himself or herself,and the customer has no title, or a defective title, to the instrument, the banker does not incur any liability to the true owner of the instrument by reason only of having received payment thereof.
- (2) This Article applies to the following instruments, namely, –
 - (a) cheques (including cheques which under Article 4 or otherwise are not transferable);
 - (b) any document issued by a customer of a banker which though not a bill of exchange, is intended to enable a person to obtain payment from that banker of the sum mentioned in the document;
 - (c) any document issued by a public officer which is intended to enable a person to obtain payment from the Paymaster General or the Queen’s and Lord Treasurer’s Remembrancer of the sum mentioned in the document but is not a bill of exchange;
 - (d) any draft payable on demand drawn by a banker upon himself or herself, whether payable at the head office or some other office of the banker’s bank.³
- (3) A banker is not to be treated for the purposes of this Article as having been negligent by reason only of the banker’s failure to concern himself or herself with absence of, or irregularity in, indorsement of an instrument.

6 Interpretation

Expressions used in this Law to which a meaning is assigned by the Bills of Exchange Act 1882 of the United Kingdom have the same meanings in this Law as they have in that Act.

7 Citation

This Law may be cited as the Cheques (Jersey) Law 1957.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Cheques (Jersey) Law 1957	L.2/1958	17 October 1957
Cheques (Amendment) (Jersey) Law 1995	L.13/1995	1 June 1995 (R&O.8828)
Cheques (Amendment No. 2) (Jersey) Law 1997	L.26/1997	18 July 1997

Table of Renumbered Provisions

Original	Current
3A	4
4	5
5	6
6	7

Table of Endnote References

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- ¹ Article 3(2) *inserted by L.26/1997*
² Article 4 *inserted by L.13/1995*
³ Article 5(2) *amended by L.13/1995*