

otherwise provides, interest runs from the date of the bill, and if the bill is undated, from the issue thereof.

(4) Where a bill is expressed to be payable with interest, unless the instrument otherwise provides, the interest shall be at the rate of *mneper centum* per annum :

Provided that the amount recoverable on account of interest or arrears of interest shall in no case exceed the principal.

Bill payable on demand.

- 10.** (1) A bill is payable on demand—
- (a) which is expressed to be payable on demand, or at sight, or on presentation ; or
  - (b) in which no time for payment is expressed.

(2) Where a bill is accepted or indorsed when it is overdue, it shall, as regards the acceptor who so accepts, or any indorser who so indorses it, be deemed a bill payable on demand.

Bill payable at a future time.

**11.** (1) A bill is payable at a determinable future time within the meaning of this Ordinance which is expressed to be payable—

- (a) at a fixed period after date or sight ;
- (b) on or at a fixed period after the occurrence of a specified event which is certain to happen, though the time of happening may be uncertain.

(2) An instrument expressed to be payable on a contingency is not a bill, and the happening of the event does not cure the defect.

Omission of date in bill payable after date, or acceptance after sight.

**12.** Where a bill expressed to be payable at a fixed period after date is issued undated, or where the acceptance of a bill payable at a fixed period after sight is undated, any holder may insert therein the true date of issue or acceptance, and the bill shall be payable accordingly :

Provided that—

- (i) where the holder in good faith and by mistake inserts a wrong date, and
- (ii) in every case where a wrong date is inserted, if the bill subsequently comes into the hands of a holder in due course the bill shall not be avoided thereby, but shall operate and be payable as if the date so inserted had been the true date.

**13.** (1) Where a bill or an acceptance or any indorsement on a bill is dated, the date shall, unless the contrary be proved, be deemed to be the true date of the drawing, acceptance, or indorsement, as the case may be.

Presumption as to date being true date.

(2) A bill is not invalid by reason only that it is antedated or postdated, or that it bears date on a Sunday.

**14.** Where a bill is not payable on demand, the day on which it falls due is determined as follows :—

Computation of time of payment.

- (1) Three days, called days of grace, are, in every case where the bill itself does not otherwise provide, added to the time of payment as fixed by the bill, and the bill is due and payable on the last day of grace :

\* Provided that—

- (a) when the last day of grace falls on a day appointed to be a public holiday by or under any law for the time being in force, the bill is, except in the case hereinafter provided for, due and payable on the preceding business day ;
  - (b) when the last day of grace is a bank holiday, or when the last day of grace is a Sunday and the second day of grace is a bank holiday, the bill is due and payable on the succeeding business day.
- (2) Where a bill is payable at a fixed period after date, after sight, or after the happening of a specified event, the time of payment is

\* The changes made to the proviso to section 14 (1) have been necessitated by the provisions of section 3 of the Holidays Act (No. 29 of 1971) — reproduced in this Edition as Chapter 364 — which materially differs from the now repealed Holidays Ordinance. No. 1 of 1928, reproduced as Chapter 135 in Volume III of the 1938 Edition of the Legislative Enactments.