

10 *Bills of Exchange (Amendment)*

- 5 (b) where the cheque is presented for payment by the payee or holder in due course of the cheque to the branch of the drawee bank, the branch of the drawee bank in which the drawer maintains the account, is situated.

10 Conclusive evidence of a dishonoured cheque. **82D.** The following shall be treated as conclusive evidence of a cheque dishonoured due to the insufficiency of funds in the account of the drawer: -

- 15 (a) the cheque return notification issued by the collecting bank;
- (b) the deposit slip acknowledged by the collecting bank; or
- (c) the cheque returned by the drawee bank.

20 Presumption in favour of the payee or holder in due course of the cheque. **82E.** It shall be presumed unless the contrary is proved, that the payee or holder in due course of the cheque received the cheque for the discharge, in whole or in part, of any debt or other liability of the drawer.

Offences by a body of persons. **82F.** Where a body of persons is convicted for an offence under this Ordinance, then –

- 25 (a) if that body of persons is a body corporate, every director, manager, or secretary of that body corporate at the time of the commission of such offence;

(b) if that body of persons is a firm, every partner of that firm at the time of the commission of such offence; and

5 (c) if that body of persons is an unincorporated body, every individual who is a member of such unincorporated body at the time of the commission of such offence,

shall be deemed to have committed that offence:

10 Provided however, any director, manager or secretary of such body corporate or any partner of such firm or any individual of such unincorporated body shall not be deemed to have committed such offence if he proves to
15 the satisfaction of the court that such offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.”.

20 **17.** Section 83 of the principal enactment is hereby amended by the repeal of all the words from “For the purpose of this section” to the end of that section.

Amendment
of section 83
of the
principal
enactment

18. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text
to prevail in
case of
inconsistency

