Evidence, Presumptions and Defence Master

Chapter in 2 minutes

- Section 118/139 presumptions, rebuttal, bank memo, affidavit, originals, electronic evidence and transaction proof.
- Use one controlled file with owner, reviewer, source, deadline and evidence.
- Separate statutory offence, civil recovery, bank complaint, tax/accounting and ADR tracks.
- Reconcile entity authority and personal responsibility.
- Close only after payment/order, accounting, tax and retention controls are completed.

Execution gates

- Legally enforceable transaction
- Instrument classification and stamp
- Authority/mandate and custody
- Presentation, return and notice clocks
- Evidence, forum and entity liability
- Settlement, accounting and retention

Provision/control map

Provision	Subject	Control
Gate 1	Underlying debt/transaction	Contract-invoice-delivery-ledger-tax reconciliation.
Gate 2	Cheque and mandate	Authority check before issue/acceptance.
Gate 3	Presentation/return	Calendar and bank-evidence control.
Gate 4	Notice/service	Dual-review notice and service tracker.
Gate 5	Forum/limitation	Jurisdiction and limitation memo.
Gate 6	Trial/settlement/appeal	Single litigation ledger.

Evidence file

Instrument/image; mandate; contract/invoice/delivery; ledger/bank/tax; presentment/return; notice/service; calculations; settlement/orders; source log.

Default response

Freeze timeline; verify debt and authority; preserve originals; validate bank memo; calculate statutory/civil clocks; decide cure, notice, settlement and filing.