

for the item, it must reimburse the bank drawing the draft and any provisional credits for the item between banks shall become and remain final.]

**(B) A COLLECTING BANK RETURNS AN ITEM WHEN IT IS SENT OR DELIVERED TO THE BANK'S CUSTOMER OR TRANSFEROR OR PURSUANT TO ITS INSTRUCTIONS.**

[(3)](C) A depository bank [which] THAT is also the payor may charge-back the amount of an item to its customer's account or obtain refund in accordance with the section governing return of an item received by a payor bank for credit on its books (§ 4-301).

[(4)](D) The right to charge-back is not affected by:

[(a)](1) Prior use of the credit given for the item; or

[(b)](2) Failure by any bank to exercise ordinary care with respect to the item, but [any] A bank so failing remains liable.

[(5)](E) A failure to charge-back or claim refund does not affect other rights of the bank against the customer or any other party.

[(6)](F) If credit is given in dollars as the equivalent of the value of an item payable in [a] foreign [currency] MONEY, the dollar amount of any charge-back or refund [shall] MUST be calculated on the basis of the [buying sight] BANK-OFFERED SPOT rate for the foreign [currency] MONEY prevailing on the day when the person entitled to the charge-back or refund learns that it will not receive payment in ordinary course.

[4-213.] 4-215.

[(1)](A) An item is finally paid by a payor bank when the bank has done any of the following[, whichever happens first]:

[(a)](1) Paid the item in cash; [or]

[(b)](2) Settled for the item without [reserving] HAVING a right to revoke the settlement [and without having such right] under statute, [clearing house] CLEARING-HOUSE rule, or agreement; or

[(c) Completed the process of posting the item to the indicated account of the drawer, maker or other person to be charged therewith; or]

[(d)](3) Made a provisional settlement for the item and failed to revoke the settlement in the time and manner permitted by statute, [clearing house] CLEARING-HOUSE rule, or agreement. [Upon a final payment under subparagraphs (b), (c) or (d) the payor bank shall be accountable for the amount of the item.]

**(B) IF PROVISIONAL SETTLEMENT FOR AN ITEM DOES NOT BECOME FINAL, THE ITEM IS NOT FINALLY PAID.**

[(2)](C) If provisional settlement for an item between the presenting and payor banks is made through a clearing house or by debits or credits in an account between them, then to the extent that provisional debits or credits for the item are entered in