

(C) IF (I) A PAYMENT ORDER DESCRIBED IN SUBSECTION (B) OF THIS SECTION IS ACCEPTED, (II) THE ORIGINATOR'S PAYMENT ORDER DESCRIBED THE BENEFICIARY INCONSISTENTLY BY NAME AND NUMBER, AND (III) THE BENEFICIARY'S BANK PAYS THE PERSON IDENTIFIED BY NUMBER AS PERMITTED BY SUBSECTION (B)(1) OF THIS SECTION, THE FOLLOWING RULES APPLY:

(1) IF THE ORIGINATOR IS A BANK, THE ORIGINATOR IS OBLIGED TO PAY ITS ORDER.

(2) IF THE ORIGINATOR IS NOT A BANK AND PROVES THAT THE PERSON IDENTIFIED BY NUMBER WAS NOT ENTITLED TO RECEIVE PAYMENT FROM THE ORIGINATOR, THE ORIGINATOR IS NOT OBLIGED TO PAY ITS ORDER UNLESS THE ORIGINATOR'S BANK PROVES THAT THE ORIGINATOR, BEFORE ACCEPTANCE OF THE ORIGINATOR'S ORDER, HAD NOTICE THAT PAYMENT OF A PAYMENT ORDER ISSUED BY THE ORIGINATOR MIGHT BE MADE BY THE BENEFICIARY'S BANK ON THE BASIS OF AN IDENTIFYING OR BANK ACCOUNT NUMBER EVEN IF IT IDENTIFIES A PERSON DIFFERENT FROM THE NAMED BENEFICIARY. PROOF OF NOTICE MAY BE MADE BY ANY ADMISSIBLE EVIDENCE. THE ORIGINATOR'S BANK SATISFIES THE BURDEN OF PROOF IF IT PROVES THAT THE ORIGINATOR, BEFORE THE PAYMENT ORDER WAS ACCEPTED, SIGNED A WRITING STATING THE INFORMATION TO WHICH THE NOTICE RELATES.

(D) IN A CASE GOVERNED BY SUBSECTION (B)(1) OF THIS SECTION, IF THE BENEFICIARY'S BANK RIGHTFULLY PAYS THE PERSON IDENTIFIED BY NUMBER AND THAT PERSON WAS NOT ENTITLED TO RECEIVE PAYMENT FROM THE ORIGINATOR, THE AMOUNT PAID MAY BE RECOVERED FROM THAT PERSON TO THE EXTENT ALLOWED BY THE LAW GOVERNING MISTAKE AND RESTITUTION AS FOLLOWS:

(1) IF THE ORIGINATOR IS OBLIGED TO PAY ITS PAYMENT ORDER AS STATED IN SUBSECTION (C) OF THIS SECTION, THE ORIGINATOR HAS THE RIGHT TO RECOVER.

(2) IF THE ORIGINATOR IS NOT A BANK AND IS NOT OBLIGED TO PAY ITS PAYMENT ORDER, THE ORIGINATOR'S BANK HAS THE RIGHT TO RECOVER.

4A-208.

(A) IN THE CASE WHERE A PAYMENT ORDER IDENTIFIES AN INTERMEDIARY BANK OR THE BENEFICIARY'S BANK ONLY BY AN IDENTIFYING NUMBER:

(1) THE RECEIVING BANK MAY RELY ON THE NUMBER AS THE PROPER IDENTIFICATION OF THE INTERMEDIARY OR BENEFICIARY'S BANK AND NEED NOT DETERMINE WHETHER THE NUMBER IDENTIFIES A BANK; AND