

Cherokee Nation Code Annotated
Title 80: Uniform Commercial Code
Article 2: Sales
Part 6. Breach, Repudiation and Excuse
§ 2-612. "Installment contract"; breach
Cite as: 80 CNCA § 2-612

"Installment Contract"—Breach

(1) An "installment contract" is one which requires or authorizes the delivery of goods in separate lots to be separately accepted, even though the contract contains a clause "each delivery is a separate contract" or its equivalent

(2) The buyer may reject any installment which is non-conforming if the non-conformity substantially impairs the value of that installment and cannot be cured or if the non-conformity is a defect in the required documents; but if the non-conformity does not fall within subsection (3) and the seller gives adequate assurance of its cure the buyer must accept that installment.

(3) Whenever non-conformity or default with respect to one or more installments substantially impairs the value of the whole contract there is a breach of the whole. But the aggrieved party reinstates the contract if he accepts a non-conforming installment without seasonably notifying of cancellation or if he brings an action with respect only to past installments or demands performance as to future installments.

Historical Data

LA 26-03, eff. October 2, 2003.