



# Theft Act (Northern Ireland) 1969

## 1969 CHAPTER 16

### OFFENCES RELATING TO GOODS STOLEN, ETC.

#### **23 Scope of offences relating to stolen goods.**

- (1) The provisions of this Act relating to goods which have been stolen shall apply whether the stealing occurred in Northern Ireland or elsewhere, and whether it occurred before or after the commencement of this Act, provided that the stealing (if not an offence under this Act) amounted to an offence where and at the time when the goods were stolen; and references to stolen goods shall be construed accordingly.
- (2) For purposes of those provisions, references to stolen goods shall include, in addition to the goods originally stolen and parts of them (whether in their original state or not)
  - (a) any other goods which directly or indirectly represent or have at any time represented the stolen goods in the hands of the thief as being the proceeds of any disposal or realisation of the whole or part of the goods stolen or of goods so representing the stolen goods; and
  - (b) any other goods which directly or indirectly represent or have at any time represented the stolen goods in the hands of a handler of the stolen goods, or any part of them, as being the proceeds of any disposal or realisation of the whole or part of the stolen goods handled by him or of goods so representing them.
- (3) But no goods shall be regarded as having continued to be stolen goods after they have been restored to the person from whom they were stolen or to other lawful possession or custody, or after that person and any other person claiming through him have otherwise ceased as regards those goods to have any right to restitution in respect of the theft.
- (4) Without prejudice to subsections (1) to (3), any person who, without lawful excuse, knowing that any property has been obtained under such circumstances that, if it had been so obtained in Northern Ireland, the person obtaining it would have been guilty of theft, has in his possession such property so obtained in the Republic of Ireland shall, on conviction on indictment, be liable to imprisonment for a term not exceeding seven years.

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*Status: Point in time view as at 15/01/2007.*

*Changes to legislation: There are currently no known outstanding effects for the Theft Act (Northern Ireland) 1969, Section 23. (See end of Document for details)*

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(5) For purposes of the provisions of this Act relating to goods which have been stolen (including subsections (1) to (4)), goods obtained in Northern Ireland or elsewhere either by blackmail or [<sup>F1</sup>, subject to subsection (6), by fraud (within the meaning of the Fraud Act 2006)] shall be regarded as stolen; and “steal”, “theft” and “thief” shall be construed accordingly.

[<sup>F2</sup>(6) Subsection (1) applies in relation to goods obtained by fraud as if—

- (a) the reference to the commencement of this Act were a reference to the commencement of the Fraud Act 2006, and
- (b) the reference to an offence under this Act were a reference to an offence under section 1 of that Act.]

**F1** Words in s. 23(5) substituted (15.1.2007) by [Fraud Act 2006 \(c. 35\)](#), ss. 14(1)(2), 15(1)(4), [Sch. 1 para. 11\(1\)](#) (with [Sch. 2 para. 6](#)); [S.I. 2006/3200](#), [art. 2](#)

**F2** [S. 23\(6\)](#) inserted (15.1.2007) by [Fraud Act 2006 \(c. 35\)](#), ss. 14(1)(2), 15(1)(4), [Sch. 1 para. 11\(2\)](#) (with [Sch. 2 para. 6](#)); [S.I. 2006/3200](#), [art. 2](#)

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