Theft (Amendment) Act 1996

1996 CHAPTER 62

2 Dishonestly retaining a wrongful credit.

(1) After section 24 of the Theft Act 1968 insert—

"**24A Dishonestly retaining a wrongful credit.**

(1) A person is guilty of an offence if—

(a) a wrongful credit has been made to an account kept by him or in respect of which he has any right or interest;

(b) he knows or believes that the credit is wrongful; and

(c) he dishonestly fails to take such steps as are reasonable in the circumstances to secure that the credit is cancelled.

(2) References to a credit are to a credit of an amount of money.

(3) A credit to an account is wrongful if it is the credit side of a money transfer obtained contrary to section 15A of this Act.

(4) A credit to an account is also wrongful to the extent that it derives from—

(a) theft;

(b) an offence under section 15A of this Act;

(c) blackmail; or

(d) stolen goods.

(5) In determining whether a credit to an account is wrongful, it is immaterial (in particular) whether the account is overdrawn before or after the credit is made.

(6) A person guilty of an offence under this section shall be liable on conviction on indictment to imprisonment for a term not exceeding ten years.

(7) Subsection (8) below applies for purposes of provisions of this Act relating to stolen goods (including subsection (4) above).

Changes to legislation: *There are currently no known outstanding effects for the Theft (Amendment) Act 1996, Section 2. (See end of Document for details)*

(8) References to stolen goods include money which is dishonestly withdrawn from an account to which a wrongful credit has been made, but only to the extent that the money derives from the credit.

(9) In this section "account" and "money" shall be construed in accordance with section 15B of this Act."

(2) This section applies to wrongful credits made on or after the day on which this Act is passed.

Changes to legislation:
There are currently no known outstanding effects for the Theft (Amendment) Act 1996, Section 2.