



# 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).

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*Status: This is the original version (as it was originally enacted).*

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- (8) References to stolen goods include money which is dishonestly withdrawn from an account to which a wrongful credit has been made, but only to the extent that the money derives from the credit.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