



# Fraud Act 2006

## CHAPTER 35

### FRAUD ACT 2006

#### *Fraud*

- 1 Fraud
- 2 Fraud by false representation
- 3 Fraud by failing to disclose information
- 4 Fraud by abuse of position
- 5 “Gain” and “loss”
- 6 Possession etc. of articles for use in frauds
- 7 Making or supplying articles for use in frauds
- 8 “Article”
- 9 Participating in fraudulent business carried on by sole trader etc.
- 10 Participating in fraudulent business carried on by company etc.: penalty

#### *Obtaining services dishonestly*

- 11 Obtaining services dishonestly

#### *Supplementary*

- 12 Liability of company officers for offences by company
- 13 Evidence
- 14 Minor and consequential amendments etc.
- 15 Commencement and extent
- 16 Short title

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#### SCHEDULES

- SCHEDULE 1 — Minor and consequential amendments

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*Changes to legislation:* There are currently no known outstanding effects for the Fraud Act 2006. (See end of Document for details)

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*Abolition of various deception offences*

1 Omit the following provisions— (a) in the Theft Act 1968...

*Visiting Forces Act 1952 (c. 67)*

2 In the Schedule (offences referred to in section 3 of...

*Theft Act 1968 (c. 60)*

- 3 Omit section 15B (section 15A: supplementary).  
 4 In section 18(1) (liability of company officers for offences by...  
 5 In section 20(3) (suppression etc. of documents—interpretation), omit  
 “deception” has...  
 6 (1) In section 24(4) (meaning of “stolen goods”) for “in...  
 7 (1) In section 24A (dishonestly retaining a wrongful credit), omit...  
 8 In section 25 (going equipped for burglary, theft or cheat)—...

*Theft Act (Northern Ireland) 1969 (c. 16 (N.I.))*

- 9 Omit section 15B (section 15A: supplementary).  
 10 In section 19(3) (suppression etc. of documents—interpretation), omit  
 “deception” has...  
 11 (1) In section 23(5) (meaning of “stolen goods”) for “in...  
 12 (1) In section 23A (dishonestly retaining a wrongful credit), omit...  
 13 In section 24 (going equipped for burglary, theft or cheat)—...

*Theft Act 1978 (c. 31)*

- 14 In section 4 (punishments), omit subsection (2)(a).  
 15 In section 5 (supplementary), omit subsection (1).

*Theft (Northern Ireland) Order 1978 (S.I. 1978/1407 (N.I. 23))*

- 16 In Article 6 (punishments), omit paragraph (2)(a).  
 17 In Article 7 (supplementary), omit paragraph (1).

*Limitation Act 1980 (c. 58)*

18 In section 4 (special time limit in case of theft),...

*Finance Act 1982 (c. 39)*

19 In section 11(1) (powers of Commissioners with respect to agricultural...

*Nuclear Material (Offences) Act 1983 (c. 18)*

20 In section 1 (extended scope of certain offences), in subsection...

*Police and Criminal Evidence Act 1984 (c. 60)*

21 In section 1 (power of constable to stop and search...

*Limitation (Northern Ireland) Order 1989 (S.I. 1989/1339 (N.I. 11))*

22 In Article 18 (special time limit in case of theft),...

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*Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))*

23 In Article 3 (power of constable to stop and search...

*Criminal Justice Act 1993 (c. 36)*

24 (1) In section 1(2) (Group A offences), omit the entries...  
25 (1) Amend section 2 (jurisdiction in respect of Group A...

*Criminal Justice (Northern Ireland) Order 1994 (S.I. 1994/2795 (N.I. 15))*

26 In Article 14 (compensation orders), in paragraphs (3) and (4)(a)...

*Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I. 24))*

27 (1) In Article 38(2) (Group A offences), omit the entries...  
28 (1) Amend Article 39 (jurisdiction in respect of Group A...

*Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)*

29 In section 130 (compensation orders), in subsections (5) and (6)(a),...

*Terrorism Act 2000 (c. 11)*

30 (1) In Schedule 9 (scheduled offences), in paragraph 10, at...  
31 (1) In Schedule 12 (compensation), in paragraph 12(1), omit “...

*Criminal Justice and Court Services Act 2000 (c. 43)*

32 (1) In Schedule 6 (trigger offences), in paragraph 1, omit...

*Armed Forces Act 2001 (c. 19)*

33 In section 2(9) (definition of prohibited articles for purposes of...

*Licensing Act 2003 (c. 17)*

34 In Schedule 4 (personal licence: relevant offences), after paragraph 20...

*Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)*

35 (1) In section 14(2) (offences giving rise to immigration officer's...

*Serious Organised Crime and Police Act 2005 (c. 15)*

36 In section 76 (financial reporting orders: making), in subsection (3),...  
37 In section 78 (financial reporting orders: making in Northern Ireland),...

*Gambling Act 2005 (c. 19)*

38 After paragraph 3 of Schedule 7 (relevant offences) insert— An offence under the Fraud Act 2006.

SCHEDULE 2 — Transitional provisions and savings

*Maximum term of imprisonment for offences under this Act*

1 In relation to an offence committed before the commencement of...

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*Changes to legislation: There are currently no known outstanding effects for the Fraud Act 2006. (See end of Document for details)*

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*Increase in penalty for fraudulent trading*

- 2 Section 10 does not affect the penalty for any offence...

*Abolition of deception offences*

- 3 (1) Paragraph 1 of Schedule 1 does not affect any...

*Scope of offences relating to stolen goods under the Theft Act 1968 (c. 60)*

- 4 Nothing in paragraph 6 of Schedule 1 affects the operation...

*Dishonestly retaining a wrongful credit under the Theft Act 1968*

- 5 Nothing in paragraph 7 of Schedule 1 affects the operation...

*Scope of offences relating to stolen goods under the Theft Act (Northern Ireland) 1969 (c. 16 (N.I.))*

- 6 Nothing in paragraph 11 of Schedule 1 affects the operation...

*Dishonestly retaining a wrongful credit under the Theft Act (Northern Ireland) 1969*

- 7 Nothing in paragraph 12 of Schedule 1 affects the operation...

*Limitation periods under the Limitation Act 1980 (c. 58)*

- 8 Nothing in paragraph 18 of Schedule 1 affects the operation...

*Limitation periods under the Limitation (Northern Ireland) Order 1989 (S.I. 1989/1339 (N.I. 11))*

- 9 Nothing in paragraph 22 of Schedule 1 affects the operation...

*Scheduled offences under the Terrorism Act 2000 (c. 11)*

- 10 Nothing in paragraph 30 of Schedule 1 affects the operation...

*Powers of arrest under Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19)*

- 11 (1) Nothing in paragraph 35 of Schedule 1 affects the...

SCHEDULE 3 — Repeals and revocations

**Changes to legislation:**

There are currently no known outstanding effects for the Fraud Act 2006.