



# Theft Act 1968

## 1968 CHAPTER 60

### *Supplementary*

#### **34 Interpretation.**

- (1) Sections 4(1) and 5(1) of this Act shall apply generally for purposes of this Act as they apply for purposes of section 1.
- (2) For purposes of this Act—
  - (a) “gain” and “loss” are to be construed as extending only to gain or loss in money or other property, but as extending to any such gain or loss whether temporary or permanent; and—
    - (i) “gain” includes a gain by keeping what one has, as well as a gain by getting what one has not; and
    - (ii) “loss” includes a loss by not getting what one might get, as well as a loss by parting with what one has;
  - (b) “goods”, except in so far as the context otherwise requires, includes money and every other description of property except land, and includes things severed from the land by stealing <sup>F1</sup>; and.
  - (c) “mail bag” and “postal packet” have the meanings given by section 125(1) of the Postal Services Act 2000.<sup>F1F1</sup>

#### **Textual Amendments**

- F1** S. 34(2)(c) and preceding word inserted (12.11.2003) by [The Postal Services Act 2000 \(Consequential Modifications\) Order 2003 \(S.I. 2003/2908\)](#), art. 3(1), [Sch. 1 para. 1](#)

#### **Modifications etc. (not altering text)**

- C1** S. 34 applied by [Theft Act 1978 \(c. 31, SIF 39:6\)](#), s. 5(2)

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*Changes to legislation: There are currently no known outstanding effects for the Theft Act 1968, Cross Heading: Supplementary. (See end of Document for details)*

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### 35 Commencement and transitional provisions.

- (1) This Act shall come into force on the 1st January 1969 and, save as otherwise provided by this Act, shall have effect only in relation to offences wholly or partly committed on or after that date.
- (2) [<sup>F2</sup>Section 27 of this Act and section 148 of the Powers of Criminal Courts (Sentencing) Act 2000] shall apply in relation to proceedings for an offence committed before the commencement of this Act as they would apply in relation to proceedings for a corresponding offence under this Act, and shall so apply in place of any corresponding enactment repealed by this Act.
- (3) Subject to subsection (2) above, no repeal or amendment by this Act of any enactment relating to procedure or evidence, or to the jurisdiction or powers of any court, or to the effect of a conviction, shall affect the operation of the enactment in relation to offences committed before the commencement of this Act or to proceedings for any such offence.

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#### Textual Amendments

**F2** Words in s. 35(2) substituted (25.8.2000) by 2000 c. 6, ss. 165(1), 168, **Sch. 9 para. 35**

### 36 Short title, and general provisions as to Scotland and Northern Ireland.

- (1) This Act may be cited as the Theft Act 1968.
- <sup>F3</sup>(2) .....
- (3) This Act does not extend to Scotland or, <sup>F4</sup> . . . to Northern Ireland, except as regards any amendment or repeal which in accordance with section 33 above is to extend to Scotland or Northern Ireland.

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#### Textual Amendments

**F3** S. 36(2) repealed by Northern Ireland Constitution Act 1973 (c. 36), **Sch. 6 Pt. I**

**F4** Words repealed by Northern Ireland Constitution Act 1973 (c. 36), **Sch. 6 Pt. I**

**Changes to legislation:**

There are currently no known outstanding effects for the Theft Act 1968, Cross Heading: Supplementary.