



# Forgery and Counterfeiting Act 1981

## 1981 CHAPTER 45

### PART II

#### COUNTERFEITING AND KINDRED OFFENCES

##### *Offences*

#### **14 Offences of counterfeiting notes and coins.**

- (1) It is an offence for a person to make a counterfeit of a currency note or of a protected coin, intending that he or another shall pass or tender it as genuine.
- (2) It is an offence for a person to make a counterfeit of a currency note or of a protected coin without lawful authority or excuse.

#### **15 Offences of passing etc. counterfeit notes and coins.**

- (1) It is an offence for a person—
  - (a) to pass or tender as genuine any thing which is, and which he knows or believes to be, a counterfeit of a currency note or of a protected coin; or
  - (b) to deliver to another any thing which is, and which he knows or believes to be, such a counterfeit, intending that the person to whom it is delivered or another shall pass or tender it as genuine.
- (2) It is an offence for a person to deliver to another, without lawful authority or excuse, any thing which is, and which he knows or believes to be, a counterfeit of a currency note or of a protected coin.

#### **16 Offences involving the custody or control of counterfeit notes and coins.**

- (1) It is an offence for a person to have in his custody or under his control any thing which is, and which he knows or believes to be, a counterfeit of a currency note or of a protected coin, intending either to pass or tender it as genuine or to deliver it to another with the intention that he or another shall pass or tender it as genuine.

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Forgery and Counterfeiting Act 1981, Cross Heading: Offences. (See end of Document for details)*

- (2) It is an offence for a person to have in his custody or under his control, without lawful authority or excuse, any thing which is, and which he knows or believes to be, a counterfeit of a currency note or of a protected coin.
- (3) It is immaterial for the purposes of subsections (1) and (2) above that a coin or note is not in a fit state to be passed or tendered or that the making or counterfeiting of a coin or note has not been finished or perfected.

## **17 Offences involving the making or custody or control of counterfeiting materials and implements.**

- (1) It is an offence for a person to make, or to have in his custody or under his control, any thing which he intends to use, or to permit any other person to use, for the purpose of making a counterfeit of a currency note or of a protected coin with the intention that it be passed or tendered as genuine.
- (2) It is an offence for a person without lawful authority or excuse—
  - (a) to make; or
  - (b) to have in his custody or under his control, any thing which, to his knowledge, is or has been specially designed or adapted for the making of a counterfeit of a currency note.
- (3) Subject to subsection (4) below, it is an offence for a person to make, or to have in his custody or under his control, any implement which, to his knowledge, is capable of imparting to any thing a resemblance—
  - (a) to the whole or part of either side of a protected coin; or
  - (b) to the whole or part of the reverse of the image on either side of a protected coin.
- (4) It shall be a defence for a person charged with an offence under subsection (3) above to show—
  - (a) that he made the implement or, as the case may be, had it in his custody or under his control, with the written consent of the Treasury; or
  - (b) that he had lawful authority otherwise than by virtue of paragraph (a) above, or a lawful excuse, for making it or having it in his custody or under his control.

## **18 The offence of reproducing British currency notes.**

- (1) It is an offence for any person, unless the relevant authority has previously consented in writing, to reproduce on any substance whatsoever, and whether or not on the correct scale, any British currency note or any part of a British currency note.
- (2) In this section—
  - “British currency note” means any note which—
    - (a) has been lawfully issued in England and Wales, Scotland or Northern Ireland; and
    - (b) is or has been customarily used as money in the country where it was issued; and
    - (c) is payable on demand; and

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“the relevant authority”, in relation to a British currency note of any particular description, means the authority empowered by law to issue notes of that description.

## **19 Offences of making etc. imitation British coins.**

(1) It is an offence for a person—

- (a) to make an imitation British coin in connection with a scheme intended to promote the sale of any product or the making of contracts for the supply of any service; or
- (b) to sell or distribute imitation British coins in connection with any such scheme, or to have imitation British coins in his custody or under his control with a view to such sale or distribution,

unless the Treasury have previously consented in writing to the sale or distribution of such imitation British coins in connection with that scheme.

(2) In this section—

“British coin” means any coin which is legal tender in any part of the United Kingdom; and

“imitation British coin” means any thing which resembles a British coin in shape, size and the substance of which it is made.

**Status:**

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**Changes to legislation:**

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