

EXPLANATORY NOTES

FRAUD ACT 2006

INTRODUCTION

TERRITORIAL APPLICATION: WALES

BACKGROUND

SUMMARY

COMMENTARY ON SECTIONS

Section 1: Fraud

Section 2: Fraud by false representation

Section 3: Fraud by failing to disclose information

Section 4: Fraud by abuse of position

Section 5: “Gain” and “loss”

Section 6: Possession of articles for use in frauds

Section 7: Making or supplying articles for use in frauds

Section 8: “Article”

Section 9: Participating in fraudulent business carried on by sole trader

Section 10: Participating in fraudulent business carried on by company : penalty

Section 11: Obtaining services dishonestly

Section 12: Liability of company officers for offences by company

Section 13: Evidence

Schedule 1: Minor and Consequential Amendments

Abolition of various deception offences

Visiting Forces Act 1952

Theft Act 1968

Theft Act (Northern Ireland) 1969

Theft Act 1978

Theft (Northern Ireland) Order 1978

Limitation Act 1980

Finance Act 1982

Nuclear Material (Offences) Act 1983

Police and Criminal Evidence Act 1984

Limitation (Northern Ireland) Order 1989

Police and Criminal Evidence (Northern Ireland) Order 1989

Criminal Justice Act 1993

Criminal Justice (Northern Ireland) Order 1994

Criminal Justice (Northern Ireland) Order 1996

Powers of Criminal Courts (Sentencing) Act 2000

Terrorism Act 2000

Criminal Justice and Court Services Act 2000

Armed Forces Act 2001

Licensing Act 2003

Asylum and Immigration (Treatment of Claimants,) Act 2004

Serious Organised Crime and Police Act 2005

Gambling Act 2005

Schedule 2: Transitional Provisions and Savings

These notes refer to the Fraud Act 2006 (c.35)

Maximum term of imprisonment for offences under this Act

Increase in penalty for fraudulent trading

Abolition of deception offences

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

Dishonestly retaining a wrongful credit under the Theft Act 1968

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

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

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

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

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

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

COMMENCEMENT

HANSARD REFERENCES