



# Theft Act 1978

## 1978 CHAPTER 31

### **2 Evasion of liability by deception**

- (1) Subject to subsection (2) below, where a person by any deception—
- (a) dishonestly secures the remission of the whole or part of any existing liability to make a payment, whether his own liability or another's ; or
  - (b) with intent to make permanent default in whole or in part on any existing liability to make a payment, or with intent to let another do so, dishonestly induces the creditor or any person claiming payment on behalf of the creditor to wait for payment (whether or not the due date for payment is deferred) or to forgo payment; or
  - (c) dishonestly obtains any exemption from or abatement of liability to make a payment;
- he shall be guilty of an offence.
- (2) For purposes of this section " liability" means legally enforceable liability; and subsection (1) shall not apply in relation to a liability that has not been accepted or established to pay compensation for a wrongful act or omission.
- (3) For purposes of subsection (1)(b) a person induced to take in payment a cheque or other security for money by way of conditional satisfaction of a pre-existing liability is to be treated not as being paid but as being induced to wait for payment.
- (4) For purposes of subsection (1)(c) " obtains" includes obtaining for another or enabling another to obtain.