



Forgery and Counterfeiting Act 1981

1981 CHAPTER 45

PART I

FORGERY AND KINDRED OFFENCES

Offences

1 The offence of forgery.

A person is guilty of forgery if he makes a false instrument, with the intention that he or another shall use it to induce somebody to accept it as genuine, and by reason of so accepting it to do or not to do some act to his own or any other person's prejudice.

2 The offence of copying a false instrument.

It is an offence for a person to make a copy of an instrument which is, and which he knows or believes to be, a false instrument, with the intention that he or another shall use it to induce somebody to accept it as a copy of a genuine instrument, and by reason of so accepting it to do or not to do some act to his own or any other person's prejudice.

3 The offence of using a false instrument.

It is an offence for a person to use an instrument which is, and which he knows or believes to be, false, with the intention of inducing somebody to accept it as genuine, and by reason of so accepting it to do or not to do some act to his own or any other person's prejudice.

4 The offence of using a copy of a false instrument.

It is an offence for a person to use a copy of an instrument which is, and which he knows or believes to be, a false instrument, with the intention of inducing somebody to accept it as a copy of a genuine instrument, and by reason of so accepting it to do or not to do some act to his own or any other person's prejudice.

Status: Point in time view as at 05/12/2005.

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)

5 Offences relating to money orders, share certificates, passports, etc.

- (1) It is an offence for a person to have in his custody or under his control an instrument to which this section applies which is, and which he knows or believes to be, false, with the intention that he or another shall use it to induce somebody to accept it as genuine, and by reason of so accepting it to do or not to do some act to his own or any other person's prejudice.
- (2) It is an offence for a person to have in his custody or under his control, without lawful authority or excuse, an instrument to which this section applies which is, and which he knows or believes to be, false.
- (3) It is an offence for a person to make or to have in his custody or under his control a machine or implement, or paper or any other material, which to his knowledge is or has been specially designed or adapted for the making of an instrument to which this section applies, with the intention that he or another shall make an instrument to which this section applies which is false and that he or another shall use the instrument to induce somebody to accept it as genuine, and by reason of so accepting it to do or not to do some act to his own or any other person's prejudice.
- (4) It is an offence for a person to make or to have in his custody or under his control any such machine, implement, paper or material, without lawful authority or excuse.
- (5) The instruments to which this section applies are—
 - (a) money orders;
 - (b) postal orders;
 - (c) United Kingdom postage stamps;
 - (d) Inland Revenue stamps;
 - (e) share certificates;
 - (f) passports and documents which can be used instead of passports;
 - [^{F1}(fa) immigration documents;]
 - (g) cheques[^{F2}and other bills of exchange];
 - (h) travellers' cheques;
 - [^{F3}(ha) bankers' drafts;
 - (hb) promissory notes;]
 - (j) cheque cards;
 - [^{F4}(ja) debit cards;]
 - (k) credit cards;
 - (l) certified copies relating to an entry in a register of births, adoptions, marriages [^{F5}, civil partnerships]or deaths and issued by the Registrar General, the Registrar General for Northern Ireland, a registration officer or a person lawfully authorised to [^{F6}issue certified copies relating to such entries]; and
 - (m) certificates relating to entries in such registers.
- (6) In subsection (5) (e) above "share certificate" means an instrument entitling or evidencing the title of a person to a share or interest—
 - (a) in any public stock, annuity, fund or debt of any government or state, including a state which forms part of another state; or
 - (b) in any stock, fund or debt of a body (whether corporate or unincorporated) established in the United Kingdom or elsewhere.

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- [^{F7}(7) An instrument is also an instrument to which this section applies if it is a monetary instrument specified for the purposes of this section by an order made by the Secretary of State.
- (8) The power under subsection (7) above is exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.]
- [^{F8}(9) In subsection (5)(fa) “ immigration document ” means a card, adhesive label or other instrument which satisfies subsection (10) or (11).
- (10) A card, adhesive label or other instrument satisfies this subsection if it—
- (a) is designed to be given, in the exercise of a function under the Immigration Acts (within the meaning of section 44 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004), to a person who has been granted leave to enter or remain in the United Kingdom, and
- (b) carries information (whether or not wholly or partly electronically) about the leave granted.
- (11) A card, adhesive label or other instrument satisfies this subsection if it is given to a person to confirm a right of his under the Community Treaties in respect of entry to or residence in the United Kingdom.]

Textual Amendments

- F1** S. 5(5)(fa) inserted (1.10.2004) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), **ss. 3(2)**, 48(3); S.I. 2004/2523, art. 2, Sch.
- F2** Words in s. 5(5)(g) inserted (26.4.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\)](#), **ss. 88(2)(a)**, 94(1); S.I. 2004/786, art. 3(1)(2)
- F3** S. 5(5)(ha)(hb) inserted (26.4.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\)](#), **ss. 88(2)(b)**, 94(1); S.I. 2004/786, art. 3(1)(2)
- F4** S. 5(5)(ja) inserted (26.4.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\)](#), **ss. 88(2)(c)**, 94(1); S.I. 2004/786, art. 3(1)(2)
- F5** Words in s. 5(5)(l) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), **Sch. 27 para. 67(a)**; S.I. 2005/3175, art. 2(2)
- F6** Words in s. 5(5)(l) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), **Sch. 27 para. 67(b)**; S.I. 2005/3175, art. 2(2)
- F7** S. 5(7)(8) inserted (26.4.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\)](#), **ss. 88(3)**, 94(1); S.I. 2004/786, art. 3(1)(2)
- F8** S. 5(9)-(11) added (1.10.2004) by [Asylum and Immigration \(Treatment of Claimants, etc.\) Act 2004 \(c. 19\)](#), **ss. 3(3)**, 48(3); S.I. 2004/2523, art. 2, Sch.

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