

Additional offence with respect to section 718 (c) and certain defences with respect to foregoing matters

720. (1) Where any person pawns, pledges or disposes of any property in circumstances which amount to an offence under section 718 (c), every person who takes in pawn or pledge or otherwise receives the property knowing it to be pawned, pledged or disposed of in those foregoing circumstances shall also be guilty of a category 2 offence.

(2) In any proceedings against a person in respect of—

(a) an offence under—

(i) section 716 (1) or (2);

(ii) section 717 consisting of a contravention of paragraph (a) of that section;

(iii) section 718 consisting of a contravention of paragraph (b) or (c) of that section; or

(iv) section 719 (1);

it shall be a defence to prove that the person had no intent to defraud; and

(b) an offence under—

(i) section 717 consisting of a contravention of paragraph (c) or (d) of that section;

(ii) subsection (2) of section 719 consisting of a contravention of paragraph (b) of that subsection;

it shall be a defence to prove that the person had neither an intent to conceal the state of affairs of the company nor to defeat the process of the law and, in particular, the enforcement of this Act.