

电信网络诈骗犯罪法律责任风险提示告知书

Notice of Telecom and Internet fraud crime legal liability

为切实防范个人、单位在电信企业办理的电话卡、物联网卡、固定电话、有线宽带等电信网络资源被用于实施电信网络诈骗犯罪，根据《中华人民共和国刑法》《中华人民共和国网络安全法》《中华人民共和国反恐怖主义法》《中华人民共和国电信条例》等相关法律法规要求，以及公安部、工业和信息化部等五部门《关于依法严厉打击惩戒治理非法买卖电话卡银行卡违法犯罪活动的通告》等文件要求，现将法律责任风险提示告知如下：

In order to effectively prevent telecom and Internet resources such as mobile SIM cards, Internet of Things cards, fixed telephones, wired broadband and other telecommunications network resources registered by individuals, company or enterprise from being used to commit telecom and Internet fraud crimes, in accordance with the "Criminal Law of the People's Republic of China" and "Network Security Law of the People's Republic of China" "The Anti-Terrorism Law of the People's Republic of China", "the Telecommunications Regulations of the People's Republic of China" and other relevant laws and regulations, and the Ministry of Public Security, the Ministry of Industry and Information Technology and other five ministries and departments' "Regulations on Severely Cracking Down, Punishing, and Controlling the Illegal and Criminal Activities of the Illegal Buying and Selling of SIM Cards and Bank Cards" According to the requirements of "Notice" and other documents, the legal liability reminder is now notified as follows:

一、用户使用电话卡、物联网卡、固定电话、有线宽带等电信网络资源从事或帮助实施电信网络诈骗犯罪的，将由相关部门依法追究法律责任。

Users who use SIM cards, Internet of Things cards, fixed telephones, wired broadband and other telecommunication network resources to engage in or help commit telecom or Internet fraud crimes, relevant departments will be investigated for legal responsibility in accordance with the law.

二、明知他人实施电信网络诈骗犯罪，仍以出售、出租、出借、转让等方式提供本人(本单位)电话卡、物联网卡、固定电话、有线宽带等电信网络资源给他人使用的，依照《中华人民共

和国刑法修正案(九)》《关于办理电信网络诈骗等刑事案件适用法律若干问题的意见》(法发〔2016〕32号)第四条第三款之规定,由公安机关以电信网络诈骗共同犯罪追究刑事责任。

Knowing that others commit telecom and Internet fraud crimes, and still provide oneself (own company) SIM card, Internet of Things card, fixed telephone, wired broadband and other telecommunications network resources for others to use by selling, renting, lending, transferring, etc., in accordance with the "People's Republic of China" The Criminal Law Amendment (9) "Opinions on Several Issues Concerning the Application of Law in the Handling of Criminal Cases such as Telecom and Internet Fraud" (Fafa [2016] No. 32), Article 4, paragraph 3, shall be jointly committed by public security organs with telecommunications network fraud Be held criminally responsible.

三、办理移动电话、固定电话、有线宽带等入网手续,必须持本人合法有效身份证件进行实名登记。冒用他人身份证件,或者使用伪造、变造等身份证件或单位证件办理入网手续的,属违法行为。

When applying for mobile phone, fixed phone, wired broadband services, etc., user must register the service under his/her real identity with valid government issued ID. It is an illegal act to fraudulently use other people's identity documents, or use forged or altered identity documents or company business certificates to apply mobile phone, fixed phone or broadband services.

四、个人、单位名下的电话卡、物联网卡、固定电话、有线宽带等涉及电信网络诈骗犯罪案件,或者存在较大涉诈风险的,电信企业可按照入网协议有关条款,组织用户进行二次实人认证、情形严重的、将被纳入黑名单管理。

If the SIM card, Internet of Things card, fixed telephone, wired broadband and other criminal cases involving telecom and Internet fraud under the name of an individual or a company, or there is certain risk of fraud, the telecom service provider can ask individual users to conduct in-person identify verification in accordance with the relevant provisions of the network access agreement. In serious cases, users will be placed on the blacklist.