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PRESS RELEASE

Three Depts. Clarify Law Application Criteria For Online Gambling Cases

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The Supreme People’s Court, the Supreme People’s Procuratorate and the Ministry of Public Security have jointly released the “Opinions on Issues concerning the Application of Law in the Handling of Online Gambling Criminal Cases” . Five points in this document: 1. criteria for conviction of and imposing penalties for the crime of operating a gambling house to organize online gambling activities through the Internet and mobile communication terminals; 2. criteria for conviction of and imposing penalties for the joint offender who is fully aware that the website is a gambling site but provides such services or assistance as Internet access, server hosting, online storage space, communication transmission channels, advertising, member development, software development, technical support and money payment and settlement; 3. four circumstances under which the person “is fully aware” that the concerned website is a gambling site; 4. method for identifying the number of gamblers, amount of gambling funds and website agents; 5. jurisdiction of cases of online gambling crime, collection and preservation of electronic evidence and other relevant issues.

The act of handling of gambling is punished by criminal law of China, but the crime of handling of online gambling crime becomes severe in recent years. The opinions were released for the punishment to this kind of crime. According to the fifth point of the opinions, taking the evidence in these crimes is complex and different to the electronic evidence in civil cases.

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