

# 非法集资的特征

## Features of illegal fund-raising

(一) 未经有关部门依法批准或者借用合法经营的形式吸收资金；

(1) Pooling funds without the legal approval of relevant authority or under the disguise of legitimate business;

(二) 通过媒体、推介会、传单、手机短信等途径向社会公开宣传；

(2) Advertising through the channels in terms of media, promotional events, leaflets and mobile SMS;

(三) 承诺在一定期限内以货币、实物、股权等方式还本付息或者给付回报；

(3) Guarantee the return of the principal within the certain duration in forms of currency, material object or equity, etc;

(四) 向社会公众即社会不特定对象吸收资金。

(4) Raising the funds from the unspecific objects in public.

## 非法集资的主要表现形式

### Main manifestations of illegal fund-raising

非法集资活动涉及内容广，表现形式多样，从目前案发情况看，主要包括债权、股权、商品营销、生产经营等四大类。主要表现为有以下几种形式：

Illegal fund-raising has a wide scope and manifests in many forms. Based on the current cases, it includes four manifestation types such as debts, equities, commodity marketing, production and operations as below:

（一）借种植、养殖、项目开发、庄园开发、生态环保投资等名义非法集资。

(1) Illegal fund-raising under the names of planting, cultivation, project development, land development and eco-friendly investments.

（二）以发行或变相发行股票、债券、彩票、投资基金等权利凭证或者以期货交易、典当为名进行非法集资。

(2) Illegal fund-raising by issuing or issuing in disguised forms of the right certificates such as stocks, bonds, lotteries and investment funds, or under the names of futures and pawning.

（三）通过认领股份、入股分红进行非法集资。

(3) Illegal fund-raising by claiming shares and equity dividends.

(四) 通过会员卡、会员证、席位证、优惠卡、消费卡等方式进行非法集资。

(4) Illegal fund-raising by purchasing membership cards/certificates, seat certificates, coupons, consumption cards etc.

(五) 以商品销售与返租、回购与转让、发展会员、商家联盟与“快速积分法”等方式进行非法集资。

(5) Illegal fund-raising by commodity sales and leaseback, repurchase and transfer, membership development, business alliances and “rapid point accumulation methods” etc.

(六) 利用民间“会”、“社”等组织或者地下钱庄进行非法集资。

(6) Illegal fund-raising by utilizing organizations such as social “associations” and “societies” or underground banks;

(七) 利用现代电子网络技术构造的“虚拟”产品，如“电子商铺”、“电子百货”投资委托经营、到期回购等方式进行非法集资。

(7) Illegal fund-raising by using forms such as investments and business operations entrustment or repurchase on maturity of “virtual” products created through modern electronic technology such as “e-shops” or “e-stores”.

(八) 对物业、地产等资产进行等份分割，通过出售其份额的处置权进行非法集资。

(8) Illegal fund-raising by selling the disposal rights of the shares which equally

split from the assets including property and real estate.

(九) 以签订商品经销合同等形式进行非法集资。

(9) Illegal fund-raising by signing commodity sales contracts.

(十) 利用传销或秘密串联的形式非法集资。

(10) Illegal fund-raising by pyramid selling or through illegal connections.

(十一) 利用互联网设立投资基金的形式进行非法集资。

(11) Illegal fund-raising by setting up investment funds through internet.

(十二) 利用“电子黄金投资”形式进行非法集资。

(12) Illegal fund-raising by using “e-gold investment”.

## 非法集资的常见手段

### Common means of illegal fund-raising

#### (一) 承诺高额回报

不法分子为吸引群众上当受骗，往往编造“天上掉馅饼”、“一夜成富翁”的神话，通过暴利引诱许诺投资者高额回报。为了骗取更多的人参与集资，非法集资者在集资初期，往往按时足额兑现承诺本息，待集资达到一定规模后，便秘密转移资金或携款潜逃，使集资参与者遭受经济损失。

#### (1) Promising high returns

For tempting masses, lawbreakers usually promise huge profits or high returns by making up stories of “pennies from heaven” and “overnight riches”. For luring more masses involve in, illegal fund-raisers usually pay the principal with interest on due date at primary stages of fund-raising. Once the funds amount reaches a certain scale, the illegal fund-raisers will secretly transfer or abscond with funds, which lead to economic losses to participants.

#### (二) 编造虚假项目

不法分子大多通过注册合法的公司或企业，打着响应国家产业政策、支持新农村建设、实践“经济学理论”等旗号，经营项目由传统的种植、养殖行业发展到高新技术开发、集资建房、投资入股、售后返租等内容，以订立合同为幌子，编造虚假项目，承诺高额固定收益，骗取社会公众投资。有的不法分子假借委托理财名义，故意混淆投资理财概念，利用电子黄金、投资基金、

网络炒汇、电子商务等新名词迷惑社会公众，承诺稳定高额回报，欺骗社会公众投资。

## (2) Setting up fictitious projects

Lawbreakers usually register legal companies or enterprises to operate the businesses which developed from traditional industries such as planting and cultivation to high technology development, financing for house construction, shares investment, leaseback under the banner of responding to the national industrial policy, supporting new rural construction and practicing "economic theories" etc., so as to create a smoke screen in the form of creating contracts, fictitious projects along with the promised high and stable returns, and deceive the society of its public investment. Some lawbreakers deliberately confuse the concepts of investment and finance under the disguised name of entrusted asset management such as e-gold, investment funds, online foreign exchange trading, e-commerce etc., along with the promise of high and stable returns, to deceive the society of its public investment.

## (三) 以虚假宣传造势

不法分子为了骗取社会公众信任，在宣传上往往一掷千金，采取聘请明星代言、在著名报刊上刊登专访文章、雇人广为散发宣传单、进行社会捐赠等方式，加大宣传力度，制造虚假声势，骗取社会公众投资。有的不法分子利用网络虚拟空间将网站设在异地或租用境外服务器设立网站。有的还通过网站、博客、论坛等网络平台和 QQ、MSN 等即时通讯工具，传播虚假信息，骗取社会公众投资。一旦被查，便以下线不按规则操作等为名，迅速关

闭网站，携款潜逃。

### (3) False propaganda and publicity

Lawbreakers usually spend large amounts on propaganda such as employing stars as spokespersons, publishing special interviews in well-known magazines, distributing flyers extensively or carrying out social donations etc. to enhance the effect of publicity and create a false image to deceive the public of their investments. Some lawbreakers set up websites in other places or by overseas server. Some even spread fictitious information through online platforms such as websites, blogs, forums etc., and instant messages such as QQ, MSN etc., to deceive the public of their investments. Once detected, they would abscond with funds immediately after closing the website quickly in the name of irregular operations.

### (四) 利用亲情诱骗

不法分子往往利用亲戚、朋友、同乡等关系，用高额回报诱惑社会公众参与投资。有些参与传销人员，在传销组织的精神洗脑或人身强制下，为了完成或增加自己的业绩，不惜利用亲情、地缘关系拉拢亲朋、同学或邻居加入，使参与人员迅速蔓延，集资规模不断扩大。

### (4) Deceiving through relationships

Lawbreakers usually bait with high returns to various relationships such as relatives, friends or people from the same hometown, luring the public into investment. Having been brainwashed or physically forced by pyramid selling groups, some pyramid-selling salespersons lure all relationships involved in the

pyramid for reach or improve their performance, so as to increase the participants and extend the fund-raising scale.

## 防范和打击非法集资宣传教育标语口号

Slogans for the Campaign to Prevent and Crackdown on Illegal Fund-raising

(一) 远离非法集资，拒绝高利诱惑

(1) Keep away from illegal fund-raising, and reject the temptation of high interest.

(二) 珍惜一生血汗，远离非法集资

(2) Cherish your life-long earnings, and keep away from illegal fund-raising.

(三) 天上不会掉馅饼，一夜暴富是陷阱

(3) There is no such thing as a free lunch, and getting rich overnight is a pitfall.

(四) 抵制高息集资诱惑，理性选择投资渠道

(4) Resist the temptation of fund-raising with high interest, and choose investment channels rationally.

(五) 树立正确理财观念，警惕非法集资陷阱

(5) Establish correct financial management view, and be vigilant against illegal fund-raising pitfalls.

(六) 远离非法集资，建设美好生活

(6) Keep away from illegal fund-raising, and build a wonderful life.

(七) 防范非法集资，人人有责

(7) Preventing illegal fund-raising is the responsibility of every individual.

(八) 提高风险防范意识，警惕贷款、非法融资和非法集资广告陷阱，谨防上当受骗

(8) Enhance the awareness of risk prevention and be vigilant against pitfalls in the advertisement of loans, illegal financing and illegal fund-raising to avoid being cheated

(九) 打击非法集资，维护群众利益

(9) Crackdown on illegal fund-raising in order to protect the interest of the public

(十) 打击非法集资，维护金融稳定，共创和谐社会

(10) Strike Crackdown on illegal fund-raising in order to maintain financial stability and establish a harmonious society together.

(十一) 非法集资不受法律保护，参与非法集资活动风险自担

(11) Illegal fund-raising is not protected by the law, and those who are involved in illegal fund-raising activities shall bear the risks themselves.

(十二) 警惕以私募股权投资等名义、提供所谓高额回报的非法集资陷阱

(12) Be vigilant against the pitfalls of illegal fund-raising in the name of private

fund-raising for equities investment with high returns.

(十三) 警惕借种植、养殖、项目开发、庄园开发、生态环保投资等名义进行的非法集资活动

(13) Be vigilant against illegal fund-raising in the name of planting, cultivating, project development, land development and eco-friendly investments etc.