



Online fraud with new techniques to be more severely punished

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Our payment methods are becoming increasingly modern. We have grown accustomed to payment requests via smartphones and transferring money via apps, alongside using bank cards or cash. This also entails new forms of crime, such as WhatsApp fraud and phishing. As a result, the counterfeiting, use, manufacture and purchase of electronic payment instruments is set to become an independent offence. The maximum sentences for payment fraud will also be increased. This is set out in the legislative proposal that Minister Grapperhaus of Justice and Security sent to the House of Representatives today, transposing a European directive into Dutch law.

Dutch law already offers many possibilities to punish fraud, such as the criminalisation of forgery, theft, extortion and swindling. Punishment is also possible if the fraud takes place online, for example by imposing sentences for intercepting and recording computer data. This bill expands the criminalisation of forging payment cards, and using and possessing such forgeries, to all electronic payment instruments. This means that new payment methods will be just as well protected by criminal law as the 'old' ones, such as bank cards.

The bill fully transposes a European directive on combating fraud and counterfeiting of non-cash means of payment into Dutch law. It is important that the same rules apply throughout the European Union, since online fraud is often a cross-border affair. The directive will apply not only to scriptural and electronic money, but also to virtual currencies, such as bitcoins.

The maximum prison sentences for payment fraud will also be increased. For computer crime used to obtain payment details, the sentences will be increased from two to three years' imprisonment. For falsifying payment data or payment applications, the sentences will even go up to six years. This also applies to the sentences for holding or selling stolen payment details. That sentence is currently a maximum of one year.

See also

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Ministry responsible

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