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# 全国人民代表大会常务委员会关于《中华人民共和国刑法》第二百六十六条的解释

# Interpretation of the Standing Committee of the National People's Congress on Article 266 of the Criminal Law of the People's Republic of China

全国人民代表大会常务委员会关于《中华人民共和国刑法》第二百六十六条的解释

Interpretation of the Standing Committee of the National People's Congress on Article 266 of the Criminal Law of the People's Republic of China

(2014年4月24日第十二届全国人民代表大会常务委员会第八次会议通过)

(Adopted at the 8th session of the Standing Committee of the 12th National People's Congress on 24 April 2014)

全国人民代表大会常务委员会根据司法实践中遇到的情况，讨论了刑法第二百六十六条的含义及骗取养老、医疗、工伤、失业、生育等社会保险金或者其他社会保障待遇的行为如何适用刑法有关规定的问题，解释如下:

In light of what is encountered in judicial practice, the Standing Committee of the National People's Congress has discussed the implication of Article 266 of the Criminal Law and how the provisions of the Criminal Law apply to the act of defrauding the funds of pension insurance, medical insurance, job-related injury insurance, unemployment insurance, maternity insurance and other social insurance or other social security benefits. The interpretation is given as follows:

以欺诈、伪造证明材料或者其他手段骗取养老、医疗、工伤、失业、生育等社会保险金或者其他社会保障待遇的，属于刑法第二百六十六条规定的诈骗公私财物的行为。

The act of obtaining the funds of pension insurance, medical insurance, work-related injury insurance, unemployment insurance, maternity insurance and other social insurance or other social security benefits by cheating, forging evidentiary materials or other means falls under the defrauding of public or private property as specified in Article 266 of the Criminal Law.

现予公告。

It is hereby announced.