

附件 1

个人非法外汇交易风险提示单

一、拒绝非法外汇交易

1、个人外汇交易必须通过合规持牌机构办理，不得非法买卖外汇；

2、个人当日累计存入外币现钞不得超过等值 1 万美元，超过该金额的须提供相关来源的证明材料；

3、个人当日累计提取外币现钞不得超过等值 1 万美元，超过该金额的须提供相关用途的证明材料；

4、境内个人每年累计结汇和购汇便利化额度为等值 5 万美元，超过该金额的须提供有交易额的相关材料；

5、境内个人不得虚假申报涉外收支信息；不得提供不实证明材料；不得出借本人年度结售汇额度协助他人分拆结汇、购汇或借用他人年度结售汇额度实施分拆结汇、购汇；境内个人购付汇不得用于境外购房、证券投资、购买人寿保险和投资性返还分红类保险等尚未开放的资本项目业务；不得参与洗钱、逃税、地下钱庄交易等违法违规活动；

6、境内个人出借本人年度结售汇便利化额度协助他人分拆结汇、购汇 2 次的，以及借用他人年度结售汇便利化额度实施分拆结汇、购汇的，将被列入“关注名单”管理。关注期限为列入“关注名单”的当年及之后连续 2 年。关注期限内，境内个人应持本人有效身份证件和有交易额的相关材料到银行办理个人结

售汇业务。银行应按真实性审核原则，严格审核相关证明材料。

个人违反上述规定的，外汇局依据《中华人民共和国外汇管理条例》及相关规定予以处罚。非法买卖外汇经营数额在五百万元以上的、违法所得数额在十万元人民币以上的，即追究刑事责任。

二、远离非法外汇业务

个人在我国境内开展外汇投资理财时，需谨慎审核该投资机构是否具有金融经营许可。

1、未经国务院银行保险业监督管理机构批准，任何单位和个人不得在我国境内从事向客户提供财务分析、财务规划、投资顾问、资产管理等商业银行个人理财业务；

2、境内单位和个人不得擅自经营或从事非法外汇按金交易（网络炒汇平台），从事非法外汇按金交易的双方权益不受法律保护。

境内机构和个人组织或参与上述非法金融活动，将受到我国法律法规的惩处。

国家外汇管理局上海市分局

二〇二〇年十月十日

上述内容已知晓

签名：

年 月 日

Risk Alerts for Individual Foreign Exchange Transactions

A. Avoid illegal foreign exchange transactions

1. The daily aggregate of foreign exchange cash deposits by individuals shall not exceed an amount equivalent to USD 10,000
2. The daily aggregate of foreign exchange cash withdrawals by individuals shall not exceed an amount equivalent to USD 10,000.
3. The annual aggregate of foreign exchange purchase and sale transactions by individuals shall not exceed an amount equivalent to USD 50,000 respectively.
4. Individuals shall not split foreign exchange purchase and sale transactions to evade the annual limit on foreign exchange transactions.
5. Foreign exchange transaction outside the bank trading system is prohibited.

Any violation of *Measures for the Administration of Individual Foreign Exchange* shall be penalized by the State Administration of Foreign Exchange according to *Regulations on Foreign Exchange Control of the People's Republic of China* and other relevant regulations. Illegal foreign exchange trading exceeding USD 200,000 or its equivalent shall constitute a crime and be investigated for criminal responsibility in accordance with the law.

B. Disassociate from illegal financial business

When making investment with an institution in the People's Republic of China, individuals shall carefully examine whether the institution has a permit for financial and futures business.

1. Unless approved by China Banking and Insurance Regulatory Commission, no entity or individual may provide commercial banking personal wealth management services within the People's Republic of China, including financial analysis, financial planning, investment advisory service, asset management, etc.
2. Unless approved by relevant state authorities, no entity or individual may engage in the securities, futures or insurance business.
3. Domestic institutions and individuals engaging in direct foreign investment and/or the issuance or trading of overseas securities or derivatives shall complete the registration as required by the regulations of the State Administration of Foreign Exchange.
4. Domestic institutions and individuals shall not engage in illegal overseas futures trading or foreign exchange margin trading. The rights and interests of both parties involved in such trading shall not be protected by law.

The organization of or involvement in the above-mentioned illegal overseas financial businesses shall be construed as illegal operation and trading of foreign exchange and shall be penalized under the laws and regulations of the People's Republic of China

If there are any discrepancies between the English and the Chinese versions, the Chinese version shall prevail.

I hereby acknowledge that I fully understand the above contents.

Signature:

Date: