



TYPES AND CRIMINAL LEGAL ASPECTS OF THEFT OF PROPERTY USING BANK PLASTIC CARDS

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ABSTRACT: - This article discusses the practice of stealing bank plastic cards and the problems of their qualification, as well as measures to prevent this type of crime. Also, proposals were developed to improve the national legislation of the Republic of Uzbekistan.

KEYWORDS: Bank plastic cards, Skimming, Phishing, Vishing, IM fraud.

INTRODUCTION

In the modern world, computer technology is becoming more important in the daily life of any person. Computer technology is present in many areas, and the banking sector is no exception. The non-cash form of payment prevails over the cash form. The popularity of the non-cash form of payment, as well as plastic cards, is growing exponentially, in conjunction with it, the number of fraudulent transactions using plastic cards is growing. Since not only the positive aspects of the life of society and the state, but also the world of

crime are subject to development. Fraudsters are acquiring more and more knowledge and skills in the banking sector, inventing new ways to steal money from personal accounts of bank customers .

The market of payment cards in the Republic of Uzbekistan is actively developing . However, based on the share of credit institutions engaged in issuing or acquiring of the total number of credit institutions, it can be concluded that every year more and more credit institutions begin to introduce issuing and acquiring services. Thus, a bank card is a

“TYPES AND CRIMINAL LEGAL ASPECTS OF THEFT OF PROPERTY USING BANK PLASTIC CARDS”

payment instrument that allows the holder to receive cash, pay for the purchase of various goods and services, manage funds in a bank account, and use various types of additional services. Due to their advantages, they are becoming more and more popular among the population, besides, the share of card-issuing credit institutions among the total number of credit institutions is growing, card issuance is increasing throughout the country, and the number and volume of transactions performed using cards are growing.

However, there are a number of problems that have a negative impact on the development of the "card business". One of the main and urgent problems is the problem of fraud using bank cards.

The development of payment systems is a characteristic feature of the modern world. However, despite the fact that foreign banks have been using the card system for quite a long time, this tool has entered our economy relatively recently. Nevertheless, bank cards are an integral part of not only our lives, but also a convenient tool in the field of fraud.

This is justified by the fact that in this area there is an opportunity to act, not only without attracting attention, but often without even leaving your own home. At the same time, a fraudster does not need to have certain skills, it is enough just to find information on the Internet, which is a huge amount, or to purchase the necessary equipment and special programs.

In the world of advanced technologies, every day it becomes more and more difficult for mankind to refuse the emergence of new remote banking services. Numerous companies develop and introduce new protection systems every year, and representatives of the criminal world are trying to find ways to bypass this protection.

Of course, if you persevere, you can find a way to deal with any system of protection, but usually it takes a lot of money. It is much easier to mislead a person who does not follow the development of modern technologies and does not know all the intricacies of this complex system. In order not to be deceived and avoid financial losses, you should regularly improve your knowledge in this area .

Of course, one of the most important factors in the development of the banking sector of the economy is the range and nature of the use of payment cards. A bank card is a reusable payment and credit instrument with a long term of use, which allows access to a personal bank account and has a very high degree of protection against counterfeiting, as well as storing information about the true owner of the card. In the last few decades, there has been a global trend in the development of non-cash forms of payment, since it is of great economic importance. Payments made without the participation of cash help to accelerate turnover, reduce the amount of money required in circulation, which, as a result, leads to a reduction in distribution costs and an increase in the transparency of settlements.

Consider the most popular types of fraud in more detail. Skimming (from the English skimming) is the theft of card data using a special reader (skimmer). Attackers copy all information from the magnetic stripe of the card (holder name, card number, expiration date, CVV and CVC codes), you can find out the PIN code using a mini-camera or keyboard overlays installed on ATMs. You can become a victim of skimming not only by withdrawing cash, but also by paying for purchases at retail outlets.

Phishing. The scammer's goal is simple - to find out the logins, passwords, card numbers and CVV2/CVC2 codes of the victim. Further, using

the received data, fraudsters gain access to bank cards, on-line cabinets of Internet banks and send funds to fraudulent accounts or make purchases in online stores. For this, various methods are used:

- The fraudster calls the client and, posing as a bank employee, reports that the client has a certain problem (variants are possible), for the solution of which the client must urgently provide a number of information about the card
- The victim receives an SMS with a message that his card is blocked and the phone number of the alleged support service calling the specified number, the scammers "process" using the client's confusion and during the conversation they find out the data necessary for fraud
- The fraudster, knowing the username and password of the client, sends the victim a letter stating that a fraudulent debiting of funds has occurred from his card and in order to cancel the transaction, it is necessary to name the code received by SMS from the bank. In fact, the SMS code confirms the operation initiated by the fraudster and using the code named by the victim, the fraudster sends funds from the victim's account to his own account, or pays for the services of providers.
- The scammer sends mass emails on behalf of banks, postal services or within social networks. The letter usually contains a direct link to a site that is outwardly indistinguishable from the real one. Once the user lands on a fake page, they are prompted to enter their username and password, which they use to access a particular site, which allows fraudsters to gain access to accounts and bank accounts.

Vishing (English vishing - from voice phishing) is a type of telephone fraud that allows you to steal confidential information from bank

customers. The client receives a call from an auto informer who reports that, for example, fraudulent actions are being performed with the card, and gives instructions to call back at a specific number. Further, following the instructions of the answering machine, the client must provide or enter card details on the telephone keypad. Sometimes the attackers themselves call the victims, convincing them that they are bank employees.

IM fraud (SMS fraud) is a relatively new type of fraud based on the ability to gain access to the SIM card or SMS messages of the bank card holder. Fraud scheme: 1. The holder of a bank card (hereinafter referred to as the victim) binds a mobile phone number to it (or to Internet banking) in order to receive SMS messages. 2. The victim loses control of his number. 3. The scammer gets access to the victim's number. 4. The fraudster receives SMS notifications to the received number and understands that he can use it for personal gain. 5. The fraudster sends an SMS message to the victim's bank with an instruction to make a payment to his/her own accounts (or to the accounts of third parties). All over the world, the problem of fraud with the use of payment cards is given great attention, both by banking structures and law enforcement agencies at various levels.

To combat fraud, it is necessary to take various measures on the part of the payment system, banks, law enforcement agencies, but in most cases, it is necessary to improve the plastic cards themselves, increase their degree of protection, because, in most cases, the largest number of fraudulent transactions occurs due to the unreliability of user identification methods.

Articles 169 and 168 of the Criminal Code of the Republic of Uzbekistan provide for liability for theft and embezzlement of funds from bank plastic cards. If in these cases the

offender used computer equipment, he is qualified under article 168, part 2, subparagraph "c" or article 169, part 3, subparagraph "b" of the Criminal Code. Article 168, part 1, or Article 169, part 1, qualifies if it is committed without the use of computer technology, using only mobile devices and payment systems. But now that this type of crime is on the rise, accountability needs to be increased.

In other words, Article 168, part 2, paragraph "c" of the Criminal Code should be supplemented with the words "if computer technology was used using information technology or electronic means of payment or a remote service system."

It is also necessary to supplement paragraph 169 of part 3 of paragraph "b" of the Criminal Code, where "unauthorized access to a computer system" is defined as "unauthorized access to computer equipment, as well as to another information system or using an electronic means of payment." device or remote service system.

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1