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国内要闻 Domestic News

国家网信办发布《互联网信息服务管理办法（修订草案征求意见稿）》

2021年1月8日，国家互联网信息办公室（“国家网信办”）发布了《互联网信息服务管理办法（修订草案征求意见稿）》，向社会公开征求意见。该修订草案由国家网信办会同工业和信息化部、公安部起草，共6章54条。其中，第5条对网信部门、电信主管部门、公安部门、国家安全机关等部门的相关职责进行了明确。意见反馈截止日期为2021年2月7日。（[查看更多](#)）

CAC Invites Comments on Draft Amendments to Administrative Measures on Internet-based Information Services

On January 8, 2021, the Cyberspace Administration of China (“CAC”) published the exposure draft of a proposed revision to the *Administrative Measures on Internet-based Information Services* to solicit public comments. The exposure draft, consisting of 6 chapters and 54 articles, was drafted by the CAC in company with the Ministry of Industry and Information Technology (“MIIT”) and Ministry of Public Security. Article 5 of the exposure draft clarifies the relevant responsibilities of the internet and information authorities, the telecommunications authorities, the public security authorities, and the state security organs. The deadline for comments is February 7, 2021. ([More](#))

工信部网安局公示49家电信和互联网企业、域名机构违规情况

2021年1月5日，工业和信息化部（“工信部”）网络安全管理局（“网安局”）公示了2020年“双随机一公开”检查结果。网安局表示，根据相关法律法规，2020年，网安局组织对部分电信和互联网企业、域名机构的网络安全防护工作情况、网络与信息安全责任落实情况、网络数据安全保护责任及管理措施落实情况、电话用户真实身份信息登记情况等开展随机抽查。本次抽查共发现49家电信和互联网企业、域名机构不同程度存在违规情况，均已向各企业反馈检查问题，明确检查整改要求并要求限期完成整改。（[查看更多](#)）

MIIT Publishes 49 Telecom and Internet Enterprises and Domain Name Agencies that Violated the Rules

On January 5, 2021, the Cybersecurity Bureau of MIIT released the results of its “double random and one open” inspection in 2020. The Cybersecurity Bureau said that, in accordance with applicable laws and regulations, for some telecom and internet enterprises and domain name agencies, it organized random inspection on the work of cybersecurity protection, the implementation of network and information security responsibilities, the implementation of network data security protection responsibilities and management measures, the registration of telephone users’ real identity information and so on. A total of 49 telecom and internet enterprises and domain name agencies were found to have violated the rules to varying degrees during the inspection. The Cybersecurity Bureau had informed each of the enterprises and agencies of the relevant problems, made clear the inspection and rectification requirements and required the rectification to be completed within a deadline. ([More](#))

信安标委发布《网络安全标准实践指南—人工智能伦理安全风险防范指引》

2021年1月5日，全国信息安全标准化技术委员会（“信安标委”）秘书处发布了《网络安全标准实践指南—人工智能伦理安全风险防范指引》。其中提到，该文件针对人工智能可能产生的伦理安全风险问题，给出了安全开展人工智能研究开发、设计制造、部署应用等相关活动的规范指引。该文件适用于相关组织或个人开展人工智能研究开发、设计制造、部署应用等相关活动。（[查看更多](#)）

TC260 Issues Guidelines on Ethical Security Risk Prevention of Artificial Intelligence

On January 5, 2021, the Secretariat of National Information Security Standardization Technical Committee (“TC 260”) issued the *Practice Guidelines for Cybersecurity Standards - Guidance for Ethical Security Risk Prevention of Artificial Intelligence*. It is mentioned that in view of the ethical security risks that may arise from artificial intelligence, this document provides guidelines for safely carrying out artificial intelligence research and development, design and manufacturing, deployment and application and other related activities. This document is suitable for relevant organizations or individuals to carry out artificial intelligence research and development, design and manufacturing, deployment and application and other related activities. ([More](#))

海外动态 Overseas News

非法视频监控员工，德国在线零售商违反GDPR遭罚1040万欧元

2021年1月8日，德国下萨克森州数据保护监管机构宣布，其已针对在线零售商 notebooksbilliger.de公司在没有任何法律依据的情况下对员工进行至少两年的视频监控的行为处以1040万欧元的罚款，是其依据《通用数据保护条例》（General Data Protection Regulation, “GDPR”）开出的最大罚单。监管机构称，在该公司，视频监控既不限于特定的时间，也不限于特定的员工。此外，在许多情况下，记录被保存了60天，这大大超过了需要的时间。（[查看更多](#)）

German Online Retailer Fined EUR 10.4m for Employee Video Monitoring without Legal Basis

On January 8, 2021, the data protection authority of Lower Saxony, Germany, announced that it has imposed a fine of EUR 10.4 million on notebooksbilliger.de AG for video-monitoring its employees for at least two years without any legal basis. At notebooksbilliger.de, video surveillance was neither limited to a specific period of time nor specific employees. In addition, the recordings were saved for 60 days in many cases, which is significantly longer than necessary. The 10.4 million euros are the highest fine to date that the Lower Saxony’s data protection authority has imposed under the General Data Protection Regulation. ([More](#))

立方律师事务所编写《立方观评》的目的仅为帮助客户及时了解中国法律及实务的最新动态和发展，上述有关信息不应被看作是特定事务的法律意见或法律依据，上述内容仅供参考。

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