



NEWSLETTER

LIFANG & PARTNERS **立方观评**



关注更多精彩内容

No.208

2021.01

立方网络安全与数据合规周报

Weekly Cybersecurity and Data Protection Review

No.41

国内要闻 Domestic News

工信部科技司就81项报批通信行业标准公开征求意见

MIIT Invites Comments on 81 Draft Standards for Communications Industry

中国银保监会出台《监管数据安全管理办法（试行）》

China's Top Financial Regulator Unveils Administrative Measures on Regulatory Data Security

浙江省通信管理局2020年累计检测1200余款APP

Zhejiang Regulator Detects over 1200 Apps in 2020

广东省通信管理局2020年责令整改、下架、关停700余款APP

Guangdong Regulator Slaps over 700 Apps with Rectification, Removal, or Shutdown in 2020

海外动态 Overseas News

美国联邦贸易委员会与一照片APP开发者就不当使用人脸识别技术问题达成和解

California Company Settles FTC Allegations It Deceived Consumers about Use of Facial Recognition in Photo Storage App

国内要闻 Domestic News

工信部科技司就81项报批通信行业标准公开征求意见

2021年1月15日，工业和信息化部（“工信部”）科技司发布公示信息称，根据标准制修订计划，相关标准化技术组织已完成《工业互联网数据安全保护要求》等81项通信行业标准的制修订工作，在批准发布之前，为进一步听取社会各界意见，现予以公示，截止日期2021年2月15日。其中，《工业互联网数据安全保护要求》规定了工业互联网数据安全保护的范围及数据类型、工业互联网数据重要性分级与安全保护等级划分方法，规定了低/中/高重要性数据在数据产生、传输、存储、使用、迁移及销毁阶段的具体安全保护要求。（[查看更多](#)）

MIIT Invites Comments on 81 Draft Standards for Communications Industry

On January 15, 2021, the Department of Science and Technology (“DST”) of the Ministry of Industry and Information Technology (“MIIT”) released an announcement saying that, according to the standard formulation and revision plan, the relevant standardization technical organizations have completed the formulation and revision of 81 communications industry standards including the *Industrial Internet Data Security Protection Requirements*. Before approval and release, DST would like to solicit opinions from all sectors of society by February 15, 2021. Among them, the *Industrial Internet Data Security Protection Requirements* specifies the scope and data types of industrial internet data security protection, classification methods of the importance and security protection level of industrial internet data, and stipulates specific security protection requirements for data generation, transmission, storage, use, migration and destruction of low/medium/high importance data. ([More](#))

中国银保监会出台《监管数据安全管理办法（试行）》

2021年1月15日，中国银行保险监督管理委员会（“中国银保监会”）发布了《中国银保监会监管数据安全管理办法（试行）》，以切实加强监管数据安全，防范监管数据安全风险。根据该办法，监管数据是指银保监会在履行监管职责过程中，依法定期采集，经监管信息系统记录、生成和存储的，或经银保监会各业务部门认定的数字、指标、报表、文字等各类信息；监管信息系统是指以满足监管需求为目的开发建设的，具有数据采集、处理、存储等功能的信息系统。（[查看更多](#)）

China's Top Financial Regulator Unveils Administrative Measures on Regulatory Data Security

On January 15, 2021, China Banking and Insurance Regulatory Commission (“CBIRC”) unveiled the *Administrative Measures on Regulatory Data Security by CBIRC (for Trial Implementation)* (“Measures”) aiming to effectively improve the security management of regulatory data and prevent security risks. According to the Measures, regulatory data refers to various types of information, such as numbers, indicators, statements, texts, etc., that are collected by CBIRC regularly in the course of performing regulatory duties, recorded, generated, and stored by the regulatory information system, or recognized by the various business departments of CBIRC; regulatory information system refers to an information system developed and constructed to meet regulatory requirements, with data collection, processing, storage, and other functions. ([More](#))

浙江省通信管理局2020年累计检测1200余款APP

2021年1月13日，浙江省通信管理局发布新闻称，2020年该局先后赴浙江省内多家重点互联网企业开展调研和实地检查，全年累计检测1200余款APP，共发现241家互联网企业共310款APP存在问题。针对发现问题的APP，逐家企业发出整改要求，对整改不力的26款问题APP进行了公开通报。指导浙江省互联网协会成立APP用户信息保护专委会，引导互联网企业做出做好APP个人信息保护的公开承诺，自觉维护用户合法权益，浙江省内100余家互联网企业共同签署《浙江省APP个人信息保护自律公约》。（[查看更多](#)）

Zhejiang Regulator Detects over 1200 Apps in 2020

On January 13, 2021, the Zhejiang Communications Administration issued a press release saying that in 2020, it successively conducted research and field inspections on a number of key internet companies in Zhejiang Province, detected over 1,200 apps, and found problems with 310 apps from 241 internet companies. It issued rectification requests to each company with problematic apps and exposed 26 problematic apps that were not sufficiently rectified. It also guided the Zhejiang Internet Association to establish an app user information protection committee to guide internet companies to make public commitments to protect app personal information and consciously protect the legitimate rights and interests of users. Besides, more than 100 internet companies in Zhejiang Province have signed the *Self-regulatory Convention of Zhejiang Province on App Personal Information Protection*. ([More](#))

广东省通信管理局2020年责令整改、下架、关停700余款APP

2021年1月11日，广东省通信管理局发布新闻称，该局持续开展APP专项整治工作，一是抓APP隐私合规，二是抓APP网络数据安全，三是打击违法有害APP。2020年累计发出《违法违规APP处置通知》责令整改APP 400多款，下架APP 30多款，关停违法有害APP 300多款，对问题突出APP运营者做出行政处罚27起。该局表示，后续将持续加大力度，对问题突出、整改不彻底的APP及运营企业，坚决采取下架、停接入、停域名、行政处罚以及纳入电信业务经营不良名单或失信名单并公开曝光等措施，依法严厉处置，切实维护APP用户合法权益和网络安全秩序。（[查看更多](#)）

Guangdong Regulator Slaps over 700 Apps with Rectification, Removal, or Shutdown in 2020

On January 11, 2021, the Guangdong Communications Administration issued a press release saying that it has continually carried out special rectifications on apps, involving privacy compliance, network data security, and the crackdown on illegal and harmful activities. In 2020, it ordered the rectification of over 400 apps, the removal of over 30 apps, and the shutdown of over 300 illegal and harmful apps, and imposed 27 administrative penalties on app operators with prominent problems. Next, it will continue to strengthen enforcement against apps and operators' prominent problems and incomplete rectifications and resolutely take such measures as removal, suspending access and domain names, imposing administrative penalties, and being included in the list of bad operation or trust-breaking of telecom services and exposing them to the public. It will also deal with the illegal activities severely in accordance with the law and effectively safeguard the legitimate rights and interests of app users and the order of network security. ([More](#))

海外动态 Overseas News

美国联邦贸易委员会与一照片APP开发者就不当使用人脸识别技术问题达成和解

2021年1月11日，美国联邦贸易委员会（Federal Trade Commission，“FTC”）宣布，位于加州的应用开发者Everalbum公司已就FTC对其在人脸识别技术使用和保存已停用账号用户照片和视频方面欺骗消费者的行为的指控与FTC达成和解。根据拟议和解协议，Everalbum公司在针对用户的照片和视频使用人脸识别技术前，必须获得用户的明示同意。拟议命令还要求该公司删除利用用户上传的照片和视频开发的模型和算法。[\(查看更多\)](#)

California Company Settles FTC Allegations It Deceived Consumers about Use of Facial Recognition in Photo Storage App

On January 11, 2021, the Federal Trade Commission (“FTC”) announced that Everalbum, Inc., a California-based developer of a photo app, has settled FTC allegations that it deceived consumers about its use of facial recognition technology and its retention of the photos and videos of users who deactivated their accounts. As part of the proposed settlement, Everalbum must obtain consumers’ express consent before using facial recognition technology on their photos and videos. The proposed order also requires the company to delete models and algorithms it developed by using the photos and videos uploaded by its users. [\(More\)](#)

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。

This Newsletter has been prepared for clients and professional associates of Lifang & Partners. Whilst every effort has been made to ensure accuracy, no responsibility can be accepted for errors and omissions, however caused. The information contained in this publication should not be relied on as legal advice and should not be regarded as a substitute for detailed advice in individual cases.





Subscribe to our WeChat community

扫码关注公众号“立方律师事务所”

北京 | 上海 | 武汉 | 广州 | 深圳 | 韩国
Beijing | Shanghai | Wuhan | Guangzhou | Shenzhen | Korea

 www.lifanglaw.com
 Email: info@lifanglaw.com

 Tel: +8610 64096099
 Fax: +8610 64096260/64096261