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四部门联合发布《常见类型移动互联网应用程序必要个人信息范围规定》

2021年3月22日，国家互联网信息办公室秘书局（“网信办”）、工业和信息化部办公厅（“工信部”）、公安部办公厅和国家市场监督管理总局办公厅（“市场监管总局”）联合制定并发布了《常见类型移动互联网应用程序必要个人信息范围规定》，详细规定了地图导航、网约车、即时通信、网络支付、餐饮外卖等三十九类互联网应用程序收集的个人信息必要信息范围，要求app不得因为用户不同意提供非必要个人信息而拒绝用户使用其基本功能服务。（[查看更多](#)）

Four Departments Jointly Issue the Scope of Necessary Personal Information for Common Types of Mobile Internet Applications

On March 22, 2021, the Cyberspace Administration of China (“CAC”), the Ministry of Industry and Information Technology (“MIIT”), the Ministry of Public Security (“MPS”) and the State Administration for Market Regulation (“SAMR”) jointly issued *the Scope of Necessary Personal Information for Common Types of Mobile Internet Applications* (“the Rules”). The Rules specifies the scope of necessary personal information can be collected by 39 types of Internet applications relating to map navigation, online car-hailing, instant messaging, online payment, and online food ordering. The Rules requires that the apps shall not refuse to provide users with basic functions and services on account of the fact that users do not agree to provide unnecessary personal information. ([More](#))

网信办、公安部加强对语音社交软件和涉“深度伪造”技术的安全评估工作

2021年3月18日，网信办发布通告，针对近期末履行安全评估程序的语音社交软件和涉“深度伪造”技术的应用，网信办、公安部指导北京、天津、上海、浙江、广东等地方网信部门、公安机关依法约谈映客、小米、快手、字节跳动、鲸准数服、云账户、喜马拉雅、阿里巴巴、网易云音乐、腾讯、去演等11家企业，督促其认真开展安全评估，完善风险防控机制，并对安全评估中发现的安全隐患采取有效整改措施，切实履行企业信息内容安全主体责任。（[查看更多](#)）

CAC and MPS Strengthen Safety Assessment of Voice Social Softwares and Apps Involving “Deep Fake” Technologies

On March 18, 2021, CAC issued a circular, stating that, regarding the recent voice social softwares and applications involving “deep fake” technology that have yet to fulfill safety assessment procedures, CAC and MPS instructed the local cybersecurity administrations and public security agencies in Beijing, Tianjin, Shanghai, Zhejiang and Guangdong to take with 11 companies including Inke, Xiaomi, Kuaishou, ByteDance, Whales, Cloud Account, Himalaya, Alibaba, Cloud Music, Tencent and Quyan according to the law. The authorities urged the companies to carry out safety assessment, perfect risk prevention and control mechanisms, take effective rectifications for the security hazard discovered in the assessment, and fulfill their responsibility for enterprise information security. ([More](#))

工信部严格查处侵害老年用户权益的APP违规行为

2021年3月16日，工信部发布通告称，针对2021年“3.15”晚会曝光的内存优化大师等四款APP，工信部已第一时间组织开展技术检测，发现四款APP存在欺骗误导用户下载、违规处理个人信息等问题，并组织地方通信管理局对涉事企业主体进行调查处理。此前，工信部于2021年1月启动了“互联网应用适老化及无障碍改造专项行动”，指导首批158家老年人常用网站和APP完成改造，并要求改造后的APP版本不再设有广告插件。（[查看更多](#)）

MIIT Investigates APPs Infringing Elderly Users' Rights

On March 16, 2021, MIIT issued a circular, stating that in response to the four apps including Memory Improve Master which were exposed at the 2021 China 3.15 Evening Party, MIIT has organized technical inspections from the very first time and found that the 4 apps had the problems of deceiving and misleading users to download and illegally processing personal information. MIIT also organized local communication administrations to investigate the companies involved. Previously, MIIT has launched the “Special Campaign for the Elder-User-Friendly Adaptation and Accessibility Improvement of Internet Application” in January 2021, guiding the first batch of 158 websites and apps commonly used by the elderly to complete the adaptation, and requesting that the adapted version of apps shall not have advertising plugins anymore. ([More](#))

国家市场监督管理总局发布《网络交易监督管理办法》

2021年3月15日，国家市场监督管理总局发布《网络交易监督管理办法》，一共分为五章，其中，第二章第十三条作出如下规定：网络交易经营者不得采用一次概括授权、默认授权、与其他授权捆绑、停止安装使用等方式，强迫或者变相强迫消费者同意收集、使用与经营活动无直接关系的信息。收集、使用个人生物特征、医疗健康、金融账户、个人行踪等敏感信息的，应当逐项取得消费者同意。（[查看更多](#)）

SAMR Issues Measures for the Supervision and Administration of Network Transactions

On March 15, 2021, SAMR issued the *Measures for the Supervision and Administration of Network Transactions*, and the Measures included 5 chapters. In the Measures, Article 13 of Chapter II stipulates as follows: network transaction operators shall not use methods, such as one-time general authorization, default authorization, bundled authorizations, suspension of installation and use, etc., to directly or indirectly force consumers to agree to the collection and use of information which is not directly related to the operating activities. The collection and use of sensitive information of personal biological characteristics, medical health, financial accounts and locations shall be authorized by consumers separately. ([More](#))

信安标委发布三项推荐性网络安全国家标准

2021年3月15日，全国信息安全标准化技术委员会（“信安标委”）发布通告，正式发布三项推荐性国家标准，包括《信息安全技术 信息系统密码应用基本要求》、《信息技术 安全技术 密

钥管理 第3部分：采用非对称技术的机制》和《信息技术 安全技术 网络安全 第5部分：使用虚拟专用网的跨网通信安全保护》。[\(查看更多\)](#)

TC260 Issues 3 Recommended Cybersecurity National Standards

On March 15, 2021, the Secretariat of the National Information Security Standardization Technical Committee (also known as “TC260”) issued a statement to officially release 3 recommended national standards, including *Information Security Technology - Baseline for Information System Cryptography Application*, *Information Technology – Security Techniques – Key management – Part 3: Mechanisms Using Asymmetric Techniques* and *Information Technology – Security Techniques – Network Security – Part 5: Securing Communications Across Networks Using Virtual Private Networks*. [\(More\)](#)

海外动态 Overseas News

法国数据隐私监管机构对Clubhouse展开调查

2021年3月17日，法国数据保护机构CNIL发布声明称，其已对一款最近在社交媒体上流行的美国语音聊天应用Clubhouse展开调查。该调查将寻求确认欧盟的《通用数据保护条例》以及其他规定是否适用于该应用的母公司Alpha Exploration。CNIL表示，目前还不清楚看似“在欧盟境内无公司实体的” Clubhouse将如何使用会员用户的个人信息，也不确定数据的安全度如何。[\(查看更多\)](#)

French Data Privacy Watchdog Opens Probe into Clubhouse

On March 17, 2021, France data protection authority CNIL issued a statement stating that it had opened an investigation into Clubhouse, the US audio chat app that has become a social media hit. The inquiry will seek to determine if the EU’s General Data Protection Regulation and other rules apply to the app’s parent company, Alpha Exploration. CNIL said that it was unclear how Clubhouse, which appears to have “no corporate entity within the European Union”, was using members’ personal information and how secure the data was. [\(More\)](#)

新加坡个人数据保护委员会更新数据泄露管理通知和主动执行指南

2021年3月15日，新加坡个人数据保护委员会（“PDPC”）更新了《<个人数据保护法>下数据泄露管理通知指南》，具体规定了强制性数据泄露通知要求的细节。PDPC还更新了《主动执行指南》，增加对自愿承诺的细节规定，同时还对数据泄露的快速裁定和经济处罚进行了规定。[\(查看更多\)](#)

PDPC Issues Revised Guides on Managing Data Breach and Active Enforcement

On March 15, 2021, Singapore’s Personal Data Protection Commission (“PDPC”) updated *Guide to Managing Data Breaches 2.0* (now known as *the Guide on Managing and Notifying Data Breaches under the PDPA*) with details of the mandatory data breach notification requirement under the the Personal Data Protection Act (“PDPA”). *The Guide on Active Enforcement* has also been revised with details of the voluntary undertaking under the enhanced PDPA. Additional information of the expedited breach decision and financial penalties have also been included. [\(More\)](#)

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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