



# NEWSLETTER

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## Weekly Cybersecurity and Data Protection Review

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By Lifang & Partners

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## Domestic News

### Shenzhen Special Economic Zone Data Regulations Officially Announced

On July 6, 2021, the *Shenzhen Special Economic Zone Data Regulations* (“**Regulations**”) was adopted at the second meeting of the Standing Committee of the Seventh Shenzhen People's Congress and officially promulgated by the Standing Committee of the Shenzhen People's Congress on July 6. The *Regulations* will come into force on January 1, 2022, which clarifies the meaning of terms related to the data field, regulates the four aspects of personal data, public data, data factor market and data security, clarifies the principle of "minimum necessary" for processing personal data, prohibits the compulsory claim of rights by data processors, and strengthens the protection of minors' data. Meanwhile, the *Regulations* ensures the data security of citizens, corporate bodies and unincorporated organizations as well as promotes the open flow and exploitation of data as a factor of production. ([More](#))

### “Didi Travel” APP Pulled Off for Illegally Collecting and Using Personal Information

On July 4, 2021, the Cyberspace Administration of China (“CAC”) issued a notice, stating that “Didi Travel” APP collects personal information in violation of laws and regulations seriously. According to the *Cybersecurity Law of People's Republic of China*, CAC notified the App Store to pull off the “Didi Travel” APP, and required the company to rectify relevant problems sincerely to ensure the security of the personal information of users. ([More](#))

### CAC Launches a Cyber Security Review into Didi

On July 2, 2021, the Cyber Security Review Office of CAC issued a circular, stating that in order to prevent national data security risks, maintain national security, and protect the public interest, in accordance with the *National Security Law of the People's Republic of China* and the *Cybersecurity Law of the People's Republic of China*, the authority has implemented a cyber security review into Didi under *Cybersecurity Review Measures*. In order to cooperate with the cyber security review work and prevent risk expansion, “Didi Travel” is requested to stop new user registration during the review period. ([More](#))

### CAC Releases Digital China Development Report 2020

On July 2, 2021, the CAC released the *Digital China Development Report 2020*, which summarizes the main achievements of the digital construction of China during the *13th Five-Year Plan* period and the new progress and new achievements in 2020, evaluates the development of informatization in various regions in 2020, and proposes the direction of efforts and priorities for promoting digital construction of China during the *14th Five-Year Plan* period. ([More](#))

### Reply Letter of Guangdong AMR Concerns about the Proposal of Strengthening the Regulation of the New Internet Economy Model

On June 25, 2021, the Administration for Market Regulation of Guangdong Province (“**Guangdong AMR**”) issued the *Letter from Guangdong AMR on the Reply to the Proposal of the Representative No. 1040 of the Fourth Session of the Thirteenth Guangdong Provincial People's Congress* (“**the Reply Let-**

ter”), responding to the proposal of strengthening the regulation of the new Internet economy model. The *Reply Letter* points out that it is necessary to consolidate the foundation for the development of digital economy, improving the data management ability of big data enterprises, strengthening data management and optimizing the development environment of digital economy by promoting the digital economy legislation and the formulation and release of big data standard system. ([More](#))

## Overseas News

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### Facebook, WhatsApp, Twitter Face Fines for Refusing to Localize Russians' Data

On July 2, 2021, according to reports, Roskomnadzor has summoned representatives of U.S. Internet services Facebook, WhatsApp and Twitter to draw up administrative protocols for violating the requirements of the Russian legislation in the field of personal data, specifically, as concerns localizing databases of Russian users in Russia. According to the Russian legislation, personal databases operators are obliged to ensure the recording, systematization, accumulation, storage, correction (update, change), extraction of personal data of citizens of the Russian Federation using databases located on its territory. Earlier, Roskomnadzor has demanded that a number of foreign companies provide documents confirming that the storage and processing of personal data of Russian users is carried out on the territory of the Russian Federation. Services Facebook, WhatsApp and Twitter failed to provide such data in a timely manner. In 2020, Facebook and Twitter were already fined 4 million rubles in violation of the requirement, and repeated violations of that fines are to range from 6 million to 18 million rubles. ([More](#))

### German Data Protection Commissioner Tells Ministries to Shut Facebook Pages

On July 1, 2021, according to reports, German government organizations have until the end of the year to close their Facebook pages after the data protection commissioner found the social network had failed to change its practices to comply with German and European privacy laws. The German government's official Facebook page has over a million followers, and it is impossible to run a fan page in such a way that followers' personal data was not transmitted to the United States. Under EU law, personal data can only leave the EU for a jurisdiction with equivalently strict data protection rules, something that is not the case for the United States. The government press office had attempted to get added guarantees from Facebook, but the company had failed to provide them. ([More](#))

### EU Commission Adopts Adequacy Decisions for the UK

On June 28, 2021, the European Commission has adopted two adequacy decisions for the United Kingdom - one under the *General Data Protection Regulation* (GDPR) and the other for the *Law Enforcement Directive*. Personal data can now flow freely from the European Union to the United Kingdom where it benefits from an essentially equivalent level of protection to that guaranteed under EU law. Under the two adequacy decisions, the UK's data protection system continues to be based on the same rules that were applicable when the UK was a Member State of the EU; with respect to access to personal data by public authorities, the UK system provides for strong safeguards; and for the first time, the adequacy decisions include a so-called 'sunset clause', which strictly limits their duration. ([More](#))

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