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Domestic News

Two Ministries Jointly Issued a Notice on the Clean-up and Rectification of Phone Cards, IOT Cards and Associated Internet Accounts Involved in Fraud

On June 17, 2021, the Ministry of Industry and Information Technology (“MIIT”) and the Ministry of Public Security jointly issued a notice on the clean-up and rectification of phone cards, IOT cards and the binding internet accounts involved in fraud according to law. According to the *Criminal Law*, the *Public Security Administration Punishments Law*, the *Cybersecurity Law* and the *Administration of Internet Information Services Procedures* and other related laws and regulations, the notice stipulates that, personnel engaged in illegally handling, renting, selling, buying and hoarding phone cards, IOT cards and binding internet accounts shall stop the relevant behavior; telecommunication authorities and public security organs should continue to further promote the “cards beating action” and severely crack down on the above illegal actions; telecommunication and Internet operators should strictly implement principal responsibility of the network information security and strengthen risk prevention and control. ([More](#))

CBIRC Notifies that Mashang Financial Consumer Co., Ltd. Illegally Collects Consumer Data

On June 15, 2021, China Banking and Insurance Regulatory Commission (“CBIRC”) issued the *Circular of Mashang Financial Consumer Co., Ltd. Collecting Consumer Data in Violation of Laws (“Circular”)*. The Circular pointed that the “Privacy Policy” of the company that collect consumer data is inconsistent with the principle of necessity, such as collecting SMS text from the customers and does not set time and scope limits for collection, which shows that the company failing to build adequate systems and mechanisms for the protection of consumers’ right. The Circular requires banks and insurance institutions to be more prudent and watchful, conduct their business activities in compliance with the law and effectively protect the legitimate rights and interests of financial consumers. ([More](#))

Beijing Launches 2021 APP CyberSecurity Special Regulation

On June 12, 2021, Beijing Municipal Cyberspace Administration, the Municipal Public Security Bureau, the Municipal Market Supervision Administration and the Municipal Communications Administration jointly released the Notice on Organizing and Carrying Out Special Campaign Against Illegal Collection and Use of personal information by Apps (“Notice”). The Notice implements the spirit of the *Measures for the Determination of the Collection and Use of Personal Information by Apps in Violation of Laws and Regulations* and other documents, decides to establish the special work group to investigate and penalize illegal practices by App operators who established or registered in Beijing, and requires the relevant operators to complete self-examination and rectification according to the *Measures for the Determination of Illegal Collection and Use of Personal Information by Apps* and the *Provisions on the Scope of Necessary Personal Information Required for Common Types of Mobile Internet Applications* other regulations. ([More](#))

MIIT Holds an Administrative Guidance Meeting to Regulate SMS Marketing Behavior of E-commerce Platforms in “618” Shopping Festival

On June 11, 2021, The Information and Communication Administration Bureau of MIIT held an admin-

istrative guidance meeting to warn e-commerce platform companies to standardize the behavior of sending marketing SMS during the “618” mid-year commercial marketing activities to protect the legitimate rights and interests of customers. Leading e-commerce platform companies such as Alibaba, JD.com, and Pinduoduo, as well as related basic telecommunications companies and SMS companies attended the meeting. Previously, the Information and Communication Administration Bureau found that some e-commerce platform companies had sent “618” commercial marketing text messages without users’ prior consent and caused complaints. The Bureau required relevant companies to implement their respective principal responsibilities and curb the spread of spam messages. Relevant companies promised to strictly implement the relevant requirements of spam control and conduct comprehensive self-examination and rectification. ([More](#))

Overseas News

European Commission Launches the Process towards Adoption of the Adequacy Decision for the Transfer of Personal Data to Republic of Korea

On June 16, 2021, the European Commission launches the process towards adoption of the adequacy decision for the transfer of personal data to the Republic of Korea. If adopted, this decision would provide Europeans with strong protections of their personal data when it is transferred to the Republic of Korea. At the same time, it would complement the EU-Republic of Korea Free Trade Agreement (FTA) and boost cooperation between them. The adequacy talks between the European Union and the Republic of Korea mainly included the recent reform of the *Personal Information Protection Act (PIPA)*, as well as several additional safeguards related to transparency and sensitive data. Currently, the draft of adequacy decision was published and transmitted to the European Data Protection Board (“EDPB”) for its opinion. The EDPB concludes that the Republic of Korea ensures an essentially equivalent level of protection to the one guaranteed under the General Data Protection Regulation (GDPR). ([More](#))

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