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2020年8月20日，国家密码管理局发布《商用密码管理条例（修订草案征求意见稿）》（“《修订草案》”）并向社会公众公开征求意见。《修订草案》规定，国务院标准化行政主管部门和国家密码管理部门依据各自职责，组织制定商用密码国家标准、行业标准，对商用密码团体标准的制定进行规范、引导和监督，建立商用密码标准实施信息反馈和评估机制，对商用密码标准实施进行监督检查。征求意见截止日期为2020年9月19日。（[查看更多](#)）

SCA Releases Draft Amendment Regulations on Management of Commercial Encryption

On August 20, 2020, the State Cryptography Administration (“SCA”) released the *Regulations on the Management of Commercial Encryption (Draft Amendment)* (“Draft Amendment”) for public comments. The Draft Amendment stipulates that the standardization administration and the state cryptography administration of the State Council, within respective authority, shall (i) organize the formulation of national and industrial standards for commercial encryption and regulate, guide and supervise the formulation of group standards for commercial encryption; and (ii) establish the information feedback and assessment mechanism for the implementation of commercial encryption standards, and supervise and inspect such implementation accordingly. The deadline for submitting comments is September 19, 2020. ([More](#))

《信息安全技术 数据安全能力成熟度模型》应用推广试点工作总结会在京召开

2020年8月18日，全国信息安全标准化技术委员会（“信安标委”）秘书处在北京召开了国家标准《信息安全技术 数据安全能力成熟度模型》（“《模型》”）应用推广试点工作总结会。会议上，信安标委秘书处汇报了《模型》应用推广工作的实施情况和工作成果，介绍了十五家试点单位的应用和自评估情况，总结了十大数据安全典型问题。专家组认为试点工作进一步验证了《模型》具有较好的适用性，可用于为国家数据安全法律法规和政策文件的落地提供标准支撑，切实提升了网络运营者数据安全能力，建议在各个行业中进行推广，推动标准的实施落地。（[查看更多](#)）

Meeting on Pilot Work for Application and Promotion of Maturity Model of Data Security Capability Held in Beijing

On August 18, 2020, the Secretariat of the National Information Security Standardization Technical Committee (“TC260”) held a meeting on the pilot work for application and promotion of the national standard *Information Security Technology – The Maturity Model of Data Security Capability* (“Model”) in Beijing. At the meeting, the Secretariat of the TC260 reported on the implementation and promotion of the Model and the relevant achievements, introduced the implementation and self-assessment of the fifteen pilot participants on the Model, and summarized ten typical issues of data security. The expert group opined that the pilot work further verified applicability of the Model, which therefore can be used to provide support in terms of standard for the implementation of national data security laws, regulations and policy documents, and effectively improved the data security capability of network operators.

The expert group also suggested the Model being recommended and implemented in various industries. ([More](#))

司法部：强化行政许可过程中商业秘密和保密商务信息保护

近日，司法部发布《关于强化行政许可过程中商业秘密和保密商务信息保护的指导意见（征求意见稿）》（“《指导意见草案》”）并向社会公众公开征求意见。《指导意见草案》要求，行政许可机关对其掌握的商业秘密和保密商务信息，要根据工作需要严格限定在最小知悉范围内。《指导意见草案》还指出，因行政处罚、行政强制、行政检查等行政执法行为需要与其他行政机关共享信息的，要对其中包含的商业秘密和保密商务信息进行脱密处理，防止在信息共享过程中泄露商业秘密和保密商务信息。征求意见截止日期为2020年9月30日。（[查看更多](#)）

MOJ to Strengthen Protection of Business Secrets and Confidential Business Information in Process of Administrative Licensing

Recently, China's Ministry of Justice ("MOJ") issued the *Guiding Opinions on Strengthening Protection of Trade Secrets and Confidential Business Information in the Process of Administrative Licensing (Exposure Draft)* ("Draft Guiding Opinions") for public comments. The Draft Guiding Opinions require that (i) the trade secrets and confidential business information learned by the administrative licensing authority should be strictly protected and be only accessed by the minimum scope according to the actual need of work; (ii)

(ii) where information is sharing with other administrative authorities due to the need of relevant administrative enforcement actions such as administrative punishment, administrative compulsion, administrative inspections, the trade secrets and confidential business information contained in the shared information shall be desensitized to prevent the leakage of such information in the process of information sharing. The deadline for submitting comments is September 30, 2020. ([More](#))

商务部：开展数据跨境传输安全管理试点，建立数据安全管理制度

近日，商务部发布《全面深化服务贸易创新发展试点总体方案》及附表《全面深化服务贸易创新发展试点任务、具体举措及责任分工》。附表指出，探索跨境数据流动分类监管模式，开展数据跨境传输安全管理试点，同时指出探索数据服务采集、脱敏、应用、交易、监管等规则 and 标准，并探索对数据交易安全保障问题进行研究论证。附表还规定，试点开展数据跨境流动安全评估，建立数据保护能力认证、数据流通备份审查、跨境数据流动和交易风险评估等数据安全管理制度。（[查看更多](#)）

MOFCOM to Launch Pilot of Security Management on Cross-border Data Transmission and Establish Data Security Management Mechanisms

Recently, China's Ministry of Commerce ("MOFCOM") released the *Master Plan for the Pilot of Comprehensively Deepening the Innovative Development of Trade in Services* and the attached table – the *Tasks, Specific Measures and Responsibility Allocation for the Pilot*. According to the attached table, it is necessary to (i) explore the classified supervision model of cross-border data flow, and launch the pilot project of security management of cross-border data transmission; (ii) explore the rules and

standards of data collection, desensitization, application, transaction, supervision and other relevant data services, and research on data transaction security issues; and (iii) launch the pilot project of security assessment of cross-border data flow, and establish the certification of data protection capability, backup and review of data circulation, risk assessment of cross-border data flow and transactions and other data security management mechanisms. ([More](#))

海外动态 Overseas News

因欧盟内部存在分歧，推特数据泄露案裁决被推迟

2020年8月20日，据路透社报道，对于爱尔兰数据保护委员会（Data Protection Commission，“DPC”）就推特是否侵犯隐私权的初步裁决，部分欧盟国家监管机构表示反对，进而触发了多数表决程序。该裁决主要涉及两个问题：（1）推特安卓应用程序中的一处漏洞（该故障导致部分用户的受保护推文被公开）；（2）推特是否及时通知了监管机构。目前，DPC已将该案件提交至欧洲数据保护委员会。（[查看更多](#)）

Twitter Privacy Ruling Delayed after Dispute among EU Regulators

On August 20, 2020, Reuters reported that some regulators from concerned European Union supervisory authorities objected to the Irish Data Protection Commission (“Irish DPC”)’s preliminary ruling in a landmark privacy investigation of Twitter, triggering a process where a majority decision will be sought. The ruling relates to a bug in Twitter Android App where some users’ protected tweets were made public, and whether it notified the regulator in a timely manner. The Irish DPC has referred the matter to the European Data Protection Board. ([More](#))

英国信息专员办公室重启监管沙盒，重点关注儿童隐私和数据保护

2020年8月19日，英国信息专员办公室（“UK ICO”）宣布重启监管沙盒（旨在支持组织机构利用个人数据开发新产品及服务的免费服务）并开始接受各类组织机构的申请。ICO要求本次提交项目应涉及儿童隐私或数据共享两个主题之一。据悉，在儿童隐私方面，监管沙盒的目标是支持增强儿童、年轻人及其父母和看护人的信心的创新，这些创新应能够使他们相信在联网过程中个人信息可以获得适当保护。（[查看更多](#)）

Children’s Privacy and Data Sharing in Focus as UK ICO Re-Opens Regulatory Sandbox

On August 19, 2020, the UK Information Commissioner’s Office (“UK ICO”) announced that it re-opens the regulatory sandbox, a free service designed to support organizations using personal data to develop innovative products and services, and accepts applications from all types of organisations. UK ICO requires the projects submitted this year to focus on one of two themes, children’s privacy or data sharing. In terms of children’s privacy, the regulatory sandbox aims to support innovators to improve confidence amongst children, young people and their parents and carers that their personal information is being properly protected when they are online. ([More](#))

因大规模泄露用户数据，万豪国际面临伦敦集体诉讼

2020年8月19日，据路透社报道，国际知名酒店集团万豪国际，正面临数百万名客户在伦敦提起的集体诉讼。这些客户要求万豪国际对此前因黑客入侵造成的个人数据泄露进行赔偿。据悉，这是历史上最大的数据泄露事件之一。2018年，万豪国际对外宣布其旗下喜达屋酒店的预订数据库遭客户入侵，并同时向美国联邦调查局作出通报。英国信息专员办公室调查发现约700万英国客户的记录遭到泄露，并在2019年提议对万豪国际罚款9920万英镑。 ([查看更多](#))

Marriott International Faces London Class Action Over Vast Data Breach

On August 19, 2020, *Reuters* reported that Marriott International, a leading hotel operator, is facing a London class action brought by millions of former guests demanding compensation after their personal records were hacked in one of the largest data breaches in history. Marriott announced in 2018 that hackers had accessed its Starwood hotels reservation database and notified the FBI. Around 7 million British guest records were compromised by the hack, according to the UK ICO which proposed to fine Marriott GBP 99.2m in 2019. ([More](#))

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