



# NEWSLETTER

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## 国内要闻 Domestic News

### 中欧数字领域高层对话举行

2020年9月10日，国务院副总理刘鹤与欧盟委员会执行副主席韦斯塔格共同以视频会议形式主持中欧数字领域高层对话。双方围绕加强数字领域合作，认真落实双方领导人达成的重要共识，就通信技术标准、人工智能、非食品产品安全等议题进行了务实和建设性的讨论，取得预期效果，为即将举行的中德欧领导人视频会晤预作相关准备。（[查看更多](#)）

### China and EU hold the High-Level Dialogue on Digital Cooperation

On September 10, 2020, Chinese Vice Premier Liu He and European Commission Executive Vice President Margrethe Vestager co-chaired the online High-Level Digital Dialogue. The two sides called on China and the EU to promote the practical cooperation in the digital area and implement the important consensus reached by the leaders of two sides. Furthermore, the two sides had substantial and constructive discussion on issues including standards of communications technology, artificial intelligence and the safety of non-food products, and made preparations for the China-Germany-EU leaders' meeting. ([More](#))

### 中国银保监会发布《关于规范保险公司健康管理服务的通知》

2020年9月9日，中国银行保险监督管理委员会（“中国银保监会”）发布《关于规范保险公司健康管理服务的通知》（“《通知》”）。《通知》重点提出，提供健康管理服务的保险公司获取客户健康数据时应当获得客户授权同意，未经客户授权不得对外提供客户个人信息或任何健康数据，依法保证数据安全和保护个人隐私；支持行业协会建立保险公司健康管理业务交流平台，牵头组织行业共同制定服务、技术、数据等相关标准，建立相关信息共享机制。（[查看更多](#)）

### CBIRC Issues the Notice on Regulating Health Management Services of Insurance Companies

On September 9, 2020, the China Banking and Insurance Regulatory Commission (“CBIRC”) issued the *Notice on Regulating Health Management Services of Insurance Companies* (“Notice”). The Notice specifies that the insurance companies providing health management services shall obtain the authorization and consent of consumers when they collect the consumers' health data, and shall not provide consumers' personal information or any health data to any third parties without the customer's authorization. The companies shall ensure the data security and protect the personal privacy in accordance with laws. Besides, it is necessary to support trade associations to establish health management business communication platform for insurance companies, to lead industrial standardization regarding services, technologies and data, and to establish the relevant information sharing mechanisms. ([More](#))

### 中国提出《全球数据安全倡议》

2020年9月8日，中国在“抓住数字机遇，共谋合作发展”国际研讨会上提出《全球数据安全倡议》（“《倡议》”）。《倡议》重点提出，各国应当积极维护全球信息技术产品和服务的供

应链开放、安全、稳定；信息技术产品和服务供应企业不得在产品和服务中设置后门，非法获取用户数据、控制或操纵用户系统和设备；信息技术企业不得利用用户对产品依赖性谋取不正当利益，强迫用户升级系统或更新换代等。（[查看更多](#)）

## China Proposes Global Initiative on Data Security

On September 8, 2020, China proposed the *Global Initiative on Data Security* (“**Initiative**”) at the International Seminar on Global Digital Governance with the theme of "seizing digital opportunities for cooperation and development." The Initiative specifies that states should handle data security in a comprehensive, objective and evidence-based manner, and maintain an open, secure and stable supply chain of global information and communications technology (“**ICT**”) products and services; ICT products and services providers should not install backdoors in their products and services to illegally obtain users' data, control or manipulate users' systems and devices; ICT companies should not seek illegitimate interests by taking advantage of users' dependence on their products, nor force users to upgrade their systems and devices; etc. ([More](#))

## 北京发布多项数字经济政策，将设立国际大数据交易所

2020年9月7日，北京市经济和信息化局、北京市商务局、北京市地方金融监督管理局共同发布《北京市促进数字经济创新发展行动纲要（2020-2022年）》、《北京市关于打造数字贸易试验区的实施方案》、《北京国际大数据交易所设立工作实施方案》（“《**大数据交易所实施方案**》”）。其中，《大数据交易所实施方案》规划设计了北京大数据交易基础设施的建设内容，明确了北京国际大数据交易所“权威的数据信息登记平台、受到市场广泛认可的数据交易平台、覆盖全链条的数据运营管理服务平台、以数据为核心的金融创新服务平台、新技术驱动的数据金融科技平台”五大功能定位。（[查看更多](#)）

## Beijing Plans to Build Big Data Exchange

On September 7, 2020, Beijing Municipal Bureau of Economy and Information Technology, Beijing Municipal Commerce Bureau and Beijing Local Financial Supervision and Administration jointly released an array of policies including the *Beijing Municipal Action Plan on Promoting the Innovative Development of Digital Economy (2020-2022)*, the *Beijing Municipal Implementing Plan on Building a Pilot Zone for Digital Trade* and the *Implementing Plan on Building Beijing International Big Data Exchange* (“**Big Data Exchange Implementing Plan**”). According to the Big Data Exchange Implementing Plan, an international big data exchange will be put in place in Beijing, featuring authoritative data information registration, widely recognized data exchange, data operation and management covering the full industrial chain, data-centric financial innovation service, and new technology-driven data financial technology.. ([More](#))

## 海外动态 Overseas News

### 爱尔兰数据保护委员会初步裁决要求Facebook停止向美国传输欧盟数据

2020年9月9日，据Politico报道，爱尔兰数据保护委员会已作出初步裁决要求Facebook尽快停止向美国传输其欧洲用户数据，因为Facebook现有传输流程违反欧盟法相关规定。该项裁决涉及

Facebook所谓的标准合同条款（一项使企业能够将其欧盟数据传输至世界其他国家和地区的复杂法律机制）。欧盟最高法院2020年7月份欧盟-美国隐私盾案的判决对这些条款提出了挑战。根据该判决，对于向美国这样未对隐私提供符合欧盟标准的恰当保护的美国国家，企业和欧盟各国隐私保护机构应重新审查其数据传输机制是否仍是合法的。本案最终裁决将在Facebook对该初步裁决作出回应且该初步裁决共享至其他欧盟数据保护机构之后作出。据悉，最终裁决可能会在2020年10月作出，也可能被进一步推迟。据报道，Facebook已经就数据传输问题起诉爱尔兰数据保护委员会。（[查看更多](#)）

### **Initial Ruling of Irish DPC Stops Facebook from Sending EU Data to the US**

On September 9, 2020, Politico reported that Irish Data Protection Commission (“**Irish DPC**”) has told Facebook that it would soon have to stop transferring its European users’ data to the United States because Facebook’s current procedures fall foul of EU law. The privacy decision involving Facebook relates to so-called standard contractual clauses, or complex legal mechanisms that allow companies to move data from the EU to other parts of the world. These clauses had come under threat in the July decision from the Court of Justice of the European Union (the case of EU-US Privacy Shield), which stated that companies and national EU privacy agencies were required to review if such data-transfer mechanisms were still legal when countries like the United States did not have sufficient privacy protections in place. A final ruling in Facebook’s case will come after the company response to the agency’s initial ruling and after that decision is shared with other EU data protection authorities. That final decision could come by October, though it could be pushed further back. It was reported that Facebook has launched legal action against Ireland DPC over data transfers. ([More](#))

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