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2021年6月17日，工业和信息化部（“工信部”）、公安部联合发布关于依法清理整治涉诈电话卡、物联网卡以及关联互联网账号的通告。按照《刑法》《治安管理处罚法》《网络安全法》《互联网信息服务管理办法》等相关法律法规要求，通告规定，从事非法办理、出租、出售、购买和囤积电话卡、物联网卡以及关联互联网账号的人员应停止相关行为；电信主管部门、公安机关应持续深入推进“断卡行动”，严厉打击上述非法行为；电信企业、互联网企业应严格落实网络信息安全主体责任，强化风险防控。（[查看更多](#)）

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](#))

银保监会通报马上消费金融公司违规收集消费者数据

2021年6月15日，中国银保监会消费者权益保护局发布《关于马上消费金融股份有限公司侵害消费者合法权益的通报》（“《通报》”）。《通报》指出马上消费金融公司的《隐私政策》收集客户信息不符合“必要”原则，如向客户收集“短信记录”，未对收集信息进行时间限定和范围限定，体现出其存在消费者权益保护体制机制不完善等问题。《通报》要求各银行保险机构引起警示，依法合规开展经营活动，切实保护金融消费者合法权益。（[查看更多](#)）

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](#))

北京市开展2021年度APP网络安全专项治理

2021年6月12日，北京市委网信办、市公安局、市市场监督管理局、市通信管理局联合发布《关于在全市范围内组织开展App违法违规收集使用个人信息专项治理活动的通告》（“《通告》”）。《通告》贯彻了《关于开展App违法违规收集使用个人信息专项治理的公告》等文件精神，决定组建北京市App专项治理工作组，对北京市内设立或注册的App运营者违法违规收集使用个人信息的行为进行查处，并要求相关经营者参照《App违法违规收集使用个人信息行为认定方法》《常见类型移动互联网应用程序必要个人信息范围的规定》等相关规定自查整改。

([查看更多](#))

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](#))

工信部召开行政指导会，规范电商平台“618”短信营销行为

2021年6月11日，工信部信息通信管理局召开行政指导会，警示电商平台企业在“618”年中商业营销活动中规范营销短信发送行为，保护消费者合法权益。阿里巴巴、京东、拼多多等主要电商平台企业，以及相关基础电信企业和短信息服务企业参会。此前，信息通信管理局发现部分电商平台企业擅自发送“618”商业营销短信并引发用户投诉。该局要求相关企业落实各自主体责任，遏制垃圾短信蔓延。相关企业承诺将严格落实垃圾信息治理相关要求，全面自查自纠。 ([查看更多](#))

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 administrative 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](#))

海外动态 Overseas News

欧盟委员会启动通过对韩数据传输充分性决定的程序

2021年6月16日，欧盟委员会启动程序，拟通过向韩国传输个人数据的充分性决定。该决定一旦通过，将为欧洲民众对韩传输个人数据提供更强的保护。与此同时，它将补充欧盟和韩国的自由贸易协定（FTA），并促进贸易合作。欧盟和韩国的充分性谈判主要包括最近韩国《个人信息保护法》（PIPA）的改革，以及几项有关透明度和敏感数据的额外保障措施。目前，充分性决定草案已公布并转交欧洲数据保护委员会（EDPB）征求意见。委员会评估认为韩国提供了一个与《通用数据保护条例》（GDPR）基本相同的保护水平。（[查看更多](#)）

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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