

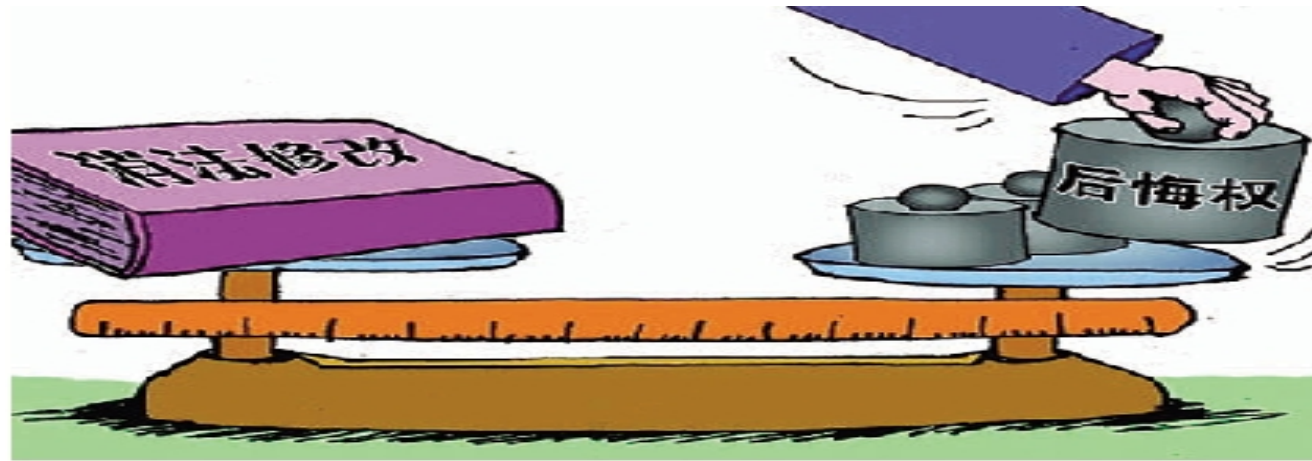
New Development of Internet law in China

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- 2013.11.8, China's National People's Congress passed the "Decision on Revising the Consumer Protection Law".
- Regulating the e-commerce industry;
- Strengthening the joint liabilities of false advertisement publishers and e-trade platforms;
- Placing the burden of proof on service providers in the event of a dispute;
- Banning unauthorized disclosures of consumers' personal information;
- <http://www.china-briefing.com/news/2013/11/08/china-amends-consumer-protection-law-after-20-years.html>



Crime of Defamation



- 2013.9.9, “Interpretation of the Supreme People's Court and the Supreme People's Procuratorate on Several Issues of Criminal Cases Legal Application concerning Sentencing Using Information Internet to Defamation etc.” 《最高人民法院、最高人民检察院关于办理利用信息网络实施诽谤等刑事案件适用法律若干问题的解释》。



Defamation

- Any post “clicked and viewed more than **5000 times**, or reposted more than **500 times**” will constitute a defamation crime.
- Empirical research
- Deliberate Intention



- Crime of Picking Quarrels & Provoking Troubles (寻衅滋事罪)
- Crime of Illegal Business Operations (非法经营罪)
- Qin Huohuo case



- 2013.9.1, China's Ministry of Industry and Information Technology - "Rules on the Protection of Personal Information of Telecommunication and Internet Users"
- Definition of Personal Information
- Standards for Collection and Use of Information
- Data users & data processors
- Security Measures
- Penalties for Non-Compliance





- 2013.2.1, China's first national standard on personal information protection
- Guideline on Information Security Technologies for the Protection of Personal Information in Public and Commercial Service Information Systems
- The guideline divides personal information into “general personal information” and “sensitive personal information,” and clearly states that sensitive personal information can only be collected upon the express consent of the individual concerned.





- 2012.12.28, the Standing Committee of the National People's Congress released the "Decision on Strengthening Online Information Protection" 《全国人民代表大会常务委员会关于加强网络信息保护的決定》
- Real-name rules
- No commercial electronic messages
- Security rules



Future

- Personal Information Protection Law
- Comprehensive



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Thank you!

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