

INDIA JURIS

New Stringent Cyber Security Laws in China

The Cyber security Law of the People's Republic of China was adopted at the 24th Session of the Standing Committee of the 12th National People's Congress on 7 November, 2016 came into effect on 1st June 2017. The new Cyber security Law contains 79 articles in seven chapters including provisions relating to safeguards for protection of critical information infrastructure and data, protection national cyberspace sovereignty and of individual privacy. The new Cyber law provides China's central government more direct control over the operations of internet-based companies operating in the country. The new Law battles to overcome the threats from cyber terrorism and hacking. This law applies with respect to the construction, operation, maintenance and usage of networks, as well as network security supervision and management within the mainland territory of the People's Republic of China. This new Cyber law prohibits the collection and sale of user's personal information. At the same time, individuals will have to roll their real names on messaging apps and social networks. But the new law seems to be a setback for the foreign business as they find the law overly broad and vague and need more clarity and time to implement the law as the Government has proposed. According to Kenneth Jarrett, head of the American Chamber of Commerce in Shanghai, the far-reaching restrictions of the new Cyber law could harm both foreign firms and cross-border trade.

[Read more](#)

Draft of New Intelligence Law released

On 16 May, 2017, China quietly released a draft version of the National Intelligence Law, inviting responses from the public until June 14. If the law is passed it will provide the authorities powers to monitor suspects, raid premises, and seize vehicles and devices while investigating domestic and foreign individuals and groups. The drafted document focuses mainly on national interests like state power, sovereignty, independence and territorial integrity. The draft provides that authorities will also be able to propose customs and border inspections or quarantines, as well as administrative detention of up to 15 days for those who obstruct their work, or leak related state secrets.

[Read more](#)

WORLD PRACTICE

Asia Europe USA UK Middle East Africa

8 June 2017

In this issue:

- **New Stringent Cyber Security Laws in China**
- **Draft of New Intelligence Law released**

INDIA JURIS

F-116

Lajpat Nagar-1

New Delhi - 110 024, India

Ph: +91-11-29814816 / 29814817

Fax: +91-11-29815116

E: newdelhi@indiajuris.com

www.indiajuris.com

International Desks

Asia & Australia

M.P.Mehani

asia@indiajuris.com

Americas

Shivkumar Idnani

americas@indiajuris.com

UK & Europe

Sameer Rastogi

europe@indiajuris.com

Africa

Rahul Gupta

africa@indiajuris.com

Middle East

Dinesh Sabharwal

middleeast@indiajuris.com