



# NEWSLETTER

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## Weekly Cybersecurity and Data Protection Review

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By Lifang & Partners

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## Domestic News

### Chinese Cyberspace Regulators Summons 4282 Websites in 2020

On January 29, 2021, the Cyberspace Administration of China released an article summarizing the nationwide cyberspace enforcement performance in 2020. In 2020, Chinese cyberspace regulators summoned 4,282 websites, warned 4,551 websites, suspended the update of 1,994 websites temporarily, and cancelled licenses or filings, or shut down 18,489 websites cooperating with the telecommunications authorities. The cyberspace regulators also referred 7,550 clues to judicial authorities. Relevant websites closed 158,000 various illegal accounts or groups in accordance with user service agreements. ([More](#))

### MIIT Inspects 620,000 Apps and Orders 2,234 Apps to Rectify since 2019

On January 26, 2021, Zhiguo ZHAO, Director General of the Information and Communication Administration of the Ministry of Industry and Information Technology (“MIIT”), said at a press conference that since 2019, MIIT has continued to carry out special actions focusing on rectifying ten categories of app problems in four aspects, including violating regulations of processing users’ personal information and setting up obstacles to harass users frequently. Since 2019, MIIT has carried out technical inspections on 620,000 apps, ordered 2,234 problematic apps to rectify, publicly noticed 500 problematic apps and pulled off 132 apps that were not rectified thoroughly or refused to rectify. In addition, MIIT has devoted to protecting users’ rights and interests through promoting the formulation of standards, advancing the construction of a national app technical inspection platform, and strengthening industry self-discipline. ([More](#))

### TC260 Invites Comments on 3 Draft National Information Security Technology Standards

On January 26, 2021, the Secretariat of the National Information Security Standardization Technical Committee (also known as “TC260”) issued three exposure drafts of national information security technology standards, including the *Information Security Technology: Technical Requirements and Test Evaluation Measures of Network-Based Intrusion Prevention Product*, *Information Security Technology: Technical Requirements and Test Evaluation Measures of Anti-Spam Product*, and the *Information Security Technology: Technical Requirements and Test Evaluation Measures of Information System Security Audit Product*. The deadline for submitting comments is March 26. ([More](#))

### China to Accelerate Cultivation of Data Element Market, Improve Data Management Rules

Recently, the General Office of the CPC Central Committee and the General Office of the State Council jointly issued the *Action Plan for Building a High Standard Market System* (“Plan”). According to the Plan, China will accelerate the cultivation of the data element market. Specifically, it will (i) formulate a new list of responsibilities for data sharing and strengthen the interregional and interdepartmental data sharing; (ii) research and formulate the opinions on accelerating the cultivation of data element market, establish the basic systems and standards for data resource property rights, data circulation transaction, cross-border data transfer and data security, and promote the development and utilization of data resource; and (iii) actively participate in the formulation of international rules and standards in the digital field. In addition, it will also improve the relevant laws and regulations regarding the platform monopoly.

ly identification, the management of data collection and utilization, the protection of consumers' rights and interests, etc. ([More](#))

## Overseas News

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### FTC Marks Identity Theft Awareness Week to Help Consumers Identify Risks of Identify Theft During the COVID-19 Pandemic

On January 28, 2021, the Federal Trade Commission (“FTC”) announced that it is launching Identity Theft Awareness Week, February 1-5, 2021, with a series of events to highlight steps consumers can take to help reduce their risk of identity theft and recover if identity theft occurs. The FTC pointed out that identity theft happens when someone steals personal information such as Social Security number or credit card information, and uses it to commit fraud. Reports about any type of identity theft topped the list of consumer complaints submitted to the FTC. ([More](#))

### Norwegian DPA: Intention to Issue €10 Million Fine to Grindr LLC

On January 26, 2021, the Norwegian Data Protection Authority (“Norwegian DPA”) announced that it has notified Grindr LLC (“Grindr”) that it intended to issue an administrative fine of NOK 100 000 000 for not complying with the GDPR rules on consent. The proposed fine will constitute approximately 10% of the company's turnover. Grindr is a location-based social networking app for gay, bi, trans, and queer people. In 2020, the Norwegian Consumer Council filed a complaint against Grindr claiming unlawful sharing of personal data with third parties for marketing purposes. The data shared include GPS location, user profile data, and the fact that the user in question is on Grindr. The Norwegian DPA's preliminary conclusion is that Grindr needs consent to share these personal data and that Grindr's consents were not valid. Additionally, it believes that the fact that someone is a Grindr user speaks to their sexual orientation, and therefore this constitutes special category data that merit particular protection. The document issued to Grindr is a draft decision. Grindr has been given the opportunity to comment on the findings within February 15, 2021. ([More](#))

### Dutch DPA Issues Formal Warning to A Supermarket for Its Use of Facial Recognition Technology

On January 26, 2021, the European Data Protection Board issued a press release saying that the Dutch Data Protection Authority (“Dutch DPA”) has issued a formal warning to a supermarket for its use of facial recognition technology. The supermarket claims that it used facial recognition technology to protect its customers and staff and to prevent shoplifting. The technology was connected to cameras at the store's entrance. The technology scanned the face of everyone who entered the store and compared it to a database of people who had been banned from entering stores. The faces of people who had not been banned were deleted after several seconds. The Dutch DPA pointed out that the use of facial recognition technology can only be justified when, first, people have given consent for their data to be processed; or, second, the technology is necessary for authentication or security purposes, but only in so far as substantial public interest is concerned. ([More](#))

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