

A Quick Overview of China's CSL, DSL and PIPL

A QTS Global Presentation



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Brief Introduction

Category	CSL	DSL	PIPL
Law And Effective Date	Cybersecurity Law June 1 st , 2017	Data Security Law September 1 st , 2021	Personal Information Protection Law November 1 st , 2021
Description	<p>Focuses on a company's network, regulating the activities relating to:</p> <ul style="list-style-type: none"> - Construction - Operation - Maintenance and Updates - Use 	<p>Focuses on a company's data, it is now a production input, equal to labor, capital, land and technology. (CCP Directive)</p> <ul style="list-style-type: none"> - Data: Any record of information in electronic or non-electronic form - Data Security: The ability to ensure data under effective protection and in lawful use and remain so through taking necessary measures - Data Processing: includes the collection, storage, use, refinery, transfer, provision or public disclosure <p>(Source: DSL Art 3)</p>	<p>Focuses on the protection of a Chinese citizen's personal information and is similar to Europe's GDPR.</p> <p>A document highlighting the similarities and differences of PIPL and GDPR is available .</p>



Note: All 3 laws complete the data governance regime in China

Main Points

Data:

- What data are you collecting?
- What is the amount of data records?
- Where is it stored?
- What are the policies in place to secure the data and if needed, transfer the data?
- What security measures are in place physically and over the company network (internal and external)?
- What is the level of harm that will be caused in case of any data breach?
- What disaster recovery plan is in place?

QTS tip :

- Conduct an overall audit of your IT environment including policies and consider conducting network penetration tests.
- Begin the process of your MLPS assessment and certification



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MLPS – Multi-Level Protection Scheme

The Multi-Level Protection Scheme (MLPS) was first introduced in June 2017 and later revised under the release of the Data Security Law (September 2021).

It is a key piece of legislation and compliance is required by all local and foreign companies operating within mainland China.

Enforcement varies at the provincial, municipal and public security level. Certification must be attained and issued by the Chinese government.

Basic requirements of MLPS	Compliance Path – Steps required to get an MPLS Certification
<ol style="list-style-type: none">1. General Security2. Cloud Security3. Mobile Internet4. Internet of Things (IoT)5. Industrial Control System	<ol style="list-style-type: none">1. Online application for the certification2. Sign the related contract and process the required payments3. If deemed Level 2 and above, MoPS will conduct an audit4. A report will be prepared and sent by the MoPS on the results5. Remediation period

Note: This whole process can take between 3-8 months. A remediation period will be provided by MoPS to the company.



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Reminders

We recommend that companies begin with their MLPS assessment and certification with the Ministry of Public Security (MoPS) and the related local government authorities.

While the MoPS will look more favorably at companies who already started their processes to comply, penalties will still apply which may also include the threat of **closing down the business**. Interpretation will be up to MoPS as to whether the company is seen to be remediating issues fast enough.

Applications in use on a PC or phone are also being reviewed. **Spot checks** are currently being done by the local authorities.



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For any questions or concerns,
please do not hesitate to
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