



Data Protection and Cross-Border Data Traffic

DSL & PIPL

China passed the new *Data Security Law (DSL)* in June 2021. The aim of the law, which came into force on September 1, 2021, is not only to protect data in China, but also to regulate cross-border data traffic. The *DSL* is about promoting data infrastructure and the innovative use of data by industry.

After three revisions, China's *Personal Information Protection Law (PIPL)*, which has received much attention abroad, also came into effect on November 1, 2021. It not only protects personal data within China, but also regulates the cross-border transfer of data abroad. It thus goes beyond the *European General Data Protection Regulation (GDPR)*.



Time for Action

The multitude of new Chinese laws is often challenging, confusing and intransparent for foreign companies. Cultural and language barriers also often pose a challenge in this regard. Companies should review their data management and data protection policies now in order to be prepared for the *DSL*, *PIPL* and related new regulations.

OUR SERVICES*

Analysis and Optimization of Data Flows

- Data inventory and data mapping
- Assistance in drafting contracts with the data recipient
- Support in setting up an information security management system (ISMS)
- Gap analysis and remediation plan in case of optimization needs

Clarification of Legal Requirements

- Coordination of the prescribed risk assessment of data sets before transfer abroad
- Communication with responsible authorities
- Coordination of security review and approvals by cyberspace authority for personal related data
- Coordination of mandatory regular reporting to authorities

Data Protection and Transfer

- Analysis and evaluation of cross-border data traffic
- Review of data processing systems
- Review of relevant legal requirements
- Establishment of a management system for data protection compliance
- Data security risk assessment

- Personal Information Security Impact Analysis (PISIA)
- Support for security certification of apps
- Court-compliant documentation

FAST FACTS

PIPL for Apps

The PIPL tightens the protection of personal data in apps. The law imposes strict legal liability for personal data violations. In extreme cases, apps can be removed from the market entirely by the authorities in the event of violations.

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