

# **Interim Regulations on the Management of International networking of Computer Information (Amended)**

## **Full text**

### **Article 1**

These Regulations are promulgated hereby with the aim of strengthening management of international networking of computer information and promoting the healthy development of international exchange of computer information.

### **Article 2**

International networking of computer information within the People's Republic of China shall be carried out in accordance with stipulations in these Regulations.

### **Article 3**

Denotations of the following terms as used in these Regulations:

(1) International networking of computer information (hereinafter referred to as international networking) refers to the linking of networks of computer information within the People's Republic of China to foreign networks of computer information for the purpose of international exchange of information.

(2) Inter-connected networks refers to networks of computer information directly linked to international networking. Inter-connected units refer to units in charge of operation of inter-connected networks.

(3) Insertion networks refer to networks of computer information that are inserted into inter-connected networks for the purpose of international networking. Insertion units refer to units in charge of operation of insertion networks.

### **Article 4**

The State shall implement the principle of unified planning, unified standards, and level-by-level management of international networking to promote its development.

### **Article 5**

The Information Working Group of the State Council (hereinafter referred to as the Leading Group) shall take charge of coordinating and solving problems concerning international networking.

The office of the Leading Group shall work out, in line with stipulations in these Regulations, specific

management rules to clarify the rights, obligations and responsibilities of units providing international output and input channels, inter-connected units, insertion units, and customers. It shall also take charge of examination and supervision of international networking.

#### **Article 6**

To carry out international networking of computer information, the output and input channels provided by the Ministry of Posts and Telecommunications in its public telecommunication network shall be used.

No units or individuals shall establish or use other channels for international networking on their own accord.

#### **Article 7**

Inter-connected networks that have already been established shall be readjusted and put into management by the Ministry of Posts and Telecommunications, the Ministry of Electronics Industry, the State Education Committee, and the China Academy of Sciences.

Establishment of new inter-connected networks shall be reported to the State Council for approval.

#### **Article 8**

Insertion networks shall carry out international networking via inter-connected networks.

Insertion units that plan to engage in the business of international networking shall apply for license for doing the business of international networking from departments or units in charge of inter-connected units empowered to handle applications for engagement in the business of international networking. Those that have not obtained these licenses shall not engage in activities related to international networking.

Insertion units that plan to engage in activities of a non-business kind shall report for examination and approval to departments or units in charge of inter-connected units empowered to handle applications for these activities. Those that have not obtained approval shall not carry out international networking via inter-connected networks.

Those applying for licenses for doing businesses related to international networking or reporting for examination and approval shall provide information on the character of their computer information, scope of information, and location of their host computers.

The form of the license for doing businesses related to international networking shall be produced by the Leading Group in a unified way.

#### **Article 9**

Insertion units doing businesses related to international networking or engaged in non-business activities

related to international networking shall all meet the following requirements:

- (1) They shall be legal person enterprises or institutions set up in accordance with law.
- (2) They shall have corresponding computer networks, equipment, and relevant technical and management personnel.
- (3) They shall have perfect safety and security systems and measures for technical protection.
- (4) They shall meet other requirements stipulated in laws or raised by the State Council.

Insertion units doing businesses related to international networking that no longer meet requirements in clauses (1) and (2) due to changes in their situation shall have their licenses revoked by the departments that have originally issued these licenses, and insertion units engaged in non-business activities related to international networking that no longer meet the requirement in clause (1) due to changes in their situation shall have their qualifications for international networking nullified by the departments that have originally granted the approval.

#### **Article 10**

International networking of the networks of computer information used by individuals, legal persons, and other organizations (hereinafter referred to as customers) shall be carried out via insertion networks.

If the computers or networks of computer information as referred in the preceding clause are to be inserted into networks, consent shall be won from insertion units, and registration procedures shall be gone through.

#### **Article 11**

Units providing international input and output channels, inter-connected units, and insertion units shall set up corresponding network management centres, enhance management of themselves and their customers according to law and relevant stipulations of the State, do a good job in the safety management of network information, and provide excellent and safe services to customers.

#### **Article 12**

Inter-connected units and insertion units shall take charge of technical training and management education related to international networking for themselves and for their customers.

#### **Article 13**

Units and individuals doing businesses related to international networking shall abide by relevant laws and administrative decrees of the State, strictly implement the system of safety and security, refrain from illegal and criminal activities that endanger national security and leak State secrets through international networking, and stay away from producing, consulting, duplicating, or spreading information that

interrupts social order or pornographic information.

**Article 14**

Those that violate stipulations in articles 6, 8 and 10 shall be ordered by public security departments to stop networking, with a warning issued to them. They may also be imposed a fine below 15,000 yuan. If they have earned any illegal incomes, these incomes shall be confiscated.

**Article 15**

Those that violate these Regulations and violate stipulations in other laws or administrative decrees shall be punished according to the relevant laws and administrative decrees. If the cases are so serious as to be criminal, criminal responsibilities shall be affixed.

**Article 16**

Networking of computer information with Taiwan, Hong Kong and Macao shall be carried out with reference to these Regulations.

**Article 17**

These Regulations shall take effect on the date of promulgation.