

Stricter than the GDPR, China's Privacy Law provides prohibitive and control obligations

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On August 20, the Chinese legislature passed the *Personal Information Protection Law* ("PIPL"). Consisting of eight chapters and 74 articles, the PIPL provides comprehensive provisions that give stronger legal assurance in the realm of privacy protection. These provisions include rules on the scope of application and personal information processing, on cross-border transmission, subject persons' rights in processing activities, personal information processors' obligations, as well as on regulatory authorities and penalties.

This new law sets out tougher compliance obligations than its European and US peers on how companies can collect and handle personal information, and could have a great impact on the way Chinese and non-Chinese businesses operate. This article provides an overview of the PIPL in an attempt to help enterprises understand 1) what are the new corporate compliance obligations created by the PIPL; 2) how to take appropriate control measures; and 3) how to adjust internal compliance plans in a timely way to manage compliance risks.

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