Measures for the Security Assessment of Outbound Data Transfers |《数据出境安全评估办法》

Declaration for the Security Assessment of Outbound Data Transfers (Main Process) | 申报数据出境安全评估(主要过程)

Provincial network information department 省级网信部门

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National network information department 国家网信部门

The data processor 数据处理者

- Completes the "completeness check" within 5 working days from the date of receipt of the data processor's declaration materials | 自收到数据处理者申报材 料之日起5个工作日内完成完备性查验.
- Submits complete declaration materials to the national network information department (i.e., the Cyberspace Administration of China) | 将齐全的申报材料 报送国家网信部门(即:中华人民共和国国家互联网信息办公室).
- Determines within 7 working days from the date of receipt of the declaration materials whether to accept the declaration and notify the data processor in writing | 自收到申报材料之日起7个工作日内,确定是否受理并书面通知数据处理者.
- Carries out the security assessment after accepting the declaration. May request, during the assessment process, that the data processor supplement or correct the declaration materials | 受理申报后,安全评估展开。评估过程中,可以要求数据处理者补充或者更正申报材料.
- Completes the security assessment within 45 working days from the date of issuance of the written acceptance notice. May appropriately extend the assessment if the situation is complicated or materials need to be supplemented or corrected; inform the data processor of the expected extended time | 自发出书面受理通知书之日起45个工作日内完成安全评估;情况复杂或者需要补充、更正材料的,可以适当延长并告知数据处理者预计延长的时间.
- Notifies the data processor in writing of the assessment result | 书面通知数据处理者评估结果.
- If the data processor has any objection to the assessment result, the data processor may apply, within 15 working days of receipt of the assessment result, to the national network information department for a reassessment. The reassessment result is the final conclusion | 对评估结果有异议的,可以在收到评估 结果15个工作日内向国家网信部门申请复评,复评结果为最终结论.
- The result of passing the security assessment for outbound data transfers is valid for 2 years from the date of issuance of the assessment result. If a situation stated in the *Measures for the Security Assessment of Outbound Data Transfers* occurs during the validity period, the data processor is required to make a new declaration for assessment | 通过数据出境安全评估的结果有效期为2年,自评估结果出具之日起计算。在有效期内出现《数据出境安全评估办法》规定 的情形的,数据处理者需要重新申报评估.
- If the data processor needs to continue conducting outbound data transfers after the validity period expires, the data processor is required to make a new declaration for assessment 60 working days before the expiry of the validity period | 有效期届满,需要继续开展数据出境活动的,数据处理者需要在有效期届满 60个工作日前重新申报评估.