

PROPOSED REVISION	CURRENT VERSION 2017
<p><b>Article 1:</b> These Provisions are formulated on the basis of the Cybersecurity Law of the P.R.C., <b>the Measures on the Administration of Internet Information Services, the Provisions on the Governance of the Online Ecosystem, and other relevant laws and regulations</b> so as to regulate the <b>management of</b> internet post comment services, preserve national security and the public interest, and protect the lawful rights and interests of citizens, legal persons, and other organizations.</p>	<p><b>Article 1:</b> These Provisions are formulated on the basis of the "Cybersecurity Law of the P.R.C."and the<b>"State Council's Notification of Authorization of the State Internet Information Office to be Responsible for Efforts to Manage Internet Content"</b>, so as to preserve national security and the public interest, <b>to regulate Internet post comments services</b>, and protect the lawful rights and interests of citizens, legal persons, and other organizations.</p>
<p><b>Article 2:</b> Those who provide <b>or use</b> Internet post comment services within the mainland territory of the People's Republic of China shall abide by these Measures.</p>	<p><b>Article 2:</b> Those who provide Internet post comment services within the mainland territory of the People's Republic of China shall abide by these Measures.</p>
<p>"Post comment services" as referred to in these Provisions, refers to Internet websites, applications, and other <b>website</b> platforms of a public opinion nature or with the capacity to mobilize the public, that provide services for users to express text, code, emojis, pictures, audio, video, or other information through methods such as posting messages, responding, leaving messages, streaming 'bullet' comments, and so forth.</p>	<p>"Post comment services" as referred to in these Provisions, refers to Internet websites, applications, interactive broadcast platforms, and other <b>broadcast</b> platforms of <b>a news</b> and public opinion nature with capacity to mobilize the public, that provide services for users to express text, code, emojis, pictures, audio, video, or other information through methods such as posting messages, responding, leaving messages, livestream commentary, and so forth.</p>
<p><b>Article 3:</b> The <b>national Internet Information department</b> is responsible for oversight, management, and law enforcement efforts for post comment services nationwide. Local internet information <b>departments</b> are responsible for oversight, management, and law enforcement efforts for post comment services within the corresponding administrative region and on the basis of their duties.</p>	<p><b>Article 3:</b> The <b>State Internet Information Office</b> is responsible for oversight, management and law enforcement efforts on post comment services nationwide. Local internet information <b>offices</b> are responsible for oversight, management and law enforcement efforts for post comment services within that administrative region and on the basis of their duties.</p>
<p>All levels of <b>internet information department</b> shall establish and complete oversight and management systems that integrate daily oversight and inspection and regular inspections, and lawfully regulate post comment activity on all kinds of <b>website</b> platforms.</p>	<p>All levels' <b>Internet information offices</b> shall establish and complete oversight and management systems that integrate daily oversight and inspection and regular inspections, and lawfully regulate post comment activity on all kinds of <b>broadcast</b> platform.</p>
<p><b>Article 4:</b> Post comment service providers shall strictly implement primary responsibility <b>for the management of post comment services</b>, performing the following obligations in accordance with law:</p>	<p><b>Article 5:</b> Post comment service providers shall strictly put in place primary responsibility, and lawfully perform the following obligations:</p>
<p>(1) Follow the principle of 'real names on file, but whatever you want up front' , to conduct verification of identification information for registered users, and must not provide post comment services to users whose identification information has not been verified.</p>	<p>(1) Follow the principle of 'real names on file, but whatever you want up front' , to conduct verification of identification information for registered users, and must not provide post comment services to users whose identification information has not been verified.</p>
<p>(2) Establish and complete systems for the protection of users' personal information: the <b>handling</b> of users' personal information shall comply with the principles of legality, propriety, necessity, <b>and creditworthiness</b>; disclose rules for <b>handling</b> personal information: giving notice of the goals and methods of handling personal information, the types of personal information to be handled, <b>the period for retention</b>, and other such matters; and obtain the consent of the individuals in accordance with law, <b>except as otherwise provided by laws and administrative regulations</b>.</p>	<p>(2) Establish and complete systems for protecting user information; and <b>the collection and use</b> of users' personal information shall abide by the principles of legality, propriety and necessity; make public rules for <b>collection and use, explicitly stating the purposes, means, and scope for collecting or using information</b>, and obtaining the consent of the person whose data is gathered.</p>
<p>(3) Where 'realtime comment stream' services are provided, corresponding static information content shall also be concurrently provided on the same platform or page.</p>	<p>(3) <b>Where post comment services are provided for news information, a system of prior review before publication shall be established.</b></p>

	(4) Where 'realtime comment stream' services are provided, corresponding static information content shall also be concurrently provided on the same platform or page.
(4) Establish and complete information security systems for the review and management, real-time inspection, emergency response, and the acceptance of reports for post comments, to review the content of post comments before publication, and promptly discover and address unlawful and negative information, and report it to the internet information departments.	(5) establish and complete information security systems for the review and management, real time inspection, and emergency handling and response for post comments, to promptly discover and handle unlawful information, and report it to the competent departments.
(5) Innovate methods of management for post comments, research and develop techniques for the management of information security for post comments, to increase capacity for addressing illegal and negative information; promptly discover risks such as security deficits or leaks in post comment services, employ remedial measures, and report them to the internet information departments.	(6) Develop information security protection and management techniques for post comments, innovate methods of managing post comments, research and develop the use of anti-spam systems, to increase capacity to dispose of spam information; promptly discover risks such as security deficits or leaks in post comment services, employ remedial measures, and report them to the competent departments.
(6) Appoint a review and editorial team corresponding to the scale of services, increasing the professional caliber of review and editorial staff.	(7) Appoint a review and editorial team corresponding to the scale of services, increasing the professional caliber of review and editorial staff.
(7) Cooperate with oversight and inspection efforts conducted by the internet information departments, and provide necessary technical and data support and assistance.	(8) Cooperate with oversight and inspection efforts conducted by the competent departments, and provide necessary technological, material, and data support.
<b>Article 5:</b> Where post comment service providers that have public opinion properties or the capacity for social mobilization put new post comment products, applications, or functions online, they shall carry out security assessments in accordance with relevant state provisions.	<b>Article 4:</b> Where post comment service providers provide new products, applications, or functions for post comments related to Internet news information services, they shall report to the State, provincial, autonomous region, or directly governed municipality Internet information offices to conduct a security assessment.
<b>Article 6:</b> Post comment service providers shall sign an agreement with registered users, clarifying details of post comment services and management and rights and obligations of both parties such as publication authority and management responsibilities, perform obligations to give notice as provided by internet laws and regulations, and carry out education on online civility.	<b>Article 6:</b> Post comment service providers shall sign an agreement with registered users, clarifying details of service and management of post comments, perform obligations to inform as provided by laws and regulations, and targeted education on online civility.
<b>Article 7:</b> Post comment service providers shall regulate and manage post comment service users and public account producer-operators in accordance with the user agreements. Post comment service providers shall employ measures such as warnings, publication refusals, deletion of information, function restrictions, suspending account updates, closing accounts, and prohibiting re-registration in accordance with laws and agreements to address service users who publish information content that violates laws, regulations, and relevant state provisions, and shall store the relevant records; for public account producer-operators who fail to fulfill their self-management obligations, leading to the appearance of illegal and negative information content in post comment areas, measures such as warnings, deletion of information, closing post comment functions for a period or permanently, suspending account updates, and prohibiting re-registration shall be promptly employed in accordance with laws and agreements and in light of the specific circumstances, the relevant records are to be stored and a report shall be promptly made to the internet information departments.	Post comment service users shall strictly discipline themselves, commit to comply with laws and regulations, respect public order and good morals, and must not publish information content that is prohibited by laws, regulations, or relevant State provisions.  <b>Article 8:</b> Post comment service providers shall promptly employ measures such as notices, refusing publication, deleting information, restricting functions, pausing updates, through closing accounts, and save relevant records for information content in violation of laws, regulations, and relevant state provisions.

<p><b>Article 8:</b> Post comment service providers shall establish stratified user management systems, carrying out credit assessments of users' conduct in commenting on posts, and designate the scope of services and functionality on the basis of credit levels; entering the seriously untrustworthy onto a black list, stopping the provision of services to those entered onto the black list, and prohibiting them from using methods such as re-registration to <b>set up accounts</b> to use post comment services.</p>	<p><b>Article 9:</b> Post comment service providers shall establish stratified user management systems, carrying out credit assessments of users' conduct in commenting on posts, and designate the scope of services and functionality on the basis of credit levels; entering the seriously untrustworthy onto a black list, stopping provision of services to those entered onto the black list, and prohibiting them from using methods such as new registration to use post comment services.</p>
<p><b>Article 9:</b> Post comment service users shall obey laws and regulations, comply with public order and good custom, and <b>carry forward the Core Socialist Values</b>; they must not publish information content that is prohibited by laws, regulations, or relevant State provisions.</p>	<p><b>[from former article 6]</b> <b>Post comment service users shall strictly discipline themselves, commit to comply with laws and regulations</b>, respect public order and good morals, and must not publish information content that is prohibited by laws, regulations, or relevant State provisions.</p>
<p><b>Article 10:</b> Public account producer-operators shall fulfill the responsibility to manage post comment information content themselves and strengthen the review and management of the account's post comment information content to promptly discover illegal and negative information content in the post comment section, and employ necessary measures such as making reports and proactive dispositions.</p>	
<p><b>Article 11:</b> Public account producer-operators may apply to the post comment service providers to receive authority for self-management such as to receive reports, delete illegal or negative comment information, and shut down accounts' comment functions; and the post comment service providers shall provide related technical support.</p>	
<p><b>Article 12:</b> Post comment service providers and users, as well as public account producer-operators, must not violate the lawful rights and interests of others or seek unlawful benefits through tactics that interfere with the presentation of post comments, such as publishing, deleting, or recommending post comment information. Software, employment agencies and their personnel, and other such methods must not be used to disseminate information, <b>heinously</b> disrupting the normal order of post comments, and misguiding public opinion.</p>	<p><b>Article 7:</b> Post comment service providers and their staffs must not interfere with public opinion by employing methods such as selective deletion or recommendation of post comments so as to obtain improper benefit <b>or on the basis of mistaken value orientations</b>.</p> <p><b>Post comment service providers and users</b> must not use software, employment agencies, personnel, or other methods to disseminate information, disrupting the normal order of post comments, and misguiding public opinion.</p>
<p><b>Article 13:</b> Post comment service providers shall establish and complete systems for public complaints, reports, and <b>appeals</b> on illegal and negative information in post comments, set up fast and convenient portals for complaints and reports, and promptly accept and handle complaints, reports, and <b>appeals</b> related to post comments.</p>	<p><b>Article 10:</b> Post comment service providers shall establish and complete systems for public complaints and reports on illegal information, set up fast and convenient portals for complaints and reports, and promptly accept and handle complaints and reports. State and local Internet information offices are to conduct oversight and inspections of the situation of accepting reports, on the basis of their duties.</p>
<p>Where post comment service users have objections to the handling of post comment information, they have the right to make a collateral appeal to the post comment service provider, who shall conduct an investigation and address it in accordance with user service agreements.</p>	
<p>On the basis of their duties, the national and local internet information departments are to conduct oversight inspections on the acceptance of reports and appeals.</p>	<p>State and local Internet information offices are to conduct oversight and inspections of the situation of accepting reports, on the basis of their duties.</p>
	<p><b>The State and provincial, autonomous region or directly governed municipality Internet information offices shall establish credit files and a trust-breaking blacklist management systems for post comment services, and regularly conduct credit assessments of post comment service providers.</b></p>

<p><b>Article 14:</b> Where post comment service providers do not adequately implement primary responsibility for the management of post comments, and there are larger security risks or security incidents occur, the national and local internet information departments are to employ measures in accordance with laws and regulations, such as giving warnings, circulating criticism, giving fines, suspending post comment functions, or stopping services.</p>	<p><b>Article 11:</b> Where post comment service providers information security management responsibilities are not sufficiently implemented, or where larger security risks exist or security incidents occur, the State or provincial, autonomous region, or directly governed municipality internet information offices shall promptly give them a talking to; post comment service providers shall employ measures, make corrections, and eliminate dangers as required.</p>
	<p><b>Article 12:</b> Internet post comment service providers' violations of these provisions will be handled by the relevant departments in accordance with the relevant laws and regulations.</p>
<p><b>Article 15:</b> This regulation will take effect from XX/XX/2022.</p>	<p><b>Article 13:</b> These Provisions take effect on October 1, 2017.</p>