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政务数据共享条例
Regulations on Government Affairs Data Sharing

Chapter I General Provisions

Article 1. These Regulations are formulated in accordance with the Cybersecurity Law of the People's Republic of China, the Data Security Law of the People's Republic of China, the Personal Information Protection Law of the People's Republic of China, and other laws in order to advance the secure, orderly and efficient sharing and utilization of government affairs data, enhance the government's digital governance capabilities and government service efficacy, and comprehensively build a digital government.

Article 2. These Regulations shall apply to the sharing of government affairs data between government departments and organizations authorized by laws or regulations to exercise the functions of managing public affairs (hereafter referred to as "government departments") along with related security, supervision, management and other work.

Article 3. Government affairs data" as referred to in these Regulations (hereafter, "government data"[1]) means all types of data collected and generated by government departments in the process of performing their duties in accordance with law, not including data that is a state secret or work secret.

"Government data sharing" as referred to in these Regulations means the act of government departments using government data from other government departments or providing government data to other government departments as necessary to perform their duties in accordance with law.

Article 4. Government data sharing work should adhere to the leadership of the Chinese Communist Party, implement the overall national security concept, coordinate development and security, and abide by the principles of coordination, unified standards, law-based sharing, reasonable use, and security and controllability.

Article 5. Government data sharing work should comply with laws and regulations and carry out government data security protection obligations, must not endanger national security and public interests or harm the lawful rights and interests of citizens, legal persons, and other organizations.

[1] The Chinese term 政务数据 is more literally translated as "government affairs data," but is often translated in English language documents as the shortened "government data," which is adopted in this translation for the sake of brevity. However, China's data governance policies and legislation also less frequently use a Chinese term literally meaning government data, 政府数据. The precise difference between these two terms is not officially clarified. The term 政务 is translated herein as "government affairs" when used to modify "big data."

Article 6. The state shall establish a government data sharing standards system and promote the standardization and regularization of government data sharing.

Article 7. The state shall encourage innovation in management, mechanisms, and technology in the government data sharing field and continuously improve the efficiency, application level, and security guarantee capabilities of government data sharing.

Chapter II Management System

Article 8: People's governments at all levels should strengthen the organizational leadership of government data sharing.

The State Council department in charge of government data sharing shall be responsible for overall coordination and promotion of government data sharing nationwide.

The local people's government departments in charge of government data sharing at or above the county level shall be responsible for overall coordination and promotion of government data sharing work within their administrative regions.

The various departments of the State Council shall be responsible for the government data sharing work of their departments and shall coordinate and guide the government data sharing work of their industries and fields.

Article 9. The departments in charge of government data sharing should, together with other government departments, research major issues and important work in government data sharing, summarize and promote typical government data sharing cases and experience, and coordinate the promotion of secure, orderly and efficient sharing and utilization of cross-level, cross-regional, cross-system, cross-departmental and cross-business government data.

Article 10. Government departments should implement the primary responsibility for government data sharing, establish and improve their departmental government data sharing work system, and organize research on and resolve major issues in government data sharing.

Article 11. Government departments should specify their departmental government data sharing work office. The government data sharing work office shall be responsible for the specific government data sharing work within the department and perform the following duties:

(1) Organize the compilation, update and maintenance of the departmental government data catalog;
(2) Organize and put forward the department’s requests for government data sharing, organize and review requests to share the department’s government data, and coordinate and share the department’s government data;
(3) Ensure that government data supplied by the department complies with the standards and specifications for government data sharing;
(4) Put forward or process verification requests involving the department’s own government data;

(5) Establish and improve the data security and personal information protection systems for, and carry out security assessments of, the department's government data sharing; and
(6) Other work related to the department's government data sharing.

Chapter III Catalog Management

Article 12. Government data shall be subject to unified catalog management. The State Council department in charge of government data sharing shall formulate the standards and specifications for compilation of government data catalogs and organize the compilation of the national government data catalog. The departments in charge of government data sharing of local people's governments at and above the county level shall organize the compilation of government data catalogs for their administrative regions.

Government departments should compile their department's government data catalogs according to their responsibilities and the standards and specifications for the compilation of government data catalogs.

Article 13. When compiling government data catalogs, government departments should conduct assessments of confidentiality risks and personal information protection impacts in accordance with the law and undergo review and approval by the responsible persons in their departments.

Government data catalogs should specify the name of the data catalog, data items, provider, data formats, and data update frequency, as well as sharing attributes, sharing methods, usage conditions, data classification and grading, and other information.

Article 14. Government data shall be divided into three categories according to sharing attributes: unconditional sharing, conditional sharing, and non-sharing:

(1) Government data that can be shared with all government departments belongs to the unconditional sharing category;
(2) Government data that can be shared with relevant government departments under certain conditions belongs to the conditional sharing category; and
(3) Government data that cannot be provided to other government departments as clearly stipulated in laws, administrative regulations, and State Council decisions belongs to the non-sharing category.

Article 15. Government departments should scientifically and reasonably determine the sharing attributes of government data and must not impede or influence the sharing of government data by such methods as arbitrarily adding conditions.

For government data that belongs to the conditional sharing category, government departments should list in the government data catalogs the sharing scope, use purposes, and other sharing conditions. For government data that belongs to the non-sharing category, government departments should list the reasons in the government data catalogs and specify the relevant laws, administrative regulations and State Council decisions on which classification is based.

Article 16. Government departments should submit the compiled government data catalogs to the department in charge of government data sharing at the same level for review. Departments in charge of government data sharing should uniformly notify the government departments after review and approval.

Government departments should enrich government data resources, ensure the quality of government data, and share government data in accordance with the law based on the uniformly published government data catalogs.

Article 17. Government data catalogs shall be dynamically updated.

If government data catalogs need to be updated due to adjustments in laws, administrative regulations, or State Council decisions or changes in government department responsibilities, government departments should complete the update of the government data catalogs within 10 working days from the date of the adjustment or change and submit it to the departments in charge of government data sharing at the same level for review. Update periods that need to be extended due to special reasons may be extended by five working days with the agreement of the departments in charge of government data sharing at the same level.

Departments in charge of government data sharing should, within two working days from the date of receipt of updated government data catalogs, complete review of and publish the updates.

Chapter IV Sharing and Use

Article 18. Government departments should establish and improve whole-process government data quality management systems, improve government data quality management, and strengthen the standardized management of government data collection, storage, processing, transmission, sharing, use, and destruction.

Article 19. Government departments should collect government data in accordance with their statutory authority, procedures, standards and specifications. Government departments must not repeatedly collect from citizens, legal persons, and other organizations government data needed for performing their duties that can be obtained through sharing.

If government data collection work involves multiple government departments, the department in charge of government data sharing should specify the government department to take the lead in collection and serve as the data source department. The data source department should strengthen close collaboration and information communication with other relevant government departments, promptly complete and update government data, ensure the completeness, accuracy, and availability of government data, and uniformly provide government data sharing services.

Article 20. Departments in charge of government data sharing should establish a government data sharing supply and demand matching mechanism and specify the work process.

Government data demand departments should, as needed for performing their duties and in accordance with the uniformly issued government data catalogs, and after obtaining the

agreement of the responsible person of their departmental government data sharing work office, put forward government data sharing requests in accordance with the law, specify the basis for use, use scenarios, scope of use, sharing methods, and use time limits, and ensure the authenticity, legality and necessity of the government data sharing request.

Government data providing departments should review the government data sharing requests submitted by government data demand departments within the time limit specified in Article 21 of these Regulations and issue a reply after obtaining the agreement of the responsible person in their departmental government data sharing work office.

Article 21. If the government data requested to be shared by government data demand departments belongs to the unconditional sharing category, government data providing departments should issue a reply within one working day from the date the government data sharing request is received; if it belongs to the conditional sharing category, they should issue a reply as to whether they agree to share within 10 working days from the date the government data sharing request is received. If the reply period needs to be extended due to special reasons, government data providing departments should report to the department in charge of government data sharing at the same level for its agreement and inform the government data demand departments. The extended period must not exceed 10 working days.

If the request materials submitted by government data demand departments are incomplete, government data providing departments should inform them one time of the materials that need to be supplemented and must not directly refuse the request. When government data providing departments do not agree to share, they should state the reasons.

Article 22. Government data providing departments should share the government data within 20 working days from the date of issuing a reply agreeing to share it.

Government data providing departments may share government data with government data demand departments through such methods as service interface, batch exchange, and file download.

Article 23. The state shall encourage government departments at all levels to optimize the government data sharing review process and shorten the time to review and provide shared government data.

Article 24. Higher-level government departments should, based on the needs of lower-level government departments for performing their duties and conditioned on ensuring the security of government data, promptly and completely return government data collected and generated by business information systems within the administrative area of such lower-level governments, as well as attain system integration and business collaboration, and must not set additional restrictions.

After obtaining returned government data, lower level government departments should share and use it as needed for performing their duties and ensure the relevant government data’s security.

Article 25. Government departments must not, without authorization, expand the scope of use and use or indirectly use for other purposes the government data they obtain through sharing, and must not provide the obtained government data to third parties without authorization. When it is truly necessary to expand the scope of use, use it for other purposes or provide it to third parties, the government data providing department's agreement should be obtained.

Departments in charge of government data sharing and other government departments should take measures to prevent the risk of leakage caused by the aggregation and correlation of government data.

Article 26. The State Council department in charge of government data sharing should coordinate and establish a government data verification and error correction system.

Government departments should, according to their departmental duties, establish government data verification and error correction rules and provide error correction channels. Government data demand departments should record the status of government data use and, if they find that government data is inaccurate or incomplete, they should promptly submit government data verification requests to the government data providing departments. The government data providing departments should verify, correct and provide feedback on the verification results within 10 working days from the date the government data verification request is received.

Article 27. Where the purpose of government data sharing has been achieved or cannot be achieved, or no longer needs to be achieved, government data demand departments should properly dispose of the government data they obtained in accordance with the requirements of the government data providing departments.

If government data demand departments. without authorization, use government data beyond the scope of use or sharing purpose or provide government data to a third party, the departments in charge of government data sharing or the government data providing departments should suspend their government data sharing authorization and urge such departments to make rectification within a time limit. If such departments refuse to effect rectification or effect inadequate rectification, sharing may be terminated.

Government data providing departments must not terminate or change government data sharing services already provided without a legitimate reason. If it is truly necessary to terminate or change the service, government data providing departments should consult with the government data demand departments and report the situation for the record to the departments in charge of government data sharing at the same level.

Article 28. Departments in charge of government data sharing should establish and improve a government data sharing dispute resolution mechanism.

When government data sharing disputes occur between government data demand departments and government data providing departments at the same level, they should be resolved through consultation; if consultations fail, the parties should in accordance with procedures request the departments in charge of government data sharing at the same level to coordinate and handle the

matter. If disputes occur in cross-level and cross-regional government data sharing, they should be coordinated and handled by the common higher-level department in charge of government data sharing. If no consensus is reached after coordination and handling by the departments in charge of government data sharing, disputes should be reported for decision to the people's government at the same level as the department in charge of government data sharing.

Article 29. Departments in charge of government data sharing should supervise and inspect the government data sharing situation and may report violations of the provisions of these Regulations.

Government data demand departments should record the use scenarios, use process, results of application, and such matters as the storage and destruction of shared government data, and the relevant records shall be preserved for no less than three years. Departments in charge of government data sharing and government data providing departments may check the relevant records of government data demand departments. If laws and administrative regulations provide otherwise, such provisions shall prevail.

Chapter V Platform Support

Article 30. The state shall coordinate data infrastructure construction, heighten government data security protection capabilities, and consolidate and build a national integrated government affairs big data system with unified criterion, a rational layout, and collaborative management that is secure and reliable.

The State Council department in charge of government data sharing shall coordinate the construction and management of the national integrated government affairs big data system, be responsible for integrating and building the national government affairs big data platform, achieve its interconnection with the government data platforms of relevant State Council departments and the government data platforms of various regions, and provide platform support for government data sharing.

Departments in charge of government data sharing of local people's governments at and above the county level shall be responsible for building and managing the government data platform in their administrative areas and sharing government data with towns (streets) and villages (communities) as needed.

Relevant State Council departments shall be responsible for building and optimizing departmental government data platforms that can support government data sharing work in their industries and fields. Where government data platforms have not been built, departmental government data sharing work may be carried out through the national government affairs big data platform.

Article 31. Existing government data platforms already built by government departments should be incorporated into the national integrated government affairs big data system. Unless otherwise stipulated by laws and administrative regulations, in principle, cross-level, cross-regional, cross-

system, cross-departmental, and cross-business government data sharing work must not be carried out through newly built government data sharing and exchange systems.

Article 32. Government departments should carry out government data sharing related work through the national integrated government affairs big data system.

Article 33. The state shall encourage and support the application in government data sharing of new technologies such as big data, cloud computing, artificial intelligence, and blockchain.

Chapter VI Safeguard Measures

Article 34. Departments in charge of government data sharing should, together with the cybersecurity, public security, state security, secrecy administration, cryptography management and other departments at the same level, promote the construction of a government data sharing security management system based on the data classification and grading protection system and, in accordance with the principle of whoever manages and uses is responsible, specify those responsible for security in each link of government data sharing, and supervise and urge implementation of government data sharing security management responsibilities.

Government data demand departments should bear security management responsibility for government data tampering, destruction, leakage or illegal utilization that occurs in the course of using government data that was shared in accordance with law.

Article 35. Government departments should establish and improve government data sharing security management systems, fulfill the primary responsibility for government data sharing security management and the requirements for government data classification and grading management, and safeguard the security of government data sharing.

Government departments should adopt technical measures and other necessary measures to prevent government data from being tampered with, destroyed, leaked or illegally obtained or utilized.

Government departments should strengthen government data security risk monitoring and, when government data security incidents occur, they should immediately activate emergency plans and take appropriate emergency response measures to prevent the expansion of harm and eliminate security hazards and report the matter to the relevant departments in charge in accordance with provisions.

Article 36. When government departments entrust others to participate in the construction, operation, and maintenance of government informatzation projects and store and process government data, they should comply with approval procedures in accordance with relevant national provisions, specify work norms and standards, and adopt necessary technical measures to supervise the entrusted party in fulfilling the appropriate government data security protection obligations. The entrusted party should fulfill the government data security protection obligations in accordance with the provisions of laws, administrative regulations and contractual agreements

and must not without authorization access, obtain, retain, use, reveal or provide others with government data.

Government data platform development and management entities should safeguard the secure and stable operation of the platforms and maintain the security of government data in accordance with the provisions of laws, administrative regulations, and mandatory requirements of national standards.

Article 37. When government departments and their staff carry out government data sharing activities involving personal information, they should comply with the provisions of laws and administrative regulations such as the Personal Information Protection Law of the People's Republic of China and the Network Data Security Management Regulations.

Citizens, legal persons and other organizations have the right to file complaints and reports regarding acts in the process of government data sharing that infringe upon their lawful rights and interests. Government departments that receive complaints and reports should handle them promptly in accordance with provisions.

Article 38. People's governments at and above the county level should include the funds required for government data sharing in their budgets. People's governments at and above the county level and their relevant departments should implement full-process budget performance management for funds related to government data sharing. Government data sharing should serve as an important basis for determining investment in the construction of government information technology projects, funding for their operation and maintenance, and the results of post-project evaluations.

Departments in charge of government data sharing should strengthen supervision over the timeliness and quality of data sharing by government data providing departments within their administrative areas and the data utilization situation and security safeguard measures of government data demand departments, and report these matters to the people's government at the same level.

Chapter VII Legal Liability

Article 39. Where government data providing departments violate the provisions of these Regulations under any of the following circumstances, the departments in charge of government data sharing at the same level shall order them to make corrections; if they refuse to make corrections or the circumstances are serious, disciplinary sanctions shall be imposed in accordance with the law on the responsible leading personnel and directly responsible personnel:

(1) Failure to compile or update government data catalogs as required;
(2) Obstructing or impacting government data sharing through such methods as adding conditions without authorization;
(3) Failure to cooperate with data source departments to promptly improve and update government data;

(4) Failure to respond to government data sharing requests on time or failure to share government data on time without legitimate reasons;
(5) Failure to return to lower-level government departments, in accordance with provisions, government data that was collected and generated by business information systems within the administrative regions of lower-level governments;
(6) Failure to timely verify and correct data after receiving government data verification requests;
(7) Unauthorized termination or change of government data sharing services that were already provided;
(8) Failure to incorporate established government data platforms into the national integrated government affairs big data system in accordance with provisions; or
(9) Other circumstances that violate the provisions of these Regulations.

Article 40. If government data demand departments violate the provisions of these Regulations under any of the following circumstances, the departments in charge of government data sharing at the same level shall order them to correct the violation; if they refuse to correct the violation or the circumstances are serious, disciplinary sanctions shall be imposed in accordance with the law on the responsible leading personnel and directly responsible personnel:

(1) Repeatedly collecting government data that can be obtained through sharing;
(2) Using government data obtained through sharing beyond the scope of use and sharing purpose without authorization;
(3) Providing government data obtained through sharing to a third party without authorization;
(4) Failure to properly dispose of, in accordance with requirements, the government data obtained through sharing once the sharing purpose has been or cannot be achieved or the data is no longer necessary to achieve the sharing purpose;
(5) Failure to preserve in accordance with provisions relevant records of government data obtained through sharing;
(6) Failure to carry out security management responsibilities for government data obtained through sharing; or
(7) Other circumstances that violate the provisions of these Regulations.

Article 41. Where departments in charge of government data sharing violate the provisions of these Regulations under any of the following circumstances, the people's government at the same level or the department in charge at the next higher level shall order them to make corrections; if they refuse to make corrections or the circumstances are serious, disciplinary sanctions shall be imposed in accordance with the law on the responsible leading personnel and directly responsible personnel:

(1) Failure to specify data source departments in accordance with provisions;
(2) Failure to coordinate and handle government data sharing disputes in accordance with provisions; or
(3) Other circumstances that violate the provisions of these Regulations.

Article 42. Where government departments and their staff leak, sell or illegally provide to others personal privacy, personal information, trade secrets, or confidential business information

learned in the process of government data sharing, or neglect their duties, abuse their power, or commit malpractice for personal gain in the course of government data sharing, they shall be subject to disciplinary sanction in accordance with law; if a crime is constituted, criminal liability shall be pursued in accordance with law.

Chapter VIII Supplementary Provisions

Article 43. The state shall promote data sharing between government departments and other state organs as needed to perform their respective duties with reference to the provisions of these Regulations.

Article 44. These Regulations shall take effect as of August 1, 2025.