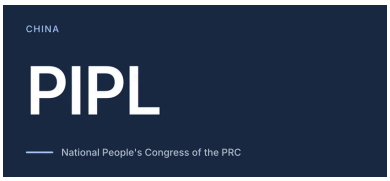
SmartSuite

Framework / Privacy / Global Privacy Regulations

Personal Information Protection Law (PIPL) — PRC, 2021

China's PIPL sets seven legal bases, separate consent, impact assessments and three export routes, with fines of up to RMB 50 million or 5 percent of revenue.



What it is

The Personal Information Protection Law of the People's Republic of China (PIPL) is China's comprehensive personal information statute. It applies to handling personal information inside China and to handling outside China of the personal information of people in China when the aim is to offer them products or services or to analyze or assess their behavior (Article 3). The National People's Congress Standing Committee adopted it on August 20, 2021 and it took effect on November 1, 2021 (Article 74).

The state cybersecurity and informatization department, the Cyberspace Administration of China, coordinates personal information protection and issues detailed rules and standards (Article 62), and provincial-level and higher authorities impose the penalties. The law binds personal information handlers, defined as organizations or individuals that independently decide the purposes and methods of handling (Article 73).

At a glance

PUBLISHER Standing Committee of the National People's Congress; coordinated by the Cyberspace Administration of China	TYPE Framework	VERSION Personal Information Protection Law of the People's Republic of China (2021)
EFFECTIVE November 1, 2021	DOMAIN Privacy	FAMILY Global Privacy Regulations
REGION China	ADOPTION MODEL Regulatory Compliance	IMPLEMENTATION COMPLEXITY High

Source: npc.gov.cn/englishnpc/c23934/202112/t20211209_385107.html

Why it matters

- **Seven legal bases, not open-ended** Handling is allowed only on a listed basis, such as consent, contract or HR necessity, statutory duty, emergencies, lawful public-interest reporting or information the person made public (Article 13).
- **Separate consent for sensitive acts** Separate consent is required for sensitive personal information, sharing with another handler and sending data abroad (Articles 23, 29 and 39).
- **Three routes for exports** Data goes abroad after a CAC security assessment, certification by a specialized body, or a standard contract with the foreign recipient (Article 38).
- **Impact assessment is mandatory** A prior assessment is needed for sensitive data, automated decision-making, entrusted handling, sharing or disclosure, and exports, with reports kept at least three years (Articles 55 and 56).

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How SmartSuite supports PIPL

Handling Register and Legal Bases

Record each handling activity with its Article 13 basis, purpose, categories, retention period and recipients (Articles 13 and 17).

Consent and Notice Records

Store the notice shown, consent evidence and separate consent for sensitive data, sharing and exports (Articles 14, 23, 29 and 39).

Rights Request Management

Track requests for access, copy, correction, deletion, explanation and portability with responses and any refusal reasons (Articles 44 to 50).

Impact Assessment Library

Hold each prior personal information protection impact assessment with its findings, safeguards and three-year retention date (Articles 55 and 56).

Cross-Border Transfer Register

Record each export with the route used, security assessment, certification or standard contract, and the recipient details given to individuals (Articles 38 to 40).

Breach Notification and Audit Reporting

Log leaks and loss with notices to authorities and individuals and show audit results and open actions on a dashboard (Articles 54 and 57).

Common framework mappings

APEC PF | CCPA/CPRA | GDPR | HIPAA | ISO 27701 | LGPD | NIST Privacy Framework v1.0 | Singapore PDPA

Official resources

China Personal Information Protection Law (PIPL) Text

The official legal text of the PIPL as issued by the National People's Congress.

npc.gov.cn/englishnpc/c23934/202112/t20211209_385107.html

Frequently asked questions

Does the PIPL apply to companies outside China?

Yes, in defined cases. It applies to handling outside China of the personal information of people in China when the aim is to offer them products or services or to analyze or assess their behavior (Article 3). Such handlers must set up a dedicated entity or appoint a representative in China (Article 53).

What legal bases does the PIPL allow?

Seven: consent; necessity for a contract or for HR management; necessity to fulfill statutory duties; necessity in public health emergencies or to protect life, health or property; reasonable news reporting in the public interest; information the person disclosed or that was lawfully made public; and other cases set by law (Article 13).

When is separate consent required under the PIPL?

For sensitive personal information (Article 29), for sharing personal information with another handler (Article 23) and for providing it outside China (Article 39). Consent must be voluntary, explicit and informed, and must be renewed if the purpose, method or categories change (Article 14).

How can personal information be transferred out of China?

The handler must meet one condition before transfer: pass a security assessment by the state cybersecurity and informatization department, obtain personal information protection certification, sign the standard contract with the foreign recipient, or meet another condition set by law or the department (Article 38). Critical information infrastructure operators and large-volume handlers must store data in China unless a security assessment allows the export (Article 40).

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What are the penalties under the PIPL?

Violations can bring correction orders, confiscation of illegal gains and suspension of the app or service. For grave violations a fine of up to RMB 50 million or 5 percent of the prior year's revenue may apply, with fines of RMB 100,000 to 1 million on responsible managers (Article 66).

License included / downloadable: Yes The Personal Information Protection Law is published by the National People's Congress and is included with the platform for reference.

Full framework page and mappings: smartsuite.com/frameworks/china-personal-information-protection-law-pipl

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