

China Insight



PRC Published the Guide to Applications for Record-filing of Standard Contract for Outbound Personal Information Transfers

Dear Sir or Madam,

The Cyberspace Administration of China published the first edition of the *Guide to Applications for Record-filing of Standard Contract for Outbound Personal Information Transfers* ("Guide") on 30 May 2023. It provides practical guidance to the implementation of the *Measures for the Standard Contract for Outbound Transfer of Personal Information* ("Measures"). The Measures have come into force as of 1 June 2023 and provide a transition period of six months. Please find below an overview of the Guide.

Kind regards,
CMS, China

The Cyberspace Administration of China ("CAC") published the first edition of the *Guide to Applications for Record-filing of Standard Contract for Outbound Personal Information Transfers* ("Guide") on 30 May 2023. It provides practical guidance to the implementation of the *Measures for the Standard Contract for Outbound Transfer of Personal Information* ("Measures").

For details on the Measures, please refer to our previous newsletter "[Are you ready for China's Standard Contract for Outbound Transfer of Personal Information?](#)".

As the Measures have entered into force since 1 June 2023, the Guide is a timely demonstration about how to fulfil the record-filing of standard contract in accordance with the Measures. Notably, the Guide provides a template for the personal information protection impact assessment for reference, but it still needs to be filled in based on each company's actual situation. Further, the Guide clarifies that the application shall be submitted with written documents and electronic copies to the local provincial cyberspace department. In addition, the Guide specifies the required documents for record-filing of standard contract as follows and provides templates for the required documents.

No.	Documents	Requirements	Comments
1	Unified social credit code certificate	Photocopy with official seal	/
2	Legal representative's identity certificate	Photocopy with official seal	/
3	Handling person's identify certificate	Photocopy with official seal	/

4	Power of attorney for the handling person	Original	Template available
5	Undertaking letter	Original	Template available
6	Standard contract	Original	Template available
7	Personal information protection impact assessment report	Original	Template available

There are still many issues which need to be further clarified by the CAC or the local cyberspace departments in the coming future for implementation in practice. We expect to see more implementation rules or official answers in this regard from local cyberspace departments. In the meantime, given the six-months' transition period from 1 June 2023, we recommend that companies start preparing for the record-filing of the standard contract as soon as possible.

For more details of the available templates, please refer to the official website of the CAC: [国家互联网信息办公室发布《个人信息出境标准合同备案指南 第一版》-中共中央网络安全和信息化委员会办公室 \(cac.gov.cn\)](http://www.cac.gov.cn).

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