

Provisions on the Administration of Internet Comments Posting Services of the PRC

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

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Chapter I — Content Management

Article 1 — These Provisions are formulated in accordance with the Cybersecurity Law of the People's Republic of China, the Measures on the Administration of Internet Information Services, and other laws and regulations, for the purpose of regulating Internet comments posting services, safeguarding national security and the public interest, protecting the lawful rights and interests of citizens, legal persons, and other organizations, and promoting the healthy and orderly development of Internet comments posting services.

Article 2 — These Provisions apply to the provision of Internet comments posting services within the territory of the People's Republic of China. The term "Internet comments posting" as used in these Provisions refers to the act by which Internet users post their opinions, suggestions, views, or remarks on information content disseminated through the internet. The term "Internet comments posting service providers" as used in these Provisions refers to entities that provide platforms for Internet users to post comments and remarks on information content disseminated through the internet.

Article 3 — The provision of Internet comments posting services shall adhere to the correct orientation, safeguard national security and the public interest, protect the lawful rights and interests of citizens, legal persons, and other organizations, and promote the healthy and orderly development of Internet comments posting services.

Article 4 — Internet comments posting service providers shall strictly implement the requirements for main responsibility for content security and shall establish and improve management systems in various areas including content review, emergency response, and technical support.

Article 5 — Internet comments posting service providers shall establish and improve a review and management mechanism for comments and remarks. They shall assign specialized personnel and appropriate technology to strengthen the review and management of comments and remarks, discover and handle illegal and non-compliant comments and remarks in a timely manner, and report such information to the relevant competent authorities.

Article 6 — Internet comments posting service providers shall not disseminate information and content prohibited by laws and regulations by means of comments and remarks. Where Internet comments posting service providers discover that information content prohibited by laws and regulations exists in comments and remarks, they shall take measures such as immediately stopping the transmission of such information and eliminating it, preserving relevant records, and reporting to the relevant competent authority.

Chapter II — User Management

Article 7 — Internet comments posting service providers shall implement a real-name identity authentication system for users. They shall, in accordance with the principles of background real-name and front-stage voluntary disclosure, authenticate the identity information of registered users based on real-name information such as resident identity cards, and shall not provide comments posting services to users who have not undergone real-name identity authentication.

Article 8 — Internet comments posting service providers shall establish a credit rating management system for users, implement graded and classified management of users, and take corresponding management measures against users whose credit ratings are low.

Article 9 — Internet comments posting service providers shall enter into service agreements with users, clarifying the rights and obligations of both parties, and requiring users to undertake to comply with laws and regulations and public order and good customs.

Article 10 — Internet comments posting service providers shall set up convenient channels for complaints and reports, promptly accept and handle complaints and reports from the public, and provide necessary information and technical support.

Article 11 — Internet comments posting service providers shall strengthen the protection of users' personal information, shall not sell, illegally provide, or disclose users' personal information to others without authorization, and shall establish an emergency response mechanism for user information protection.

Article 12 — Internet comments posting service providers shall establish a blacklist management system for Internet comments posting service users, and shall take measures such as warnings, suspension of publication, and closure of accounts against users who disseminate prohibited information content.

Chapter III — Supervision and Legal Liability

Article 13 — Cyberspace administrations at all levels shall establish a daily supervision and inspection mechanism, strengthen guidance and law enforcement for Internet comments posting service providers, and urge Internet comments posting service providers to fulfill their primary responsibilities.

Article 14 — Where Internet comments posting service providers violate these Provisions, the cyberspace administrations shall, in accordance with law, issue warnings, order corrections within a prescribed time limit, and impose other administrative penalties in accordance with relevant laws and administrative regulations. Where a crime is constituted, criminal liability shall be pursued in accordance with law.

Article 15 — Internet comments posting service providers shall consciously accept social supervision, improve their complaint and reporting mechanisms, and promptly handle complaints and reports from the public.

Chapter IV — Supplementary Provisions

Article 16 — The Cyberspace Administration of China shall be responsible for the interpretation of these Provisions.

Article 17 — These Provisions shall come into force on October 1, 2017.

Disclaimer: This English translation is provided for reference purposes only. While every effort has been made to ensure accuracy, the original Chinese text of the Provisions on the Administration of Internet Comments Posting Services (2017, Revised 2022) shall prevail in all legal matters. For matters requiring legal interpretation or application, readers are advised to consult the official Chinese text and seek professional legal advice. Dan Young Business Consultancy makes no warranty as to the accuracy or completeness of this translation and accepts no liability for any reliance placed upon it.