

Regulations on the Administration of the Credit Investigation Industry

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

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Promulgated by the State Council on January 30, 2013
Effective: March 15, 2013

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purposes of regulating credit reporting activities, protecting the lawful rights and interests of the parties concerned, guiding and promoting the healthy development of the credit reporting industry, and advancing the construction of the social credit system.

Article 2 — These Regulations shall apply to the establishment of credit reporting agencies and their business activities, the collection, processing, provision and use of credit information, and the supervision and administration thereof within the territory of the People's Republic of China.

Article 3 — Credit reporting activities shall comply with laws and regulations, adhere to the principles of objectivity, fairness, and good faith, shall respect personal privacy, and shall protect the lawful rights and interests of the information subjects.

Article 4 — The credit reporting regulatory authority under the State Council shall be responsible for the supervision and administration of the credit reporting industry nationwide.

Chapter II — Establishment of Credit Reporting Agencies

Article 5 — For the purposes of these Regulations, a credit reporting agency is a legally established entity whose main business is credit reporting services, including enterprise credit reporting agencies and individual credit reporting agencies.

Article 6 — The establishment of a credit reporting agency engaged in individual credit reporting business shall be subject to the approval of the credit reporting regulatory authority under the State Council, and the conditions prescribed by the Company Law and the credit reporting regulatory authority under the State Council shall be met.

Article 7 — The establishment of a credit reporting agency engaged in enterprise credit reporting business shall file with the credit reporting regulatory authority under the State Council for the record.

Article 8 — A credit reporting agency shall not engage in any business that competes with or conflicts with credit reporting business.

Chapter III — Business Rules

Article 9 — When collecting personal information, a credit reporting agency shall obtain the consent of the information subject and shall inform the information subject of the purpose, method and scope of information collection.

Article 10 — The following personal information shall not be collected:

- (1) information on religious belief, genes, fingerprints, blood type, diseases and medical history; and
- (2) other personal information whose collection is prohibited by laws and administrative regulations.

Article 11 — A credit reporting agency shall adopt necessary measures to ensure the accuracy and completeness of credit information, and shall promptly verify and correct any incorrect information.

Article 12 — The retention period of negative personal information by a credit reporting agency shall not exceed five years from the date of termination of the negative act or event.

Chapter IV — Protection of Rights

Article 13 — An information subject shall have the right to access his or her own credit information free of charge twice per year.

Article 14 — Where an information subject considers that his or her credit information is inaccurate, he or she shall have the right to raise an objection and request correction. The credit reporting agency shall process the objection within 20 working days.

Article 15 — A credit reporting agency shall not provide personal credit information to any entity or individual without the written consent of the information subject.

Chapter V — Supervision

Article 16 — The credit reporting regulatory authority shall conduct regular or irregular supervision and inspection of credit reporting agencies.

Article 17 — Credit reporting industry associations shall play their self-regulatory role and formulate industry standards and professional codes of conduct.

Chapter VI — Legal Liability

Article 18 — Where a credit reporting agency violates the provisions of these Regulations, the credit reporting regulatory authority shall order it to make corrections and impose a fine; where the circumstances are serious, the relevant permits shall be revoked.

Article 19 — Where a credit reporting agency causes losses to an information subject, it shall assume civil liability in accordance with law.

Article 20 — These Regulations shall come into force on March 15, 2013.

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