Regulations on the Administration of Public Security Video Image Information Systems of China (the PRC)

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

Adopted at the 48th Executive Meeting of the State Council on December 16, 2024, promulgated by Order No. 799 of the State Council of the People's Republic of China on January 13, 2025, and effective as of April 1, 2025

Article 1 — These Regulations are formulated, in accordance with the relevant laws, to standardize the administration of public security video image information systems, safeguard public security, and protect the rights and interests of personal privacy and personal information.

Article 2 — For the purposes of these Regulations, "public security video image information systems" (hereinafter "public security video systems") means systems that collect, transmit, display and store video image information of areas involving public security by installing image capture equipment and related facilities in public places.

Article 3 — The administration of public security video systems shall uphold the leadership of the Communist Party of China and implement the line, principles, policies, decisions and arrangements of the Party and the State.

The construction and use of public security video systems shall comply with laws and regulations, adhere to overall planning, reasonable and appropriate scale, standard guidance and safety controllability, shall not endanger national security or the public interest, and shall not harm the lawful rights and interests of individuals and organizations.

Article 4 — The State encourages and supports technological innovation and development in the field of video imaging, establishes and improves the relevant standards system, and supports relevant industry organizations in strengthening industry self-discipline in accordance with the law, so as to raise the public security safeguard capability and the level of personal information protection.

Article 5 — The public security department of the State Council is responsible for the guidance, supervision and administration of the construction and use of public security video systems nationwide. Other relevant departments of the State Council are responsible, within the scope of their respective duties, for the relevant administration of the construction and use of public security video systems.

The public security organs of local people's governments at or above the county level are responsible for the guidance, supervision and administration of the construction and use of public security video systems within their respective administrative regions. Other relevant departments of local people's governments at or above the county level are responsible, within the scope of their respective duties, for the relevant administration of the construction and use of public security video systems.

Article 6 — Local people's governments at or above the county level shall strengthen overall planning of the construction of public security video systems, make full use of existing resources, and avoid duplicated construction.

Article 7 — Public security video systems for public places such as major urban and rural road sections, administrative region road boundaries, bridges, tunnels, underground passages, squares, and the surrounding areas of key units for security protection shall be constructed by the relevant departments organized by local people's governments at or above the county level in accordance with construction plans, incorporated into the administration of public infrastructure, with construction and maintenance funds

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included in the budgets of the governments at the corresponding level.

Public security video systems covering areas involving public security in the following public places shall be constructed by the units bearing operation and management responsibilities for the corresponding places in accordance with the relevant standards, and the key parts where image capture equipment is installed shall be determined under the guidance of the relevant departments of local people's governments at or above the county level according to the division of duties:

(1) places where people gather, such as commercial and trade centers, convention and exhibition centers, tourist attractions, cultural, sports and entertainment venues, educational institutions, medical institutions, government service halls, parks and public parking lots;

(2) transport hubs such as entry-exit ports (channels), airports, port passenger stations, navigable structures, railway passenger stations, automobile passenger stations and urban rail transit stations;

(3) large and medium-sized public transport vehicles such as passenger trains, operating passenger automobiles, urban rail transit vehicles and passenger vessels; and

(4) service areas of expressways and ordinary national and provincial trunk highways.

The installation of image capture equipment and related facilities in the places and areas prescribed in the preceding two paragraphs shall be necessary for the safeguarding of public security, and no other unit or individual may install them apart from the relevant government departments and the units bearing operation and management responsibilities prescribed in the preceding two paragraphs (hereinafter collectively the "public security video system management units").

Article 8 — The installation of image capture equipment and related facilities in the following areas and parts of public places is prohibited:

(1) the interiors of guest rooms or private rooms of hotels, restaurants, guesthouses, hostels, homestays and other premises providing accommodation services;

(2) the interiors of student dormitory rooms, or rooms providing accommodation or rest services to internal personnel by units;

(3) the interiors of public bathhouses, lavatories, changing rooms, nursing rooms and fitting rooms; and

(4) other areas and parts where, after the installation of image capture equipment, the privacy of others can be photographed, spied upon or eavesdropped on.

Units or individuals bearing operation and management responsibilities for the above areas and parts shall strengthen routine administration and inspection, and shall immediately report to the public security organ at their location for handling upon discovering the installation of image capture equipment and related facilities in the areas and parts listed in the preceding paragraph.

Article 9 — The installation of image capture equipment and related facilities in public places other than those prescribed in Article 7 of these Regulations shall be necessary for the safeguarding of public security, and may only be installed by units or individuals bearing security protection obligations for such places; no other unit or individual may install them.

Where image capture equipment and related facilities are installed in accordance with the preceding paragraph, all the provisions of these Regulations shall be complied with, except for the mandatory requirements prescribed in Articles 11, 14, 15, 16, paragraph 2 and 17.

Article 10 — Where image capture equipment and related facilities installed in accordance with these Regulations are located in the vicinity of military restricted zones, military control zones, state organs and other secret-related units, the prior consent of the relevant secret-related units shall be obtained.

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Article 11 — A public security video system management unit shall construct the public security video system in accordance with the relevant standards, carry out design, construction, inspection and acceptance work, and preserve and administer the relevant archival materials in accordance with the law.

Article 12 — The products and services adopted by public security video systems shall conform to the mandatory requirements of national standards. Providers of products and services shall not install malicious programs; where they discover that their products or services have risks such as security defects or loopholes, they shall immediately take remedial measures and promptly inform users and report to the relevant competent departments in accordance with the provisions.

Article 13 — A public security video system management unit shall, in accordance with the requirements of being necessary for safeguarding public security and paying attention to the protection of personal privacy and personal information rights and interests, reasonably determine the installation position, angle and capture scope of image capture equipment, and set up prominent reminder signs. Where prominent reminder signs are not set up, the public security organ shall order correction.

Article 14 — A public security video system management unit shall, within 30 days from the date the system is put into use, file with the public security organ of the people's government at the county level at its location the basic information, such as the basic situation of the unit, the construction location of the public security video system, the number and types of image capture equipment, and the storage period of video image information. Where a system has already been put into use before the implementation of these Regulations, filing shall be completed within 90 days from the date of implementation of these Regulations. Where the filed matters of a public security video system change, the filing change shall be handled in a timely manner.

A public security video system management unit shall be responsible for the authenticity of the filing information.

The public security organ shall strengthen informatization construction, provide convenience for public security video system management units in handling filing, and shall not require the party to provide filing information that can be obtained through interdepartmental information sharing.

Article 15 — A public security video system management unit shall perform the duty of system operation safety administration, perform the obligations of network security, data security and personal information protection, establish and improve administrative systems, improve safety technical measures against attacks, intrusions, viruses, tampering and leakage, regularly maintain equipment and facilities, ensure the continuous, stable and safe operation of the system, and ensure the originality and integrity of video image information.

Where a public security video system management unit commissions another person to operate the system, it shall stipulate the network security, data security and personal information protection obligations prescribed in the preceding paragraph by means such as signing a security and confidentiality agreement, and supervise the performance of such obligations by the commissioned party.

Article 16 — A public security video system management unit using video image information shall comply with laws and regulations, protect state secrets, trade secrets, personal privacy and personal information in accordance with the law, and shall not abuse or leak them.

A public security video system management unit shall take the following measures to prevent the abuse and leakage of video image information:

(1) establishing administrative systems such as entry review, confidentiality education and on-the-job training for personnel in important positions such as system monitoring and management;

(2) adopting technical measures such as authorization management and access control, and strictly standardizing the access to and processing of video image information by internal personnel;

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(3) establishing an information retrieval registration system, truthfully recording the reasons and content of access to and retrieval of video image information, and the units, names and other information of the retrieving personnel; and

(4) other measures to prevent the abuse and leakage of video image information.

Article 17 — Video image information collected by a public security video system shall be retained for no fewer than 30 days; after 30 days, video image information whose processing purpose has been achieved shall be deleted. Where laws and administrative regulations provide otherwise on the retention period of video image information, such provisions shall prevail.

Article 18 — Telecommunications business operators providing network transmission services for public security video systems shall strengthen the safety administration of video image information transmission, and, in accordance with the provisions of laws and administrative regulations and the mandatory requirements of national standards, take technical measures and other necessary measures to ensure the safe and stable operation of the network and maintain the integrity, confidentiality and availability of data.

Article 19 — Units commissioned to undertake the design, construction, inspection, acceptance, maintenance and other work of public security video systems and their staff members shall keep confidential the video image information and relevant archival materials they come into contact with, shall not use them for activities unrelated to the commissioned work, and shall not retain, process, leak or provide them to others without authorization.

Article 20 — Where a state organ accesses or retrieves video image information collected by a public security video system for the performance of statutory duties such as law enforcement and case handling or emergency response, it shall do so in accordance with the authority and procedures prescribed by laws and administrative regulations, strictly comply with confidentiality provisions, and shall not exceed the scope and limits necessary for the performance of its statutory duties.

Article 21 — For the protection of the life, health and property safety of a natural person, with the consent of the public security video system management unit, the person himself or herself, his or her close relatives, or other persons bearing guardianship, care or custody responsibilities may access the associated video image information; video image information learned that involves public security, personal privacy and personal information shall not be illegally provided to the outside or publicly disseminated.

Article 22 — Where video image information collected by a public security video system is lawfully used for public dissemination and may harm the lawful rights and interests of individuals or organizations, strict protection measures shall be taken for sensitive personal information involved, such as faces and motor vehicle license plate numbers, as well as information such as the names and business licenses of legal persons and unincorporated organizations.

Article 23 — No unit or individual may commit the following acts:

(1) providing to the outside or publicly disseminating video image information collected by a public security video system in violation of laws and regulations;

(2) altering, relocating or removing, without authorization, image capture equipment and related facilities installed in accordance with Article 7 of these Regulations, or impeding their normal operation by means such as spraying or covering;

(3) illegally intruding into or controlling a public security video system;

(4) illegally obtaining data in a public security video system;

(5) illegally deleting, concealing, modifying or adding data or applications in a public security video system; or

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(6) other acts that impede the normal operation of a public security video system or endanger network security, data security or personal information security.

Article 24 — The public security organ shall supervise and inspect the construction and use of public security video systems, and relevant units or individuals shall assist and cooperate.

Where a relevant unit or individual discovers the installation of image capture equipment and related facilities in violation of Article 7, paragraph 3, Article 8, paragraph 1 or Article 9, paragraph 1 of these Regulations, it may report to the public security organ. The public security organ shall handle the matter promptly in accordance with the law.

Article 25 — The public security organ shall strictly implement the internal supervision system and supervise the performance by its staff members of their duties in the construction and use of public security video systems.

Where the public security organ and its staff members, in the course of performing their duties in the construction, use, supervision and administration of public security video systems, violate these Regulations or commit other acts of abuse of power, dereliction of duty or malpractice for personal gain, any unit or individual has the right to report or accuse them.

Article 26 — Where image capture equipment and related facilities are installed in violation of Article 7, paragraph 3 or Article 9, paragraph 1 of these Regulations, the public security organ shall order rectification within a prescribed time limit and delete the collected video image information; where correction is refused, the relevant equipment and facilities shall be confiscated, a fine of not more than 5,000 yuan shall be imposed on the illegal individual, a fine of not more than 20,000 yuan shall be imposed on the illegal unit, and a fine of not more than 5,000 yuan shall be imposed on the directly responsible person in charge and other directly responsible personnel.

Article 27 — Where image capture equipment and related facilities are installed in violation of Article 8, paragraph 1 of these Regulations, the public security organ shall confiscate the relevant equipment and facilities and delete the collected video image information, impose a fine of not less than 5,000 yuan and not more than 10,000 yuan on the illegal individual, a fine of not less than 10,000 yuan and not more than 20,000 yuan on the illegal unit, and a fine of not less than 5,000 yuan and not more than 10,000 yuan on the directly responsible person in charge and other directly responsible personnel; where peeping, secretly photographing or eavesdropping on the privacy of others constitutes a violation of public security administration, a public security administrative penalty shall be imposed in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Where a unit or individual bearing operation and management responsibilities for the corresponding areas and parts fails to perform the routine administration and inspection obligations prescribed in Article 8, paragraph 2 of these Regulations, the public security organ shall order correction; where correction is refused or serious consequences are caused, a fine of not less than 5,000 yuan and not more than 10,000 yuan shall be imposed on the illegal individual, a fine of not less than 10,000 yuan and not more than 20,000 yuan shall be imposed on the illegal unit, a fine of not less than 5,000 yuan and not more than 10,000 yuan shall be imposed on the directly responsible person in charge and other directly responsible personnel, and the relevant competent department shall be notified to order suspension of the relevant business or suspension of business for rectification, or revocation of the relevant business license or business license, according to the seriousness of the circumstances.

Article 28 — Where image capture equipment and related facilities are installed without obtaining the consent of the relevant secret-related units in accordance with Article 10 of these Regulations, the public security organ shall confiscate the relevant equipment and facilities and delete the collected video image information, impose a fine of not less than 5,000 yuan and not more than 10,000 yuan on the illegal individual, a fine of not less than 10,000 yuan and not more than 20,000 yuan on the illegal unit, and a fine of

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not less than 5,000 yuan and not more than 10,000 yuan on the directly responsible person in charge and other directly responsible personnel; where state secrets or military secrets are illegally obtained, a penalty shall be imposed in accordance with the relevant laws; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 29 — Where filing is not completed in accordance with Article 14 of these Regulations, or false filing information is provided, the public security organ shall order rectification within a prescribed time limit; where correction is refused, a fine of not more than 10,000 yuan shall be imposed.

Article 30 — Where image capture equipment and related facilities are altered, relocated or removed without authorization in violation of Article 23, item 2 of these Regulations, the public security organ shall order correction and give a warning; where correction is refused or serious consequences are caused, a fine of not more than 5,000 yuan shall be imposed on the illegal individual, a fine of not less than 5,000 yuan and not more than 10,000 yuan shall be imposed on the illegal unit, and a fine of not more than 5,000 yuan shall be imposed on the directly responsible person in charge and other directly responsible personnel.

Article 31 — Where the obligations of network security, data security and personal information protection are not performed, or video image information is illegally provided to the outside or publicly disseminated, in violation of these Regulations, a penalty shall be imposed in accordance with the Cybersecurity Law of the People's Republic of China, the Data Security Law of the People's Republic of China and the Personal Information Protection Law of the People's Republic of China; where a violation of public security administration is constituted, a public security administrative penalty shall be imposed in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 32 — Where the public security organ and its staff members, in the course of performing their duties in the construction, use, supervision and administration of public security video systems, violate these Regulations or commit other acts of abuse of power, dereliction of duty or malpractice for personal gain, the public security organ at a higher level or the relevant competent department shall order correction, and sanctions shall be imposed on the responsible leading personnel and directly responsible personnel in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Where other state organs and their staff members, in the course of performing their duties in the construction, use and relevant administration of public security video systems, violate these Regulations, or commit acts of abuse of power, dereliction of duty or malpractice for personal gain in the course of accessing or retrieving video image information in accordance with Article 20 of these Regulations, the organ at a higher level or the relevant competent department shall order correction, and sanctions shall be imposed on the responsible leading personnel and directly responsible personnel in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 33 — The installation of image capture equipment and related facilities in non-public places shall not endanger public security or infringe upon the lawful rights and interests of others, and the collected video image information involving public security, personal privacy and personal information shall not be illegally provided to the outside or publicly disseminated.

Where the preceding paragraph is violated, a penalty shall be imposed in accordance with Article 31 of these Regulations.

Article 34 — These Regulations shall come into force as of April 1, 2025.

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