

# **Administrative Measures of Wuhan City for Public Security Video Image Information System**

(Promulgated by Order No. 314 of Wuhan Municipal People's Government on December 31st, 2022)

## **Chapter I General Provisions**

**Article 1** In order to regulate the management of public security video image information systems and protect the legitimate rights and interests of citizens, legal persons and other organizations, these Measures are formulated in accordance with the *Personal Information Protection Law of the People's Republic of China*, the *Administrative Measures of Hubei Province for Public Security Video Image Information System* (Order No. 361 of the People's Government of Hubei Province) and other laws, regulations and rules, and in light of the actual conditions of Wuhan City.

**Article 2** These Measures apply to the planning, construction, use, maintenance and management of public security video image information systems within the administrative area of Wuhan City.

The term “public security video image information system” (hereinafter referred to as “public video system”), for the purpose of these Measures, refers to any system that collects, transmits, controls, displays and stores video image information in places or areas involving public security, public services and management by using video image collection technology and equipment.

**Article 3** The public video system shall follow the principles of unified planning, hierarchical construction, local management, resource sharing, legal use, safety and reliability.

**Article 4** The municipal and district people’s governments (including the development zones, scenic spots, the Changjiang New Area and other functional area administrative committees, the same below) shall strengthen the leadership of the public video system management within their respective jurisdictions, establish and improve the work coordination mechanism, and incorporate the construction of public video systems into urban and rural planning and digital government construction. The funds required for the government’s investment, construction, and operation of the public video system shall be included in

the budget of the same-level finance in accordance with regulations.

The public security organ is the competent department of public video systems and is responsible for the unified management of public video systems.

Departments of development and reform, government service big data, natural resources planning, finance, transportation, urban and rural construction, market regulation, and garden forestry shall carry out the management of the public video systems within their respective areas of responsibility.

## **Chapter II Planning and Construction**

**Article 5** The municipal public security organ shall, in accordance with the needs of public security and public services and management in Wuhan City, organize the formulation of Wuhan City's public video system construction plan, and submit it to the Municipal People's Government for approval before implementation thereof.

The district public security organ shall, in accordance with the construction plan of public video systems of Wuhan City, organize the formulation of the construction plan of public video systems within its jurisdiction, and submit it to the people's government at the corresponding level and the

municipal public security organ for approval before implementation thereof.

Public video systems shall be constructed and implemented in accordance with the plan to avoid redundant construction.

**Article 6** Public video systems shall be constructed and installed at important entrances and exits, main passages or key parts of the following venues or areas involving public security, public services and administration:

(1) State organs and important news entities such as radio stations, television stations and newspaper offices, telecommunications, postal services, financial entities and State key construction projects;

(2) Important transportation hubs such as airports, ports and stations, important road sections of expressways, national and provincial trunk roads, urban streets and central urban areas, important road intersections such as large bridges, tunnels and underground passages, and important means of transportation such as subways, light rails, passenger vehicles and ships;

(3) Large energy power facilities, water conservancy facilities and urban water, electricity, fuel oil, gas and heating supply facilities;

(4) Kindergartens, schools, scientific research and medical institutions, museums, archives and key historical and

cultural relics under protection;

( 5 ) Large-scale commercial and trade, logistics and material reserve centers, large squares, parking lots, parks, forests, wetlands, tourist attractions, cultural entertainment, sports and fitness, catering, hotels, residential accommodation, Internet cafes and other venues;

( 6 ) Entities engaged in the research, production, sale, storage of dangerous goods or the experimentation, preservation of infectious bacteria and viruses;

( 7 ) Entities engaged in research and development and production of important products of science, technology and industry for national defense;

( 8 ) Manufacturing and storage sites and transportation equipment for currency, precious metals and securities;

( 9 ) Emergency evacuation sites, large underground spaces and other facilities;

( 10 ) Entrances and exits, main passages and main public facilities areas of residential communities;

( 11 ) Areas prone to or with frequent occurrence of criminal and public security cases; and

( 12 ) Other places and areas as stipulated by laws and regulations.

**Article 7** The construction and installation of public video systems shall be in compliance with the relevant provisions

of the State and the province, and the technical specifications of the industry, and the public video systems shall operate safely and effectively.

For the purpose of the installation of public video system camera equipment, the equipment position shall be fixed, the camera range shall be relatively fixed, and obvious signs shall be set.

**Article 8** The main construction of newly-built, renovated and expanded projects shall be designed, constructed, completed, inspected, accepted, and put into use simultaneously with the public video system together.

The public video system constructor shall organize the completion acceptance in accordance with the relevant standards. It shall not be put into use without acceptance or if the acceptance is found to be unsatisfactory.

**Article 9** The constructor, manager or user of the public video system shall, within 30 days from the date of qualified completion inspection and acceptance of the system, file the information on the main types of equipment used in the system, distribution of locations, etc. to the public security authorities where they are located.

**Article 10** Public video systems that fall under the provisions of Article 6 of these regulations shall not be moved or dismantled arbitrarily. If adjustments are necessary due to

changes in planning or other reasons, the party responsible for moving or dismantling shall provide a plan for reconstruction or replacement.

Public video systems that do not fall under the provisions of Article 6 of these regulations can be moved or dismantled. The constructor, manager or user shall, within 30 days prior to the removal or dismantling, report to the local public security organ for filing.

**Article 11** The constructor, manager or user of the public video system shall archive design, construction, acceptance, maintenance and other basic information, as well as the basic information of the entities and professional and technical personnel engaged in the above activities, and shall manage or transfer the same according to law.

**Article 12** Any facilities such as landscaping, erection of pipelines and outdoor advertisements shall not obstruct the image collection of existing public video systems.

### **Chapter III Use and Management**

**Article 13** The municipal public security organ are responsible for consolidating resources for the public video systems in Wuhan City, establish a unified public safety video image information networking and sharing platform, as well as

a unified spatial coordinate system, compile a catalog of Wuhan City's public safety video image networking information data resources and share it with the municipal big data platform in accordance with the law according to law.

The municipal administrative service big data competent department shall follow the principles of overall and intensive planning, lawful collection, on-demand sharing, orderly opening, compliance application, secure control, and organize and carry out cross-department information sharing according to public service and management needs and relevant regulations.

Other relevant departments and entities shall promote the opening and sharing of public video systems, in accordance with the provisions on information security technology.

**Article 14** Public security organs may, in accordance with the laws, access, copy, or retrieve public video system information that has not been shared on the municipal big data platform for the purpose of maintaining public security.

Other relevant competent departments and entities may access, copy, or retrieve public video system information not shared on the municipal big data platform according to law for the purpose of investigating, handling emergencies, or fulfilling other needs related to public services and management.

**Article 15** Public security organs and other competent departments shall comply with the following provisions when



accessing, copying, or retrieving public video system information that has not been shared on the municipal big data platform:

(1) There shall be no less than two staff members;

(2) Staff members shall present their work certificates or administrative law enforcement certificates;

(3) Staff members shall present the approval document or letter of introduction of the entity; and

(4) Staff members shall complete the registration procedures.

**Article 16** Public video system constructors, managers or users shall perform the following duties:

(1) Establish systems for information confidentiality, on-duty supervision, maintenance and safety inspection;

(2) Provide professional training for the monitoring and management personnel of public video systems, and submit the basic information of the monitoring personnel to the district public security organ for filing;

(3) Record the information of personnel retrieving the information materials, time of retrieval, method of retrieval, purpose of retrieval, and whereabouts;

(4) If suspicious information involving public security, emergencies, illegal and criminal acts, as well as other important information in public services and administration is discovered, it shall be reported to the public security organ and

relevant competent departments in a timely manner;

(5) The information storage period of public video systems shall be implemented in accordance with the provisions of the State. The information collected by key target systems for preventing terrorist attacks shall be stored for no less than 90 days, and the valid storage period of important information involving public security, emergencies and illegal and criminal acts shall not be less than two years; and

(6) Other duties as stipulated by laws and regulations.

**Article 17** Entities providing public video system transmission network operation services shall strengthen network transmission security management to ensure the safe operation of the network and the safe and stable transmission of video image information.

## **Chapter IV Protection of Personal Information**

**Article 18** Public video systems shall not be constructed or installed in the following places and areas involving personal privacy:

- (1) Hotel rooms;
- (2) Inside dormitories and apartment rooms;
- (3) Nursing rooms, public bathrooms, locker rooms, dressing rooms and toilets;

( 4 ) Areas within financial, insurance and securities institutions where there is a potential risk of customer personal information leakage;

( 5 ) Areas where personal wishes or behavior may be observed near election boxes, reporting boxes, polling places, etc.;

( 6 ) Other places and areas involving personal privacy or the legitimate rights and interests of citizens, legal persons and other organizations.

**Article 19** The personal information obtained by citizens, legal persons and other organizations through public video systems may only be used for the purpose of maintaining public security and shall not be used for other purposes.

Citizens, legal persons and other organizations that obtain information through public video systems shall take necessary measures to ensure the security of personal information.

**Article 20** Public video system information shall be protected by law, and no entity or individual shall engage in the following behaviors:

( 1 ) Illegally trading, providing, transmitting or illegally reproducing, retrieving information from public video systems;

( 2 ) Deleting, altering or destroying the original record of public video system information;

( 3 ) Intentionally concealing or destroying information

collected by public video systems;

(4) Using public video system information to disclose State secrets, trade secrets or personal privacy; and

(5) Other illegal use of public video system information.

**Article 21** When sensitive video image information, such as portraits, human bodies, and vehicle license plates, is used for public dissemination, unless otherwise specified by laws and regulations, protective measures shall be taken to make it impossible to identify specific individuals and to prevent the recovery of private information such as individual characteristics and vehicle license plates.

## **Chapter V Legal Liability**

**Article 22** Where there are provisions in laws, regulations and rules for acts in violation of the provisions of these Measures, such provisions shall prevail.

**Article 23** Those violating the provisions of Article 12 of these Measures shall be ordered by the public security organ to make corrections within a time limit; failing to make corrections within the time limit, the person directly responsible and other directly liable personnel shall be fined not less than RMB100 but not more than RMB500.

**Article 24** Violations of the provisions of these Measures,

that constitute violations of public security management, shall be punished by the public security organ according to law. If these violations constitute crimes, criminal liability shall be pursued according to law.

**Article 25** State organs or their staff violate the provisions of these Measures and fail to perform their duties according to law, infringe on state secrets, commercial secrets or personal privacy in the process of data acquisition and use, and neglect their duties, abuse their power or engage in malpractices for personal gain, shall be investigated for legal responsibility according to law.

## **Chapter VI Supplementary Provisions**

**Article 26** These Measures shall come into force as of March 1st, 2023.