

Tianjin FTZ Data-Export Negative List (2024)

DCC working English reference — measures and list scope. 中国（天津）自由贸易试验区数据出境管理清单（负面清单）（2024年版）

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REGION	Tianjin 天津 — Free Trade Zone
VERSION	2024 edition
ISSUED	May 9, 2024
ISSUERS	Tianjin CAC · Municipal Commerce Bureau
LEGAL BASIS	Cybersecurity Law · Data Security Law · Personal Information Protection Law · Network Data Security Management Regulation · Provisions on Promoting and Regulating Cross-Border Data Flows (2024)
SCALE	13 categories · 46 sub-classes
MODEL	Pre-export filing (application)

Part A — Administrative Measures / General Provisions

This region published the negative list without a separate administrative-measures document. The list document carries its own general provisions — a preamble, a purpose statement, basic principles, a scope-of-application clause, and a statement of the main considerations behind the drafting — and these are the operative rules, translated in full below.

Preamble

To promote the lawful and orderly cross-border flow of enterprise data in the China (Tianjin) Pilot Free Trade Zone (the “Tianjin FTZ”), to advance high-standard opening-up, and to better serve the accelerated building of the new development pattern, the China (Tianjin) Pilot Free Trade Zone Data Export Management List (Negative List) (2024 Edition) (the “Negative List”) is hereby formulated.

I. Purpose and Significance（目的意义）

To implement the Cybersecurity Law, the Data Security Law and the Personal Information Protection Law of the People's Republic of China, together with the Measures for the Security Assessment of Data Export (数据出境安全评估办法), the Measures on the Standard Contract for Personal Information Export (个人信息出境标准合同办法) and the Provisions on Promoting and Regulating Cross-Border Data Flows (促进和规范数据跨境流动规定, the “CBDF Provisions”) and other laws and regulations; to align with high-standard international economic and trade rules; to explore institutional opening-up in the digital domain; and, by building a new model for the management of cross-border data flows, to facilitate the lawful, orderly and efficient export of enterprise data — thereby effectively improving the business environment and enterprises' international competitiveness.

II. Basic Principles（基本原则）

- 1. Uphold overall coordination.** Coordinate development and security, hold firm to the national data-security bottom line, and — on the basis of safeguarding the security of important data and protecting personal-information rights and interests — promote the orderly flow, development and utilisation of data resources, and advance the high-quality development of the digital economy and digital trade.
- 2. Uphold convenience and compliance.** Leverage the Tianjin FTZ's policy advantage as a first-mover pilot; study and establish a lawful and orderly management model for cross-border data flows; and explore forming a facilitative management mechanism for cross-border data flows.
- 3. Uphold simplicity and practicality.** In accordance with the requirements of the national data-export management systems — the data-export security assessment, the personal information standard contract, and personal information protection certification — and in light of the actual data-export needs of enterprises and institutions in the Tianjin FTZ, formulate an operable and implementable Negative List that enterprises can readily grasp and apply.
- 4. Uphold dynamic adjustment.** In response to changes in the national data-security situation and in the enterprise entities and data-export scenarios of the Tianjin FTZ, dynamically adjust the content of the Negative List, achieving unity between safeguarding security and promoting development.

III. Scope of Application (适用范围)

The Negative List sets out the circumstances in which a Tianjin FTZ enterprise providing data abroad must apply for a data-export security assessment, conclude a personal information standard contract, or obtain personal information protection certification. Where a Tianjin FTZ enterprise provides data **not on the Negative List** abroad, it is **exempt** from applying for a data-export security assessment, concluding a personal information standard contract, or obtaining personal information protection certification.

Data involving state secrets, core data, and government-affairs data are not brought within the management of the Negative List; the export of such data is handled in accordance with the relevant laws, regulations and provisions.

Where new situations or new problems arise in the use of the Negative List, the Municipal Cyberspace Administration (CAC), the Municipal Commerce Bureau, the Municipal Data Administration and the Tianjin FTZ Administrative Committee, together with the relevant departments, will consult and communicate, jointly study and formulate response measures, and provide interpretation. Where the relevant policies or provisions of a national industry regulator change and the content of the Negative List is inconsistent with them, those provisions prevail.

IV. Main Considerations (主要考虑因素)

- 1. Implementing the data classification-and-grading management requirements.** Strictly follow the data classification-and-grading requirements of laws, regulations and national industry regulators. Important data identified by a national industry regulator or by this Municipality is brought within the management of this list, in compliance with the relevant national data-export management requirements.
- 2. Strengthening personal information protection.** Centred on protecting personal-information rights and interests, regulating personal-information handling activities, and promoting the reasonable use of personal information, bring the export of personal information of different scales and different types within the management of the Negative List.
- 3. Serving the high-quality development of enterprises.** In light of enterprises' data-export needs for international trade and external exchange, clarify the categories, basic characteristics and descriptions of the data subject to export management, so as to lower the data-export compliance costs of enterprises and institutions and enhance their competitiveness.
- 4. Regulating data-export conduct.** Strengthen the Tianjin FTZ's capacity to monitor data-export security risks; enhance in-process and ex-post supervision of data export through institutional teams, technical means and other measures; and promptly detect and address unlawful and non-compliant data-export conduct. Strengthen the

publicity and interpretation of the Tianjin FTZ's data-export policies, systems and standards, and raise enterprises' compliance awareness.

This list will be revised from time to time in accordance with the relevant laws and regulations and the actual needs of this Municipality.

Part C — The Negative List: Scope

Structure

The Negative List is organised into 13 **data categories** (数据类别), each divided into **data sub-classes** (数据子类) — 46 sub-classes in total. Because this is the first FTZ negative list nationwide, it is **category-based**: each row describes a sector and the basic characteristics of the regulated important data within it, rather than the scenario/field-level rows of later lists.

The list has two tiers, keyed to which national data-export mechanism is triggered:

- **Tier 1 — Security-assessment list** (需要通过数据出境安全评估的数据清单): sub-classes 1 – 45, spanning all 13 categories. Providing this data abroad requires a **data-export security assessment**.
- **Tier 2 — Standard-contract / certification list** (需要订立个人信息出境标准合同、通过个人信息保护认证的数据清单): sub-class 46. Providing this data abroad requires either a **personal information standard contract** or **personal information protection certification**.

Only data **on** the list is regulated; data **off** the list is exempt from all three mechanisms. State-secret data, core data and government-affairs data sit entirely outside the list.

Personal-information volume bands

The list splits personal-information (PI) export across the two tiers by volume. Counts are **cumulative from January 1 of the current year** (自当年1月1日起累计); the source states the bands as follows and does not further specify a de-duplication rule:

- **Security assessment (Tier 1)**: a critical information infrastructure operator (CIIO) providing **any** PI abroad (sub-class 44); or a non-CIIO data handler providing the PI of **1,000,000+ persons** (excluding sensitive PI) **or** the sensitive PI of **10,000+ persons** (sub-class 45).
- **Standard contract / certification (Tier 2)**: a non-CIIO data handler providing the PI of **100,000 to fewer than 1,000,000 persons** (excluding sensitive PI) **or** the sensitive PI of **fewer than 10,000 persons** (sub-class 46).
- Both PI sub-classes exclude the **circumstances provided in Articles 3, 4 and 5 of the CBDF Provisions** (《促进和规范数据跨境流动规定》第三、四、五条规定的情形除外).

General carve-outs (备注)

Recurring remarks narrow the scope across several sectors: data **already publicly released** by the competent department (meteorology, environment, water resources, natural resources, statistics, radio/TV) is excluded; data generated by enterprises in **ordinary commercial activities** such as business negotiations and import/export trade is excluded (strategic materials, agricultural products, rare earths); intellectual-property data already lawfully disclosed is excluded; and for emergency management the specific thresholds for “certain precision / certain range / certain scale” follow the policy documents issued by the emergency-management and other competent authorities.

Scope by sector

Sector (数据类别)	Important-data focus — Tier 1 (representative sub-classes)	PI volume bands / scenario notes
I. Strategic materials & bulk commodities 战略物资和大宗商品类	Petroleum/petrochemicals/natural gas (1) and agricultural products (2): output and international-trade data from which the operating status, development trend or growth rate of important fields tied to major national strategies could be inferred; storage/transaction, international-trade and strategic-reserve data; international-cooperation, international-trade and strategic-reserve data on bulk agricultural products (grain, cotton, edible vegetable oil, sugar, meat, dairy), and undisclosed agricultural geographic-information data reaching a certain accuracy.	— <i>Excludes data generated in ordinary commercial activities (business negotiations, import/export trade).</i>
II. Natural resources & the environment 自然资源和环境类	Basic geographic information (3) and remote-sensing imagery (4) meeting national coverage/accuracy/scale thresholds or depicting sensitive areas/targets; meteorological data (5) serving military, defence-research and high-tech fields; undisclosed environmental-protection data (6) bearing on public safety or foreign affairs; water-resources data (7) bearing on public safety; and undisclosed, militarily-valuable marine environmental-monitoring data (8).	— <i>Excludes data already publicly released by the competent (meteorology/environment/water/natural-resources) departments; environmental data disclosed individually but not yet compiled and released by region or industry is included.</i>
III. Industry 工业类	Defence industry (9); chemical industry (10) — hazardous-chemical monitoring, key processes, output/reserves; steel & non-ferrous metals (11) and rare earths (12) of military/civil value; other minerals (13); electric power (14) — design/construction drawings of major hydro, pumped-storage and nuclear stations, thermal stations of $\geq 1,000,000$ kW single-unit / $\geq 3,000,000$ kW total capacity and substations above 500 kV (with location coordinates to within 100 m), plus raw consumption data of top-tier power users; electronic information (15) — advanced-tech, IC design/manufacturing, and parameters/source code of key chips, operating systems and large software; civil nuclear facilities (16); industrial equipment (17); industrial internet & control systems (18); smart vehicles (19).	Industrial internet / control systems: enterprises with annual output value \geq RMB 400 million, plus urban water/gas/heat control systems. Smart vehicles: geographic/operational data of important sensitive areas, plus the sensitive PI of 100,000+ smart-vehicle consumers (incl. OTA data). <i>Rare earths / steel etc.: excludes data from ordinary commercial activities.</i>
IV. Finance 金融类	Banking (20), insurance (21) and financial leasing (22) data whose leakage could threaten national security, the institution's own security, or the safe operation of key units/facilities (e.g. account, loan and transaction data; insurance/claims data on nationally significant facilities, equipment or personnel; financing-lease data of Party/government organs and defence enterprises).	Data whose leakage could threaten the security of 1,000,000+ customers (banking / insurance / financial leasing).
V. Statistics 统计类	Economic statistics (23) reflecting macro-economic conditions — Tianjin grassroots data and pre-release aggregate data, sampling data able to infer municipal-and-above totals, and by-variety output/capacity statistics of major industrial and agricultural products; social statistics (24) whose misuse could affect national security or social stability — data reflecting the language, history, customs and ethnic values of the nation.	— <i>Excludes data already publicly released by the statistics departments.</i>

Sector (数据类别)	Important-data focus — Tier 1 (representative sub-classes)	PI volume bands / scenario notes
VI. Communications & broadcasting 通信传播类	Telecom backbone-network and emergency-communication data (25) — backbone planning/construction, O&M, key resources (IP addresses, access-network resources); radio/TV and online audiovisual data (26) — undisclosed audiovisual content, provincial-and-above transmission coverage, audiovisual monitoring/regulatory data, and the key CII and level-3+ MLPS important networks of large audiovisual institutions; new media (27) — undisclosed/restricted media resource files.	Audiovisual institutions with 100,000,000+ total users (important networks/systems). New media: online-behaviour data of 100,000+ users . <i>Excludes industry-management data already publicly released by radio/TV authorities.</i>
VII. Housing & construction 住房建设类	Housing provident fund (28) — depositor and employer basic information, account information, and deposit/withdrawal/use data that could leak sensitive PI or, when aggregated, be used to analyse the real-estate market.	Data that could leak the sensitive PI of 100,000+ persons .
VIII. Transport 交通运输类	Postal (29) — results of big-data mining of waybill data; transport (30) — safety-affecting control-class data, natural-resource data obtained during construction, undisclosed route maps and key-station data, and data whose leakage/tampering could cause a major traffic accident, across rail, road, road-haulage, urban, waterway and civil-aviation transport.	Postal: data that could leak the sensitive PI of 100,000+ persons or facilitate telecom fraud.
IX. Public health 公共卫生类	Health & medical (31) — genetic-resource data reflecting the overall condition of an ethnicity or bearing on biosecurity, and biosecurity/disease-control data bearing on national, life and human security; individual diagnosis/health-management data, e-medical records, test results and health archives; food-safety traceability data (32); drug data bearing on medication safety, biosecurity and public safety (33); biosecurity data of military/major-economic value (34); disease-control data on the prevention and control of infectious diseases in a region (35).	Health & medical: individual diagnosis/health-management data that could leak the sensitive PI of 100,000+ persons .
X. Public security 公共安全类	Physical security (36) — basic information and security-deployment data of important targets and sites; cybersecurity (37) — Tianjin cybersecurity-posture data, construction/layout planning and supply-chain management of CII and level-3+ MLPS important networks/systems, and undisclosed vulnerabilities; emergency management (38) — precise locations and key parameters of key targets, area-monitoring data at a certain precision/coverage, and emergency-supplies/rescue-equipment data at a certain scale.	— <i>Emergency management: the specific requirements for “certain precision / certain range / certain scale” follow the policy documents issued by the emergency-management and other competent authorities.</i>
XI. Internet services & e-commerce 互联网服务和电子商务类	Service outsourcing (39) — result data produced where processing overseas data introduces domestic important data, or result data produced using technology uniquely held by China; internet platform services (40) — platform-held data with public-opinion attributes or social-mobilisation capacity (e.g. behaviour-analysis data on sensitive populations such as government officials and	Service outsourcing: result data where overseas-data processing introduces the PI of 1,000,000+ persons (excluding sensitive PI) or the sensitive PI of 10,000+ persons .

Sector (数据类别)	Important-data focus — Tier 1 (representative sub-classes)	PI volume bands / scenario notes
	veterans; service-record data involving defence, Party/government-organ and CII customers).	
XII. Science & technology 科学技术类	Export-controlled items (41) — data controlled under the Export Control Law of the PRC; prohibited/restricted-export technologies (42) — data on technologies listed in the Catalogue of Technologies Prohibited or Restricted from Export in China; important intellectual property and major discoveries (43) — IP data bearing on national security, e.g. research papers, observation data and industrialisation results that could significantly enhance or directly affect national-security capability.	— <i>Excludes intellectual-property data already lawfully disclosed.</i>
XIII. Personal information 个人信息	Tier 1 (security assessment): a CIIO providing any PI abroad (44); or a non-CIIO data handler providing, cumulatively from January 1, the PI of 1,000,000+ persons (excluding sensitive PI) or the sensitive PI of 10,000+ persons (45).	Tier 2 (standard contract / certification): a non-CIIO data handler providing, cumulatively from January 1, the PI of 100,000 to fewer than 1,000,000 persons (excluding sensitive PI) or the sensitive PI of fewer than 10,000 persons (46). <i>Both bands exclude the circumstances under Arts 3, 4 and 5 of the CBDF Provisions.</i>

Source: 中国（天津）自由贸易试验区数据出境管理清单（负面清单）（2024年版），issued by Tianjin CAC · Municipal Commerce Bureau, May 9, 2024. Chinese originals downloadable at datacompliancechina.com/resources/negative-lists.

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