

**Notice on the Issuance of "Measures to Manage Information Obtained by News Personnel
in the Course of Their Professional Activities"**

[Translation by Human Rights in China]

To the Administrations of Press, Publication, Radio, Film and Television in all provinces (autonomous regions and direct-controlled municipalities), the Xinjiang Production and Construction Corps Administration of Press and Publication, all ministries (departments) and commissions under the Party's Central Committee and the State Council, all other democratic parties, supervisory departments for mass organizations' publications, and major news units under the Party's Central Committee:

In recent years, the abuse of information obtained by news personnel through their professional activities has emerged. Some news personnel distribute and disseminate at will classified information in violation of the Law on the Protection of State Secrets; some use online platforms to make public information collected through their professional activities without permission; some transfer news reporting not yet published or broadcasted by their own news units to other overseas media outlets for publication and broadcasting; some exploit the resources of news units for improper gains. These actions disrupt the normal order of news dissemination and harm the interests of the Party and State. In accordance with the Law on the Protection of State Secrets and other relevant laws and regulations, the State Administration of Press, Publication, Radio, Film and Television has drawn up the "Measures to Manage Information Obtained by News Personnel in the Course of Their Professional Activities," which are hereby issued for your conscientious implementation.

State Administration of Press, Publication, Radio, Film and Television

June 30, 2014

**Measures to Manage Information Obtained by News Personnel
in the Course of their Professional Activities**

Article 1: These measures are promulgated in order to strengthen the management of information obtained by news personnel in the course of their professional activities and regulate the order of news dissemination, in accordance with the Law on the Protection of State Secrets, Labor Contract Law, Copyright Law, and other relevant laws and regulations.

Article 2: In these measures, “information obtained by news personnel in the course of their professional activities” refers to various types of information and material obtained and news products collected and processed by reporters, editors, broadcasters, anchors, and other such news reporting and editing personnel, as well as other news personnel who provide assistance such as technical support, in the course of their professional activities such as interviews, participation in conferences, listening to transmissions, or reading documents, which contain state secrets, commercial secrets, or information that has not been made public.

Article 3: News units must uphold the principles of adhering to laws and regulations, promoting interests and avoiding harm, improving management and practices, and ensuring manageability and controllability; strengthen the management of information obtained through professional activities; and ensure that the information obtained by news personnel in the course of their professional activities is used in a scientific and rational manner, and in a regulated and orderly way.

Article 4: News units must establish a sound secrets protection system; clarify the scope of knowledge and protection period of state secrets information that news personnel come into contact with in the course of their professional activities; establish a sound system of receipt, issuance, transmission, use, duplication, storage, and destruction of state secrets carriers; prohibit the illegal duplication, recording, and storing of state secrets; prohibit the transmission of state secrets in any medium and form; and prohibit private correspondence and communication from touching upon state secrets.

News personnel, when assigned to a post, should undergo secrets protection education and training, and sign a pledge to protect secrets.

Article 5: In accordance with relevant rules within the Labor Contract Law, news units must make news personnel sign secrets protection agreements on protecting secrets related to intellectual property such

as commercial secrets, information not yet made public, and professional products, and establish a unified system to manage information obtained in the course of professional activities.

Secrets protection agreements should categorize and clarify the ownership rights of information obtained by news personnel in the course of their professional activities, the standard of use, duties after leaving the post or the job, and the responsibilities in case of violation of the agreements.

News personnel may not, in violation of the provisions of the secrets protection agreements, provide information obtained in the course of their professional activities to other domestic or foreign media outlets or websites, or assume posts such as “special correspondent,” “special reporter,” “special contributor,” or columnist in foreign media outlets.

Article 6: News personnel may not use information obtained in the course of their professional activities to seek improper gains.

Article 7: If news personnel open blog, *weibo*, or *weixin* accounts using their professional positions, it must be approved by and recorded with their news units, and the news units are responsible for daily supervision of the personnel’s professional duties.

News personnel may not, through whatever means, including public or individual blog, *weibo*, *weixin* accounts, or in any places, including forums or lectures, disclose or publish information obtained in the course of professional activities, in violation of provisions in secrets protection agreements.

Article 8: When news personnel leave their post or job, they must return all material and documents involving secrets, and fulfill all secrets protection duties within the secrets protection period stipulated by law or specified in agreements.

Article 9: News units must make signing the secrets protection pledge and secrets protection agreement for information obtained through professional activities a necessary condition for hiring and appointing news personnel, and may not hire or appoint news personnel who have not signed the pledge and secrets protection agreement.

Article 10: News gathering and editing personnel, when applying for or renewing their press cards, must, in accordance with the provisions of “Measures for the Administration of Press Cards,” provide related application materials. If the application materials do not include the secrets protection commitment

document or the secrets protection agreement for information obtained through professional activities, the press cards will not be issued.

Article 11: News units must, when participating in the annual inspection for press card renewal, report to the administrative departments for press, publication, radio, film and television situations concerning news personnel's signing and implementation of secrets protection pledges and secrets protection agreements.

Article 12: If news personnel violate the secrets protection pledge or the secrets protection agreement and use information obtained through their professional activities without permission, the news units should investigate the responsibility in accordance with the contracts, and adopt administrative measures or disciplinary actions commensurate with the circumstances, and also pursue civil liability.

Article 13: The main organizing unit of a news unit should discharge its supervisory duties by instructing and supervising all subordinate news units in establishing a sound system of secrets protection pledge and secrets protection agreements. The administrative departments for press, publication, radio, film and television should strengthen the supervision and inspection of the daily management of information obtained through professional activities in the news units within their administrative jurisdictions.

Article 14: If the publication by news personnel of information obtained in the course of their professional activities without permission results in serious consequences, the administrative departments for press, publication, radio, film and television will handle it by revoking press cards, entering the harmful acts into record, and prohibiting or limiting professional activities in accordance with the law.

Article 15: If a news unit's mismanagement of information obtained by news personal through their professional activities results in secrets being compromised or leaked, extortion, blackmail, rights infringement, or other serious problems, the administrative departments for press, publication, radio, film and television and others must investigate and handle [the case] in accordance with the law and order rectification. When there is a refusal to correct or the case is inadequately rectified, the annual press card renewal should not be granted. If the consequences are grave, the press card should be revoked, and the responsibility of the person in charge of the news unit and of the directly responsible person should be investigated in accordance with the law.

Article 16: When news personnel compromise or leak secrets in violation of the rules through use of information obtained in the course of their professional activities, the responsibility of the related personnel will be investigated in accordance with the law. If there is a suspicion of crimes, the matter will be transferred to judicial authorities for handling.

Article 17: These measures take effect on the date of issuance.