

广州市人民政府法制丛书

2007年

广州市政府 规章汇编 (中英文对照本)

Compilation of Government
Regulations of Guangzhou Municipality
2007(Chinese-English)

广州市人民政府法制办公室 编

广州新华出版发行集团

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1. The Legislative Affairs Office of the People's Government of Guangzhou Municipality undertook the organization of editing the Chinese-English version of the *Compilation of Government Regulations of Guangzhou Municipality 2007* in accordance with the requirements of the Legislative Affairs Office of the State Council over translation and revision of laws and regulations.

2. This Compilation includes 7 regulations promulgated by the People's Government of Guangzhou Municipality from January 2007 to December 2007.

3. The translation and finalization of the English version of the Compilation was organized by the Legislative Affairs Office of the People's Government of Guangzhou Municipality. Where there is any disagreement between the Chinese and English versions, the Chinese text shall be regarded as the standard.

**Editorial and Examination Committee,
The Legislative Affairs Office of the People's
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编辑说明

一、按照国务院法制办对法规、规章译审工作的要求，广州市人民政府法制办公室组织编辑了《2007 年广州市政府规章汇编（中英文对照本）》。

二、本书收录了 2007 年 1 月至 2007 年 12 月广州市人民政府公布的规章 7 件。

三、本汇编英文译本由广州市人民政府法制办公室组织翻译、审定。凡英文与中文原文表述不一致的，以中文文本为准。

广州市人民政府法制办公室编审委员会

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Decree of the People's Government of Guangzhou Municipality

2007 No. 1

The Provisions of Guangzhou Municipality on the Administration of Public Security Video System has been adopted after deliberation at the 124th Executive Meeting of the 12th People's Government of Guangzhou Municipality, is hereby promulgated, and shall become effective on May 1, 2007.

Zhang Guangning
Mayor of Guangzhou Municipality
March 1, 2007

Provisions of Guangzhou Municipality on the Administration of Public Security Video System

Chapter 1 General Provisions

Article 1 These Provisions are formulated in accordance with the Regulations of Guangdong Province on the Administration of Safety Protection by Technologies, in light of the specific situation of Guangzhou Municipality (hereinafter referred to as the “Municipality”), and with a view to strengthening the administration of public security video system, improving the urban emergency response and command response capabilities and urban administration capabilities, and ensuring public security.

Article 2 For the purposes of these Provisions, the term “public security video system” means a comprehensive system which adopts technical equipment to collect, transmit, display and store video information in any structure or area involving public security.

Article 3 These Provisions are applicable to the planning, building, use, maintenance and management of public security video system within the administrative area of the Municipality.

Article 4 The principles of unified planning, unified standards, classified funding, overall planning of construction, and territorial management shall be adhered to in the building and management of public security video system.

Article 5 The public security organ of the Municipality (hereinafter referred to as the “municipal public security organ”) is in charge of the management, supervision and instruction on the public security video system in the Municipality; the public security organ of a district or county-level city is in charge of the specific administration of the public security video system within the area under its jurisdiction.

The department in charge of informatization of the Municipality (hereinafter

referred to as the “municipal department in charge of informatization”) is in charge of the overall planning, comprehensive coordination, and resource integration and sharing of the public security video system in the Municipality.

The administrative departments in charge of planning, construction, urban utilities and landscape, land and real estate, quality supervision, traffic, industry and commerce, urban administration, safety supervision, water conservancy, etc. shall, in accordance with their respective duties, fulfill the work concerning the building and management of public security video system.

Chapter 2 Planning and Building

Article 6 Public security video system shall be built for the following structures or areas involving public safety:

(1) Any places for producing, storing or trading in arms, ammunition, inflammable, explosive, toxic, or radioactive articles, or precursor chemicals;

(2) Any important parts of any airports, ports, railway stations, wharfs, parking areas, passenger or cargo depots, or bus terminals;

(3) Any important parts of any highways, urban expressways, urban trunk roads, major intersections in the central zone, urban entrances and exits, trunk channel of Pearl River under the jurisdiction of the Municipality, pedestrian overpasses, large bridges, tunnels, or other important traffic facilities;

(4) Any station entrances, platform passages, passenger trains, underground shopping malls, or other important parts of any subway lines in operation; any important parts in any buses, electric vehicles, passenger ships or other large-size public transportation facilities;

(5) Any important parts or entrances in any Party or government organs at various levels;

(6) Any State-level key scientific research institutions; any libraries where important files or materials are stored in a centralized way;

(7) Any museums, memorial halls, exhibition centers or other structures where any important cultural relics, materials or valuables are displayed or stored

in a centralized way; any important parts of any cultural relics or remains at any level or in any modern and contemporary building structure;

(8) Any treasury; any places for making or storing in a centralized way money, negotiable securities or bills; any convoy vehicles for bills or money; any business places of financial institutions or any places for operating and storing financial information;

(9) Important parts or places in any broadcasting units, TV units, newspaper units, telecommunications units, post units, public information network units, water supply units, power supply units, gas supply units, sewage disposal units, etc.;

(10) Any important parts in any parks, conference centers, sports stadiums, hospitals, schools, residential areas, shopping streets, large-scale farmer's markets or other places for public activities and gathering; any hall entrances, elevators and other main routes in any hotels, restaurants, entertainment venues, office buildings, etc.;

(11) Any important parts in any construction sites, important urban landscape, large underground space or other urban construction facilities;

(12) Any river dykes, reservoirs, man-made lakes, important flood control and drainage areas or other important water conservancy facilities; and

(13) Any other structures or areas where a public security video system is required.

No video surveillance system or video surveillance facilities or equipment may be installed in any structure or area where citizens' privacy interest exists, such as toilets, bathrooms, locker rooms, hotel guest rooms, and staff and student dormitories, etc.

Article 7 The owner or manager/operator of a structure or area under Article 6 of these Provisions shall build a public security video system within the limits of its responsibility, in accordance with the unified plan and with adherence to unified technical specifications. The owner and the manager/operator may clarify their respective responsibilities for building and management of the public security video system in an agreement.

If a public security video system that should have been built in accordance with these Provisions has not yet been built, then the system shall be built depending on the existing building or pipelines.

The municipal department in charge of informatization shall, jointly with administrative departments concerned, prepare a public security video system building plan and formulate relevant technical specifications.

Article 8 If a structure or area under Article 6 of these Provisions is governed by the Regulations of Guangdong Province on the Administration of Safety Protection by Technologies, then the applications for plan review, system testing and final acceptance inspection of the public security video system project shall be filed with the public security organ in accordance with specified procedures.

The entity building a public security video system not governed by the Regulations of Guangdong Province on the Administration of Safety Protection by Technologies shall submit relevant materials on the public security video system building plan, system testing and final acceptance inspection, and file them for record with the public security organ of the district/county-level city where the system is located.

Article 9 Any public security video system project built with the investment from public funds of the government at any level shall be dealt with in accordance with the procedures for planning, review, bidding and tendering and acceptance inspection of the informatization projects at the same level.

Article 10 When a structure or area under Article 6 of these Provisions is built, rebuilt or extended, the public security video system associated therewith shall be designed, constructed, accepted, and put into operation simultaneously. If the acceptance inspection of the public security video system is not conducted or passed, the construction structure shall not be put into operation.

If the building of an outdoor public security video system involves the design and building of an auxiliary structure, the urban planning requirements shall be complied with.

When an administrative department in charge of urban planning conducts

planning review on the construction project which should be equipped with a public security video system under Article 6 of these Provisions, the department shall also specify planning and design requirements for the public security video system attached thereto.

Article 11 Any video system involving State security and State secrets shall be built in accordance with relevant provisions of the State.

Article 12 As for an immobile structure where a public security video system has been installed, a conspicuous mark shall be set up at the area under surveillance.

Article 13 Any entity designing, constructing, or maintaining a public security video system shall have obtained relevant qualification as provided for in laws and regulations.

Any product applicable to the public security video system shall have a Registration Approval on Security and Technology Protection Product or Industrial Product Manufacturing License, or have passed Safety Product Certification. In case of an imported product, the legal certificate issued by the competent department of customs or commodity inspection or the national statutory agency shall be presented, and the standards and specifications of the Municipality for public security video system shall be complied with.

Chapter 3 Application and Management

Article 14 Public security video system shall be managed in accordance with security grades, and shall be connected to the public security, urban administration and emergency response commanding system by grade and by scope of authority, or reserve an interface to be connected to the public security, urban administration and emergency response commanding system.

Levels of graded authority shall be set up separately by the municipal public security organ jointly with the municipal department in charge of informatization and the State security organ.

Article 15 Stealing or damaging any facility or equipment in a public

security video system is prohibited, and willfully blocking a public security video system, thereby affecting the normal operation thereof, is also prohibited.

Article 16 Any entity building, managing or using a public security video system, and the staff members of the entity shall manage in a strict way the image information collected through the system, and view, duplicate and use the information by following procedures according to law, and shall not delete, change, or damage any original data records of video information, or distribute, duplicate, query or use for any personal or commercial purpose, any original data records of video information without authorization.

Article 17 The public security organ shall conduct supervision and inspection work on public security video system on a regular basis, and no entity or individual may refuse or obstruct.

Article 18 Where law enforcement work requires, the public security organ or State security organ may, free of charge, request, duplicate or view the image information from public security video system, and if necessary, may temporarily take over the control of any public security video system.

In the event of any natural disaster, casualty, public health-related event, or other public security event, other administrative government department may, free of charge, request, duplicate or view the image information from public security video system.

If any public security video system is adjusted or reformed for any law enforcement reason, causing any loss or additional expenditure to the entity building, managing or using the public security video system, the competent administrative department shall give compensation accordingly.

Article 19 Any administrative law enforcement personnel, who needs to request, duplicate or view the image information from public security video system and other relevant materials in accordance with the provisions of Article 18 of these Provisions, shall present a letter of introduction issued by the law enforcement entity and his or her law enforcement identification. If he or she fails to present the letter of introduction or law enforcement identification, the entity building, managing, or using the public security video system has the right to

refuse.

Article 20 Any entity building, managing or using a public security video system shall establish mechanisms for surveillance shift, data management, security management and maintenance, and be staffed with corresponding full-time personnel for surveillance and management on the basis of the size and importance of the area under surveillance for the purpose of ensuring the normal operation of the video system.

Article 21 Any entity building, managing or using a public security video system with a video surveillance room shall dispatch personnel for attendance, real-time surveillance, and register the recording, use and whereabouts of video information, and in the event of any questionable circumstances, such personnel shall timely report to the public security organ.

The storage term for video information shall be no less than fifteen days, unless otherwise provided for in any laws, regulations, rules or administrative normative documents.

Article 22 Any entity building, managing or using a public security video system shall check the operation of the front-end equipment, signal transmission and network transmission lines, and storage equipment in the video system on a regular basis, and ensure the effective operation of the video system, and shall not change the location or purpose of use of any facilities or equipment in the video system; if any change is really necessary, the approval or record-keeping by the public security organ is required.

Article 23 Only trained personnel may act as the surveillance and management personnel for a public security video system. The municipal public security organ is responsible for organizing the training.

Chapter 4 Legal Liabilities

Article 24 Any entity that, in violation of the first paragraph of Article 6 of these Provisions, fails to build a public security video system that should have been built, or fails to build a public security video system in conformity with the