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Translation: Internet Information Service Algorithmic Recommendation Management Provisions – Effective March 1, 2022

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The following translation is based on DigiChina's translation of an <u>earlier draft</u> of these provisions by Helen Toner, Rogier Creemers, and Graham Webster. It has been revised and updated to reflect the final version, taking effect March 1, 2022, by Rogier Creemers. The following summary of changes is by Graham Webster.

Changes between the two versions include:

1. **More bureaucracies at the table.** The authorities set to administer the provisions have expanded from the Cyberspace Administration of China (CAC) to include the Ministry of

Industry and Information Technology, referred to as "telecommunications" authorities, the Ministry of Public Security, and the State Administration for Market Regulation (SAMR), though the CAC retains an "overall coordination" role. See Article 3. The four offices jointly issued this final version.

2. **No algorithmic fake news.** The new Article 13 specifies a licensing requirement for algorithmic recommendation service providers operating in online news and prohibits algorithmic generation of fake news. This parallels Article 11 of the 2019 Provisions on the Management of Online Audiovisual Information Services. (Thanks Jeremy Daum of China Law Translate for the reference.)

3. **Removing explicit discrimination protection.** Article 10 removes language barring the use of "discriminatory or biased user tags" in algorithmic recommendation systems.

4. **Specific protections for the elderly.** Article 19 requires service providers take special care to address the needs of older users, including in preventing fraud.

5. **No algorithmic monopoly behavior.** A new Article 15 bars the covered providers from using algorithms to "unreasonabl[y]" restrict other providers or engage in monopolistic acts or improper competition, likely reflecting part of SAMR's role.

An alternative translation by China Law Translate is available here.

[Correction 2022.02.28: This translation has been edited to correct an error rendering the effective year in Article 35 as 2021; the correct year is 2022. –Ed.]

Read DigiChina analysis of the earlier draft.

TRANSLATION

Internet Information Service Algorithmic Recommendation Management Provisions

Chapter I: General Provisions

Article 1: In order to standardize Internet information service algorithmic recommendation activities, carry forward the Socialist core value view, safeguard national security and the social

and public interest, protect the lawful rights and interests of citizens, legal persons, and other organizations, and stimulate the healthy development of Internet information services; and on the basis of the "Cybersecurity Law of the People's Republic of China," the "Data Security Law of the People's Republic of China," the "Personal Information Protection Law of the People's Republic of China," the "Internet Information Service Management Rules," and other such laws and administrative regulations; these Provisions are formulated.

Article 2: These Provisions apply to the use of algorithmic recommendation technology to provide Internet information services (hereafter abbreviated as algorithmic recommendation services) within the mainland territory of the People's Republic of China. Where laws and administrative regulations contain other provisions, those provisions are to be followed.

The use of algorithmic recommendation technology as mentioned in the previous Paragraph refers to the use of generative or synthetic–type, personalized recommendation–type, ranking and selection–type, search filter–type, dispatching and decision-making–type, and other such algorithmic technologies to provide information to users.

Article 3: The national cybersecurity and informatization department is responsible for the overall coordination of nationwide algorithmic recommendation service governance and related supervision and management work. The State Council telecommunications, public security, market regulation and other such relevant departments are are, on the basis of their respective duties and responsibilities, responsible for algorithmic recommendation service supervision and management work.

Local cybersecurity and informatization departments are responsible for the overall coordination of nationwide algorithmic recommendation service governance and related supervision and management work within their administrative areas. The State Council telecommunications, public security, market regulation and other such relevant departments are, on the basis of their respective duties and responsibilities, responsible for algorithmic recommendation service supervision and management work within their administrative areas.

Article 4: The provision of algorithmic recommendation services shall abide by laws and regulations, observe social morality and ethics, abide by commercial ethics and professional ethics, and respect the principles of fairness and justice, openness and transparency, science and reason, and sincerity and trustworthiness.

Article 5: Relevant sectoral organizations are encouraged to strengthen sectoral self-discipline, establish and complete sectoral standards, sectoral norms and self-discipline management structures, supervise and guide algorithmic recommendation service providers in formulating and perfecting service standards, providing services according to the law and accepting social supervision.

Chapter II: Information Service Norms

Article 6: Algorithmic recommendation service providers shall uphold mainstream value orientations, optimize algorithmic recommendation service mechanisms, vigorously disseminate positive energy, and advance the use of algorithms upwards and in the direction of good.

Algorithmic recommendation service providers may not use algorithmic recommendation services to engage in activities harming national security and the social public interest, upsetting the economic order and social order, infringing the lawful rights and interests of other persons, and other such acts prohibited by laws and administrative regulations. They may not use algorithmic recommendation services to disseminate information prohibited by laws and administrative regulations, and shall take measures to prevent and curb the dissemination of harmful information.

Article 7: Algorithmic recommendation service providers shall: fulfil their primary responsibility for algorithmic security, establish and complete management systems and technical measures for algorithmic mechanism examination and verification, technology ethics review, user registration, information dissemination examination and verification, security assessment and monitoring, security incident response and handling, data security and personal information protection, countering telecommunications and online fraud, etc.; formulate and disclose algorithmic recommendation service–related norms; and allocate specialized personnel and technical support suited to the scale of algorithmic recommendation services.

Article 8: Algorithmic recommendation service providers shall regularly examine, verify, assess, and check algorithmic mechanisms, models, data, and application outcomes, etc., and may not set up algorithmic models that violate laws and regulations or ethics and morals, such as by leading users to addiction or excessive consumption.

Article 9: Algorithmic recommendation service providers shall strengthen information security management; establish and complete feature databases to be used to identify unlawful and

harmful information; and perfect database entry standards, norms, and processes. Where it is discovered that algorithmically generated or synthetic information has not been marked with an indicator, it shall be marked with an indicator, and only then may dissemination continue.

Where unlawful information is discovered, transmission shall be ceased immediately, measures such as deletion adopted to handle it, information spread prevented, and relevant records preserved; and a report shall be made to the cybersecurity and informatization department and relevant departments. Where harmful information is discovered, it shall be dealt with according to online information content ecology management-related regulations.

Article 10: Algorithmic recommendation service providers shall strengthen user model and user tagging management and perfect norms for logging interests in user models and user tagging management norms. They may not enter unlawful or harmful information as keywords into user interests or make them into user tags to use them as a basis for recommending information content.

Article 11: Algorithmic recommendation service providers shall strengthen algorithmic recommendation service display or page ecology management, establish and perfect mechanisms for manual intervention and autonomous user choice, and vigorously present information conform to mainstream value orientations in key segments such as front pages and main screens, hot search terms, selected topics, topic lists, pop-up windows, etc.

Article 12: Algorithmic recommendation service providers are encouraged to comprehensively use tactics such as content de-weighting, scattering interventions, etc., and optimize the transparency and understandability of search, ranking, selection, push notification, display, and other such norms, to avoid creating harmful influence on users, and prevent or reduce controversies or disputes.

Article 13: Where algorithmic recommendation service providers provide Internet news information services, they shall obtain an Internet news information service permit according to the law; and standardize their deployment of Internet news information collection, editing and dissemination services, resharing services, and broadcast platform services. They may not generate or synthesize fake news information, and may not disseminate news information not published by work units in the State-determined scope.

Article 14: Algorithmic recommendation service providers may not use algorithms to falsely register users, illegally trade accounts, or manipulate user accounts; or for false likes,

comments, reshares, etc. They may not use algorithms to shield information, over-recommend, manipulate topic lists or search result rankings, or control hot search terms or selections and other such interventions in information presentation; or to carry out acts influencing online public opinion, or evading supervision and management.

Article 15: Algorithmic recommendation service providers may not use algorithms to impose unreasonable restrictions on other Internet information service providers, or obstruct or destroy the regular operation of their lawfully provided Internet information services, or carry out monopolistic or improper competition acts.

Chapter III: User Rights Protection

Article 16: Algorithmic recommendation service providers shall notify users in a clear manner about the situation of the algorithmic recommendation services they provide, and publicize the basic principles, purposes and motives, main operational mechanisms, etc., of the algorithmic recommendation services in a suitable manner.

Article 17: Algorithmic recommendation service providers shall provide users with a choice to not target their individual characteristics, or provide users with a convenient option to switch off algorithmic recommendation services. Where users choose to switch off algorithmic recommendation services, the algorithmic recommendation service provider shall immediately cease providing related services.

Algorithmic recommendation service providers shall provide users with functions to choose or delete user tags used for algorithmic recommendation services aimed at their personal characteristics.

Where algorithmic recommendation service providers use algorithms in a manner creating a major influence on users' rights and interests, they shall give an explanation and bear related liability according to the law.

Article 18: Where algorithmic recommendation service providers provide services to minors, they shall fulfill duties for the online protection of minors according to the law, and make it convenient for minors to obtain information beneficial to their physical and mental health, through developing models suited for use with minors, providing services suited to the specific characteristics of minors, etc.

Algorithmic recommendation service providers may not push information toward minors that may incite the minor to imitate unsafe conduct, or acts violating social morals, or lead the minor towards harmful tendencies or may influence minors' physical and mental health in other ways; and they may not use algorithmic recommendation services to lead minors to online addiction.

Article 19: Where algorithmic recommendation service providers provide services to the elderly, they shall uphold the rights the elderly enjoy according to the law, fully consider the elderly's requirement in going out, undergoing medical treatment, consumption, handling affairs, etc., provide smart services suited to the elderly according to relevant State provisions, launch monitoring, identification, and handling of information on telecommunications and online fraud, and make it convenient for the elderly to use algorithmic recommendation services securely.

Article 20: Where algorithmic recommendation service providers provide work dispatch services to workers, they shall protect workers' lawful rights and interests such as obtaining labor remuneration, rest and vacation, etc., and establish and perfect algorithms related to platform sign-on and allocation, remuneration composition and payment, work time, rewards, etc.

Article 21: Where algorithmic recommendation service providers sell products or provide services to consumers, they shall protect consumers' fair trading rights, they may not use algorithms to commit acts of extending unreasonably differentiated treatment in trading conditions such as trading prices, etc., and other such unlawful activities, on the basis of consumers' tendencies, trading habits and other such characteristics.

Article 22: Algorithmic recommendation service operators shall install convenient and efficient user complaint and public complaint and reporting access points, clarify handling workflows and feedback time periods, and timely receive, handle and provide feedback on the handling results.

Chapter IV: Supervision and Management

Article 23: The national cybersecurity and informatization department will, together with telecommunications, public security, market regulation, and other such departments, establish a graded and categorized algorithm security management system, implement graded and categorized management of algorithmic recommendation service providers on the basis of the public opinion properties of algorithmic recommendation services or their social mobilization

capability, content categories, scale of users, the degree of importance of data handled in algorithmic recommendation, the degree of interference in users' activities, etc.

Article 24: Providers of algorithmic recommendation services with public opinion properties or having social mobilization capabilities shall, within 10 working days of providing services, report the provider's name, form of service, domain of application, algorithm type, algorithm self-assessment report, content intended to be publicized, and other such information through the Internet information service algorithm filing system, and carry out filing formalities.

Where a change occurs in the filed information of algorithmic recommendation service providers, they shall carry out modification procedures within 10 working days of the change occurring.

Where algorithmic recommendation service providers cease services, they shall carry out filing cancellation procedures within 20 working days of ceasing services, and make appropriate arrangements.

Article 25: The national and provincial, autonomous region, and municipal cybersecurity and informatization departments shall, after receiving filing materials submitted by a filing applicant, and where the materials are complete, grant filing within 30 working days, and issue a filing number and publish the matter; where materials are not complete, filing is not to be granted, and the filing applicant shall be notified within 30 working days, and the reason explained.

Article 26: Algorithmic recommendation service providers who have completed filing shall indicate their filing number in a clear position on their website, application program, etc., used for providing external services, and provide a link to the published information.

Article 27: The providers of algorithmic recommendation services with public opinion properties or social mobilization capabilities shall conduct a security assessment according to relevant State regulations.

Article 28: Cybersecurity and informatization department will, together with telecommunications, public security, market regulation, and other such relevant departments conduct algorithm security assessment according to the law, and timely give suggestions to correct discovered problems and provide a time limit for rectification.

Algorithmic recommendation service providers shall preserve network records according to the law, cooperate with cybersecurity and informatization, telecommunications, public security, market regulation, and other such relevant departments carrying out security assessment, supervision, and inspection work according to the law, and provide the necessary technical, data, etc., support and assistance.

Article 29: Related bodies and personnel participating in algorithmic recommendation service security assessment, supervision, and inspection shall maintain confidentiality of the personal private [information], personal information, and commercial secrets they learn when exercising their duties and responsibilities, they may not disclose, sell, or illegally provide it to other persons.

Article 30: Where any organization or individual discovers acts violating these Provisions, they may file a complaint or report with cybersecurity and informatization departments and relevant departments. Departments receiving complaints or reports shall handle them timely and according to the law.

Chapter V: Legal Liability

Article 31: Where algorithmic recommendation service providers violate the provisions of Article 7, Article 8, Article 9 Paragraph I, Article 10, Article 14, Article 16, Article 17, Article 16, Article 22, Article 24, or Article 26 of these Provisions, and laws or administrative regulations contain provisions, those provisions are followed; where laws or administrative regulations do not contain provisions, cybersecurity and informatization departments or telecommunications, public security or market regulation, or other such relevant departments will, on the basis of their duties and responsibilities, issue a warning or a report of criticism, and order rectification within a limited time; where rectification is refused or circumstances are grave, they are to order provisional suspension of information updates, and impose a fine between 10,000 and 100,000 yuan. Where an act violating public order management is constituted, public order management punishment is to be imposed according to the law; where a crime is constituted, criminal liability is to be prosecuted according to the law.

Article 32: Where algorithmic recommendation service providers violate the provisions of Article 6, Article 9 Paragraph II, Article 11, Article 13, Article 15, Article 18, Article 19, Article 20, Article 21, Article 27, or Article 28 Paragraph II of these Provisions, the cybersecurity and informatization, telecommunications, public security or market regulation, or other relevant

competent departments will, on the basis of their duties and responsibilities, handle the matter according to the provisions of relevant laws, administrative regulations, and departmental rules.

Article 33: Where providers of algorithmic recommendation services with public opinion properties or social mobilization capabilities obtain filing through hiding relevant circumstances when reporting for filing, providing false materials, or other such improper means, the national and provincial, autonomous region, or municipal cybersecurity and informatization departments cancel filing according to the law, and issue a warning or a report of criticism; where circumstances are grave, they are to order provisional suspension of information updates, and impose a fine between 10,000 and 100,000 yuan.

Where providers of algorithmic recommendation services with public opinion properties or social mobilization capabilities cease services without carrying out filing cancellation formalities according to the requirements of Article 24 Paragraph III of these Provisions, or they receive administrative punishments such as website closure orders, cancellation of relevant business permits, revocation of the business license, etc., because grave unlawful situations occurred, the national, provincial, autonomous region, and municipal cybersecurity and informatization departments are to impose filing cancellation.

Chapter VI: Supplementary provisions

Article 34: The interpretation of these Provisions is the responsibility of the Cyberspace Administration of China together with the Ministry of Industry and Information Technology, the Ministry of Public Security and the State Administration of Market Regulation.

Article 35: These Provisions take effect on March 1, 2022.

CHINESE-LANGUAGE ORIGINAL

Source: http://www.gov.cn/zhengce/zhengceku/2022-01/04/content_5666429.htm

国家互联网信息办公室
中华人民共和国工业和信息化部
中华人民共和国公安部
国家市场监督管理总局

令

第9号

《互联网信息服务算法推荐管理规定》已经2021年11月16日国家互联网信息办公室2021年第20次室务会议审议通过，并经工业和信息化部、公安部、国家市场监督管理总局同意，现予公布，自2022年3月1日起施行。

国家互联网信息办公室主任 庄荣文
工业和信息化部部长 肖亚庆
公安部部长 赵克志
国家市场监督管理总局局长 张工
2021年12月31日

互联网信息服务算法推荐管理规定

第一章 总 则

第一条 为了规范互联网信息服务算法推荐活动，弘扬社会主义核心价值观，维护国家安全和社会公共利益，保护公民、法人和其他组织的合法权益，促进互联网信息服务健康有序发展，根据《中华人民共和国网络安全法》、《中华人民共和国数据安全法》、《中华人民共和国个人信息保护法》、《互联网信息服务管理办法》等法律、行政法规，制定本规定。

第二条 在中华人民共和国境内应用算法推荐技术提供互联网信息服务（以下简称算法推荐服务），适用本规定。法律、行政法规另有规定的，依照其规定。

前款所称应用算法推荐技术，是指利用生成合成类、个性化推送类、排序精选类、检索过滤类、调度决策类等算法技术向用户提供信息。

第三条 国家网信部门负责统筹协调全国算法推荐服务治理和相关监督管理工作。国务院电信、公安、市场监管等有关部门依据各自职责负责算法推荐服务监督管理工作。

地方网信部门负责统筹协调本行政区域内的算法推荐服务治理和相关监督管理工作。地方电信、公安、市场监管等有关部门依据各自职责负责本行政区域内的算法推荐服务监督管理工作。

第四条 提供算法推荐服务，应当遵守法律法规，尊重社会公德和伦理，遵守商业道德和职业道德，遵循公正公平、公开透明、科学合理和诚实信用的原则。

第五条 鼓励相关行业组织加强行业自律，建立健全行业标准、行业准则和自律管理制度，督促指导算法推荐服务提供者制定完善服务规范、依法提供服务并接受社会监督。

第二章 信息服务规范

第六条 算法推荐服务提供者应当坚持主流价值导向，优化算法推荐服务机制，积极传播正能量，促进算法应用向上向善。

算法推荐服务提供者不得利用算法推荐服务从事危害国家安全和社会公共利益、扰乱经济秩序和社会秩序、侵犯他人合法权益等法律、行政法规禁止的活动，不得利用算法推荐服务传播法律、行政法规禁止的信息，应当采取措施防范和抵制传播不良信息。

第七条 算法推荐服务提供者应当落实算法安全主体责任，建立健全算法机制机理审核、科技伦理审查、用户注册、信息发布审核、数据安全和个人信息保护、反电信网络诈骗、安全评估监测、安全事件应急处置等管理制度和技术措施，制定并公开算法推荐服务相关规则，配备与算法推荐服务规模相适应的专业人员和技术支撑。

第八条 算法推荐服务提供者应当定期审核、评估、验证算法机制机理、模型、数据和应用结果等，不得设置诱导用户沉迷、过度消费等违反法律法规或者违背伦理道德的算法模型。

第九条 算法推荐服务提供者应当加强信息安全管理，建立健全用于识别违法和不良信息的特征库，完善入库标准、规则和程序。发现未作显著标识的算法生成合成信息的，应当作出显著标识后，方可继续传输。

发现违法信息的，应当立即停止传输，采取消除等处置措施，防止信息扩散，保存有关记录，并向网信部门和有关部门报告。发现不良信息的，应当按照网络信息内容生态治理有关规定予以处置。

第十条 算法推荐服务提供者应当加强用户模型和用户标签管理，完善记入用户模型的兴趣点规则和用户标签管理规则，不得将违法和不良信息关键词记入用户兴趣点或者作为用户标签并据以推送信息。

第十一条 算法推荐服务提供者应当加强算法推荐服务版面页面生态管理，建立完善人工干预和用户自主选择机制，在首页首屏、热搜、精选、榜单类、弹窗等重点环节积极呈现符合主流价值导向的信息。

第十二条 鼓励算法推荐服务提供者综合运用内容去重、打散干预等策略，并优化检索、排序、选择、推送、展示等规则的透明度和可解释性，避免对用户产生不良影响，预防和减少争议纠纷。

第十三条 算法推荐服务提供者提供互联网新闻信息服务的，应当依法取得互联网新闻信息服务许可，规范开展互联网新闻信息采编发布服务、转载服务和传播平台服务，不得生成合成虚假新闻信息，不得传播非国家规定范围内的单位发布的新闻信息。

第十四条 算法推荐服务提供者不得利用算法虚假注册账号、非法交易账号、操纵用户账号或者虚假点赞、评论、转发，不得利用算法屏蔽信息、过度推荐、操纵榜单或者检索结果排序、控制热搜或者精选等干预信息呈现，实施影响网络舆论或者规避监督管理行为。

第十五条 算法推荐服务提供者不得利用算法对其他互联网信息服务提供者进行不合理限制，或者妨碍、破坏其合法提供的互联网信息服务正常运行，实施垄断和不正当竞争行为。

第三章 用户权益保护

第十六条 算法推荐服务提供者应当以显著方式告知用户其提供算法推荐服务的情况，并以适当方式公示算法推荐服务的基本原理、目的意图和主要运行机制等。

第十七条 算法推荐服务提供者应当向用户提供不针对其个人特征的选项，或者向用户提供便捷的关闭算法推荐服务的选项。用户选择关闭算法推荐服务的，算法推荐服务提供者应当立即停止提供相关服务。

算法推荐服务提供者应当向用户提供选择或者删除用于算法推荐服务的针对其个人特征的用户标签的功能。

算法推荐服务提供者应用算法对用户权益造成重大影响的，应当依法予以说明并承担相应责任。

第十八条 算法推荐服务提供者向未成年人提供服务的，应当依法履行未成年人网络保护义务，并通过开发适合未成年人使用的模式、提供适合未成年人特点的服务等方式，便利未成年人获取有益身心健康的信息。

算法推荐服务提供者不得向未成年人推送可能引发未成年人模仿不安全行为和违反社会公德行为、诱导未成年人不良嗜好等可能影响未成年人身心健康的信息，不得利用算法推荐服务诱导未成年人沉迷网络。

第十九条 算法推荐服务提供者向老年人提供服务的，应当保障老年人依法享有的权益，充分考虑老年人出行、就医、消费、办事等需求，按照国家有关规定提供智能化适老服务，依法开展涉电信网络诈骗信息的监测、识别和处置，便利老年人安全使用算法推荐服务。

第二十条 算法推荐服务提供者向劳动者提供工作调度服务的，应当保护劳动者取得劳动报酬、休息休假等合法权益，建立完善平台订单分配、报酬构成及支付、工作时间、奖惩等相关算法。

第二十一条 算法推荐服务提供者向消费者销售商品或者提供服务的，应当保护消费者公平交易的权利，不得根据消费者的偏好、交易习惯等特征，利用算法在交易价格等交易条件上实施不合理的差别待遇等违法行为。

第二十二条 算法推荐服务提供者应当设置便捷有效的用户申诉和公众投诉、举报入口，明确处理流程和反馈时限，及时受理、处理并反馈处理结果。

第四章 监督管理

第二十三条 网信部门会同电信、公安、市场监管等有关部门建立算法分级分类安全管理制度，根据算法推荐服务的舆论属性或者社会动员能力、内容类别、用户规模、算法推荐技术处理的数据重要程度、对用户行为的干预程度等对算法推荐服务提供者实施分级分类管理。

第二十四条 具有舆论属性或者社会动员能力的算法推荐服务提供者应当在提供服务之日起十个工作日内通过互联网信息服务算法备案系统填报服务提供者的名称、服务形式、应用领域、算法类型、算法自评估报告、拟公示内容等信息，履行备案手续。

算法推荐服务提供者的备案信息发生变更的，应当在变更之日起十个工作日内办理变更手续。

算法推荐服务提供者终止服务的，应当在终止服务之日起二十个工作日内办理注销备案手续，并作出妥善安排。

第二十五条 国家和省、自治区、直辖市网信部门收到备案人提交的备案材料后，材料齐全的，应当在三十个工作日内予以备案，发放备案编号并进行公示；材料不齐全的，不予备案，并应当在三十个工作日内通知备案人并说明理由。

第二十六条 完成备案的算法推荐服务提供者应当在其对外提供服务的网站、应用程序等的显著位置标明其备案编号并提供公示信息链接。

第二十七条 具有舆论属性或者社会动员能力的算法推荐服务提供者应当按照国家有关规定开展安全评估。

第二十八条 网信部门会同电信、公安、市场监管等有关部门对算法推荐服务依法开展安全评估和监督检查工作，对发现的问题及时提出整改意见并限期整改。

算法推荐服务提供者应当依法留存网络日志，配合网信部门和电信、公安、市场监管等有关部门开展安全评估和监督检查工作，并提供必要的技术、数据等支持和协助。

第二十九条 参与算法推荐服务安全评估和监督检查的相关机构和人员对在履行职责中知悉的个人隐私、个人信息和商业秘密应当依法予以保密，不得泄露或者非法向他人提供。

第三十条 任何组织和个人发现违反本规定行为的，可以向网信部门和有关部门投诉、举报。收到投诉、举报的部门应当及时依法处理。

第五章 法律责任

第三十一条 算法推荐服务提供者违反本规定第七条、第八条、第九条第一款、第十条、第十四条、第十六条、第十七条、第二十二条、第二十四条、第二十六条规定，法律、行政法规有规定的，依照其规定；法律、行政法规没有规定的，由网信部门和电信、公安、市场监管等有关部门依据职责给予警告、通报批评，责令限期改正；拒不改正或者情节严重的，责令暂停信息更新，并处一万元以上十万元以下罚款。构成违反治安管理行为的，依法给予治安管理处罚；构成犯罪的，依法追究刑事责任。

第三十二条 算法推荐服务提供者违反本规定第六条、第九条第二款、第十一条、第十三条、第十五条、第十八条、第十九条、第二十条、第二十一条、第二十七条、第二十八条第二款规定的，由网信部门和电信、公安、市场监管等有关部门依据职责，按照有关法律、行政法规和部门规章的规定予以处理。

第三十三条 具有舆论属性或者社会动员能力的算法推荐服务提供者通过隐瞒有关情况、提供虚假材料等不正当手段取得备案的，由国家和省、自治区、直辖市网信部门予以撤销备案，给予警告、通报批评；情节严重的，责令暂停信息更新，并处一万元以上十万元以下罚款。

具有舆论属性或者社会动员能力的算法推荐服务提供者终止服务未按照本规定第二十四条第三款要求办理注销备案手续，或者发生严重违法情形受到责令关闭网站、吊销相关业务许可证或者吊销营业执照等行政处罚的，由国家和省、自治区、直辖市网信部门予以注销备案。

第六章 附 则

第三十四条 本规定由国家互联网信息办公室会同工业和信息化部、公安部、国家市场监督管理总局负责解释。

第三十五条 本规定自2022年3月1日起施行。