

長榮大學個人資料保護管理辦法

Chang Jung Christian University Personal Information Protection Regulations

103.06.05 102 學年度第二學期第 4 次行政會議通過

105.06.07 104 學年度第 2 學期智慧財產權與資訊安全宣導及執行委員會修正通過

105.07.07 104 學年度第 2 學期第 5 次行政會議修正通過

106.05.22 105 學年度第 2 學期智慧財產權與資訊安全暨個人資料保護宣導及執行委員會修正通過

106.06.29 105 學年度第 2 學期第 5 次行政會議修正通過

Approved on June 5, 2014 by the 4th Administrative Meeting of Academic Year 2013 Semester 2.

Revised and approved on June 7, 2016 by the Intellectual Property Rights and Information Security Promotion and Executive Committee Meeting of Academic Year 2015 Semester 2.

Revised and approved on July 7, 2016 by the 5th Administrative Meeting of Academic Year 2015 Semester 2.

Revised and approved on May 22, 2017 by the Intellectual Property Rights and Information Security and Personal Information Protection Promotion and Executive Committee Meeting of Academic Year 2016 Semester 2.

Revised and approved on June 29, 2017 by the 5th Administrative Meeting of Academic Year 2016 Semester 2.

第一章 總則

Chapter One General Provisions

第一條 長榮大學（以下簡稱本校）為防止個人資料被竊取、竄改、毀損、滅失或洩漏，並落實個人資料之保護及管理，符合「個人資料保護法」（以下簡稱個資法）以及相關之管理規範，特訂定「長榮大學個人資料保護管理辦法」（以下簡稱本辦法）。

Article I To prevent theft, tampering, damage, loss or leakage of personal information, and protect and manage personal information, Chang Jung Christian University (hereinafter referred to as the University) has formulated the Chang Jung Christian University Personal Information Protection Regulations (hereinafter referred to as the Regulations) in accordance with the Personal Information Protection Act and relevant control regulations.

第二條 本辦法用詞，定義如下：

Article II The terms used in the Regulations are defined as follow:

一、本辦法所稱個人資料、個人資料檔案、蒐集、處理、利用、傳輸、當事人等名詞定義，係指個資法第二條所述之內容。

1. Terms such as personal information, personal information file, collection, processing, utilization, transmission and parties involved used in the Regulations are defined in accordance with Article 2 of the Personal Information Protection Act.

二、各單位：指本校一級行政單位及院級教學單位。

2. Units: Refers to the chief administrative units and teaching units of college of the university

第三條 本辦法適用於本校之個人資料蒐集、處理、利用及傳輸等相關程序所產生之各種形式（含書面或電子）之個人資料檔案。

Article III The Regulations are applicable to all forms (including written or electronic) of personal information files generated by the University's relevant procedure for personal information collection, processing, use and transmission.

第 四 條 本校於「智慧財產權與資訊安全暨個人資料保護宣導及執行委員會」下設「個人資料保護執行小組」(以下簡稱執行小組)，其任務如下：

Article IV The duties of the Personal Information Protection Task Team (hereinafter referred to as the Task Team) set under the University's Intellectual Property Rights and Information Security and Personal Information Protection Promotion and Executive Committee are as follow:

- 一、本校個人資料保護政策之擬議、推展及管理。
 1. Propose, promote and manage the University's personal information protection policies.
- 二、推動本校個人資料之機密性、完整性及可用性，並符合相關法令、法規之要求。
 2. Promote the confidentiality, integrity and access of personal information in the University, and ensure compliance with the requirements of relevant laws and regulations.
- 三、確保本校個人資料管理保護制度所需各項過程之建立、實施與維持。
 3. Ensure the establishment, implementation and maintenance of the various processes required by the University's personal information management and protection system.
- 四、本校個人資料保護意識教育訓練之推動。
 4. Promote personal information protection awareness education and training in the University.
- 五、本校個人資料隱私風險之評估及管理。
 5. Evaluate and manage the University's personal information privacy risks.
- 六、本校個人資料管理制度適法性與合宜性之檢視、審議及評估。
 6. Monitor, review and evaluate the legality and suitability of the University's personal information management system.
- 七、本校其他個人資料保護、管理之規劃及執行事項。
 7. Plan and implement other matters pertaining to the University's personal information protection and management.

第 五 條 執行小組以秘書處為個人資料保護聯絡窗口，其辦理事項包含：

Article V The Office of Secretariat shall be the personal information protection contact window for the Task Team, and shall handle the following matters:

- 一、對其他機關個人資料保護業務之協調聯繫及緊急應變之通報。
 1. Coordinate personal information protection matters with other organizations and report contingencies.
- 二、以非自動化方式檢索、整理之個人資料安全事件之通報。
 2. Report personal information security incidents of non-automated retrieval and organization.
- 三、本校各單位個人資料管理人名冊之製作及更新。
 3. Compile and update list of personal data managers in various units of the University.

四、本校教職員工教育訓練名單及紀錄之彙整。

4. Organize education and training lists and records for University's faculty and staff.

第二章 個人資料範圍、蒐集、處理及利用

Chapter II Scope, Collection, Processing and Utilization of Personal Data

第六條 本校應以誠實信用方式進行個人資料之蒐集、處理、利用或傳輸，並以最小化且未逾越特定目的之必要範圍為限。

Article VI. The University shall collect, process, utilize or transmit personal data with integrity and credibility, and within the most limited scope and specified purpose necessary.

第七條 本校應確保個人資料之蒐集除個資法第六條第一項所規定資料外，應有特定目的，且應符合個資法第十九條第一項之規定，並明確告知當事人下列事項：

Article VII. In addition to Paragraph 1 of Article 6 of the Personal Information Protection Act, the University shall ensure specific purposes for the collection of personal information, and in accordance with Paragraph 1 of Article 19 of the Personal Information Protection Act, shall inform the parties involved of the following:

一、機關或單位名稱。

1. The name of the institution or unit.

二、蒐集之目的。

2. The purpose for collecting information.

三、個人資料之類別。

3. The category of personal information.

四、個人資料利用之期間、地區、對象及方式。

4. The duration, region, target and method of using their personal information.

五、當事人依個資法第三條規定得行使之權利及方式。

5. The rights and methods by which the parties involved shall exercise in accordance with Article 3 of the Personal Information Protection Act.

六、於當事人得選擇是否提供其個人資料時，如不提供將影響其權益。

6. The rights and interests of the parties involved may be affected by choosing not to provide personal information.

但符合個資法第八條第二項規定情形之一者，得免為前項之告知。

However, if one of the circumstances is in accordance with the provision of Paragraph 2 of Article 8 of the Personal Information Protection Act, the University shall be exempted from informing the parties involved about the preceding paragraph.

第八條 各單位蒐集非由當事人提供之個人資料，應於處理或利用前，向當事人告知個人資料來源及前條第一款至第五款所列事項。但符合個資法第九條第二項規定情形之一者，不在此限。

前項之告知，應於首次對當事人個人資料為處理或利用時為之。

Article VIII. Units collecting personal information not provided by the parties involved shall inform the parties involved of the source of information and the provisions of the Paragraphs 1-5 of preceding Article before processing or using the information. However, parties

involved who are under the qualifications of Paragraph 2 of Article 9 of the Personal Information Protection Act are excluded from this provision.

The notification indicated in the preceding paragraph shall be made when processing or using the personal information of the parties involved for the first time.

第九條 各單位依個資法第十九條第一項第五款及第二十條但書第六款規定蒐集、處理或利用當事人個人資料時，應取得當事人同意。

Article IX. Units shall obtain the consent of the parties involved when collecting, processing or using their personal information in accordance with the provisions of Subparagraph 5, Paragraph 1 of Article 19, and Subparagraph 6 of proviso of Article 20 of the Personal Information Protection Act.

第十條 各單位依個資法第十九條或第二十條蒐集、處理、利用個人資料時，應詳為審核，並經行政程序為之。

各單位應對於個人資料之處理、利用之歷程做成紀錄並保存之。

Article X. Units shall carefully review and comply with administrative procedures in accordance with Article 19 or Article 20 of the Personal Information Protection Act when collecting, processing or utilizing personal information.

Units shall retain and maintain records of the processing and utilization of personal information.

第十一條 各單位對於所保有之個人資料有錯誤或缺漏時，應由資料蒐集單位經行政程序更正後，通知資料保有單位更正或補充之，該單位應確實做成紀錄並保存之。

因可歸責各單位之事由而未為更正或補充個人資料時，其應於更正或補充後，由資料蒐集單位以書面通知曾利用該個人資料之單位。

Article XI. Errors or omissions in personal information retained by units shall be corrected or supplemented by the unit collecting the information in accordance with administrative procedure. The units retaining the personal information shall be notified of the correction or supplementation, and shall then in fact compile and retain a record.

For incidents that units could be liable for if personal information is not corrected or supplemented, the information collecting unit shall submit a written notification to the units that have previously used such personal information after correcting or supplementing the information.

第十二條 各單位保有之個人資料正確性有爭議者，應由資料蒐集單位經行政程序，通知資料保有單位停止之處理或利用，該單位應確實做成紀錄並保存之。但符合個資法第十一條第二項但書情形者，不在此限。

Article XII. If the accuracy of the personal information retained by units is disputed, the information collecting unit shall notify the units retaining the information to stop processing or using the information according to administrative procedure. The units shall then in fact compile and retain a record.

However, circumstances which are in accordance with the provision of the proviso of Paragraph 2 of Article 11 of the Personal Information Protection Act are excluded from this provision.

第十三條 各單位保有個人資料蒐集之特定目的消失或期限屆滿時，應由資料蒐集單位經行政程序，通知資料保有單位刪除、停止之處理或利用，該單位應確實做成紀錄並保存之。但符合個資法第十一條第三項但書情形者，不在此限。

Article XIII. When the specific purpose for the collected personal information retained by units no longer exists or the term of the information has expired, the information collecting unit shall notify the units retaining the information to delete, stop processing or utilize the information according to administrative procedure. The units shall then in fact compile and retain a record.

However, circumstances which are in accordance with the provision of the proviso of Paragraph 3 of Article 11 of the Personal Information Protection Act are excluded from this provision.

第十四條 各單位違反個資法規定蒐集、處理或利用個人資料檔案者，經行政程序核定後通知資料保有單位刪除、停止之處理或利用，該單位應確實做成紀錄並保存之。

Article XIV. Units violating the Personal Information Protection Act in their collection, processing or utilization of personal information shall be notified to delete, stop processing or stop using the information following administrative review, and shall then in fact compile and retain a record.

第十五條 針對病歷、醫療、基因、性生活、健康檢查、犯罪前科等個人資料，應建立符合下列要求之程序：

Article XV. The establishment of personal information such as medical records, medical treatment, genetics, sexual life, health examinations and criminal records shall be in accordance with the following procedure:

一、確保內部人員不得蒐集、處理及利用該資料。

1. Internal personnel shall be prohibited from collecting, processing and using such information.

二、確保例外得蒐集、處理或利用該資料時，符合個人資料保護相關法規之要求，並建立資料蒐集、處理或利用之控制與記錄機制。

2. In the exception that the collection, processing or utilization of such information is permitted, the exception shall be conducted in accordance with the provision of the Personal Information Protection Act. A control and recording mechanism shall also be established for the information collection, processing or utilization.

第三章 當事人之相關權利

Chapter 3 Rights of Parties Involved

第十六條 原蒐集之特定目的範圍變更時，應進行下列程序：

Article XVI. The following procedure shall be implemented when the original scope of purpose for the collection changes:

- 一、確認原始蒐集之合法要件是否存續，其未存續者，應再取得當事人同意而為之。
 1. Verify whether the legal elements of the original collection remain. If not, the consent of the parties involved shall be obtained again.
- 二、建立特定目的範圍變更之控制與記錄機制。
 2. Establish a control and record mechanism for changes in the scope of purpose.

第十七條 當事人依個資法第十條向個人資料保有單位請求查詢、閱覽個人資料或製給個人資料複製本，應填具申請書，並檢附相關證明文件。
前項書件內容，如有遺漏或欠缺，應通知限期補正。
申請案件有下列情形之一者，個人資料保有單位應以書面駁回其申請：

Article XVII. Parties involved making request of the unit retaining their personal information to inquire, read or make a copy of their personal information in accordance with Article 10 of the Personal Information Protection Act shall fill in an application form and attach relevant supporting documents.

Applicants shall be notified to provide omitted or incomplete information within prescribed time.

Units retaining the personal information shall reject the application in writing given any one of the following condition:

- 一、申請書件內容有遺漏或欠缺，經通知限期補正，逾期仍未補正者。
 1. Omitted or incomplete information in the application form has not been supplemented or corrected within the prescribed time of notification.
- 二、有個資法第十條但書各款情形之一者。
 2. Circumstances under the proviso of Article 10 of the Personal Information Protection Act.
- 三、與法令規定不符者。
 3. Circumstances which don't comply with the statutes and regulations.

第十八條 當事人提出前條之請求時，個人資料保有單位應於十五日內為准駁之決定。必要時，得予延長，延長期間不得逾十五日，並應將其原因以書面通知當事人。

Article XVIII. When parties involved made the request in the preceding Article, the unit retaining the personal information shall approve or reject the request within 15 days, or delay the decision if necessary. The delay shall not exceed 15 days, and the parties involved shall be notified of the reasons in writing.

第十九條 當事人閱覽其個人資料時，承辦單位應派員陪同，並依本校相關程序辦理及繳納費用。

Article XIX. When the parties involved are reading their personal information, the handling unit shall have a staff member present, and shall handle matters and payment of fees in accordance with relevant University procedures.

第二十條 當事人依個資法第十一條第一項至第四項規定向個人資料保有單位請求補充、更正、刪除、停止蒐集、處理或利用個人資料，應填具申請書，並檢附相關證明文件。

Article XX. Parties involved requesting the unit retaining their personal information to supplement, correct, delete or stop collecting, processing or using their personal information in accordance with Paragraphs 1-4 of Article 11 of the Personal Information Protection Act shall do so with an application form and submit relevant supporting documents.

前項書件內容，如有遺漏或欠缺，應通知限期補正。

In the aforementioned application form in the preceding paragraph, applicants shall be notified to provide omitted or incomplete information within prescribed time.

申請案件有下列情形之一者，個人資料保有單位應以書面駁回其申請：

Units retaining the personal information shall reject the application in writing given any one of the following condition:

一、申請書件內容有遺漏或欠缺，經通知限期補正，逾期仍未補正者。

1. Omitted or incomplete information in the application form has not been supplemented or corrected within the prescribed time of notification.

二、有個資法第十一條第二項但書或第三項但書所定情形之一者。

2. Circumstances under the provisos of Paragraph 2 or Paragraph 3 of Article 11 of the Personal Information Protection Act.

三、與法令規定不符者。

3. Circumstances which don't comply with the statutes and regulations

第二十一條 當事人提出前條之請求時，個人資料保有單位應於三十日內為准駁之決定。必要時，得予延長，延長期間不得逾十五日，並應將其原因以書面通知當事人。

Article XXI. When parties involved made the request in the preceding Article, the unit retaining the personal information shall approve or reject the request within 30 days, or delay the decision if necessary. The delay shall not exceed 15 days, and the parties involved shall be notified of the reasons in writing.

第四章 個人資料安全管理措施

Chapter 4 Personal Information Security and Management Measures

第二十二條 個人資料保有單位於個資法第十二條所定個人資料有被竊取、洩漏、竄改或其他侵害情事者，應進行緊急因應措施，並即通報執行小組，其作業程序如下：

Article XXII. If personal information specified in Article 12 of the Personal Information Protection Act held by units are stolen, leaked, falsified or otherwise infringed upon, contingency measures shall be activated and the Task Team immediately notified in accordance with the following operating procedures:

一、各單位接獲個人資料安全事件通知。

1. Notify all units of the personal information security incident.

二、通報執行小組。

2. Notify the Task Team.

三、執行小組釐清資料保有、處理等作業程序與責任所屬。

3. The Task Team shall clarify the information protection and processing procedures, and determine responsibilities.
- 四、資料權責單位應即進行防禦或補救作業。
4. Units bearing information rights and responsibilities shall immediately implement defense or remedial operations.
- 五、資料權責單位應即以適當方式通知當事人。
5. Units bearing information rights and responsibilities shall immediately notify parties involved through appropriate methods.
- 六、資料權責單位應將改善與預防措施納入工作準則，以降低事件再發生機率。
6. Units bearing information rights and responsibilities shall incorporate improvement and preventive measures into their operation guidelines to reduce the chance of recurrence.
- 七、回報執行小組。
7. Report back to the Task Team.

第二十三條 執行小組得定期或不定期辦理本校個人資料保護管理稽核，稽核結果陳校長核備。

Article XXIII. The Task Team shall audit the University's personal information protection management irregularly or periodically, and shall submit the audit result to the University President for approval.

第二十四條 個人資料檔案安全維護工作，除本辦法外，並應符合法令、主管機關及本校訂定之相關作業安全與機密維護規範。

Article XXIV. In addition to the Regulations, the security protection of personal information files shall comply with relevant Acts, and the operational safety and confidentiality rules and regulations prescribed by competent authorities and the University.

第五章 附則

Chapter V Supplementary Provisions

第二十五條 本辦法經行政會議審議通過，陳請校長核定後公布實施，修正時亦同。

Article XXV. The Regulations are issued and implemented upon review and approval by the Administrative Meeting and subsequent approval by the University President; the same procedures shall be applied to amendment.