



## **China data privacy basics: what higher education institutions need to know**

### **1. Definition of personal information**

Personal information includes any information that can be linked to one individual.

### **2. Handling personal information**

Core principles are notification and consent.

People have a right to be forgotten. An individual can require a copy of their personal information and require that personal information be corrected.

Companies must have a point of contact for personal information queries.

### **3. Transferring personal information to third parties**

Separate consent required.

Third party includes parent company outside China.

### **4. Transferring personal information out of China**

Separate consent required. To be done using so far non-existent “standard terms”.

### **5. Handling sensitive personal information**

Separate consent is required when handling sensitive personal information, especially information as to biometrics, religion, ethnicity, medical condition, financial matters, or location.

### **6. General Suggestions**

Monitor Cyberspace Administration of China website (<http://www.cac.gov.cn/>) for guidance, especially on standard terms for foreign transfers.

Appoint a data protection officer to formulate China privacy policy and work on compliance matters.

Identify third parties for which transfer consents may be needed and identify individuals whose consent is required.

Obtain necessary consents.

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