

Medical Data Privacy and Ethics in the Age of Artificial Intelligence

Lecture 9: Privacy laws and regulations in China

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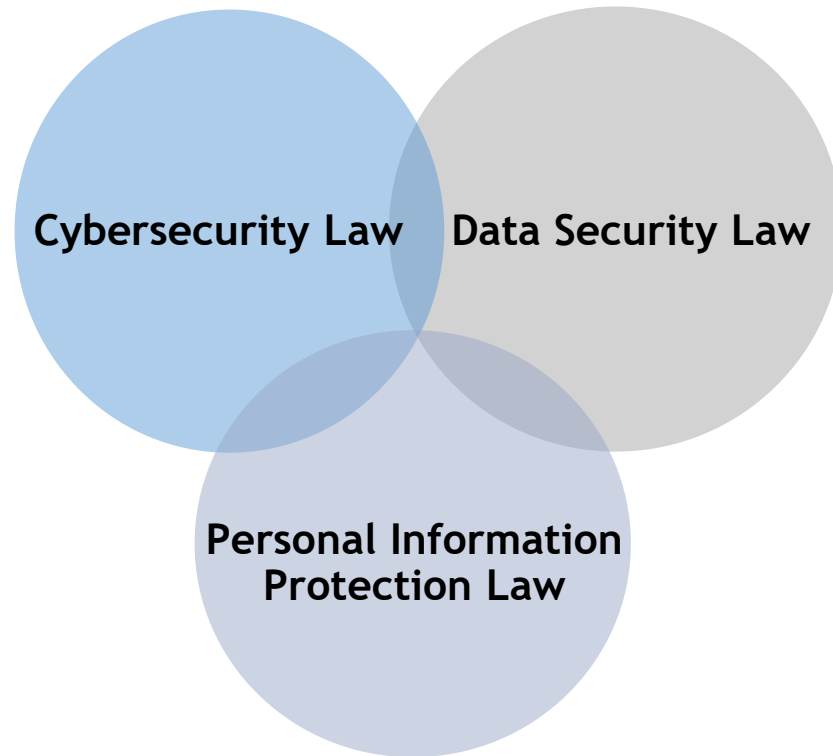
October 31, 2025

Learning Objectives of This Lecture

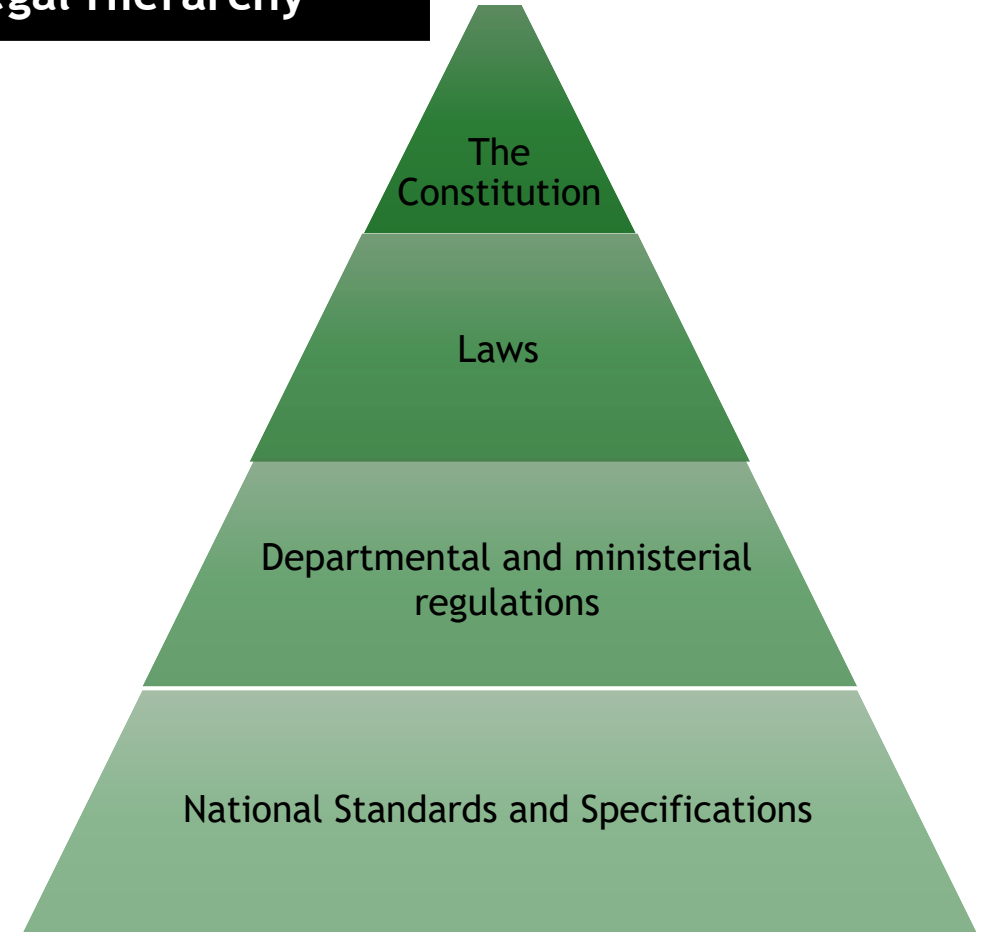
- Know key concepts in PIPL (China)

Framework of China Data Laws

Core Laws



Legal Hierarchy



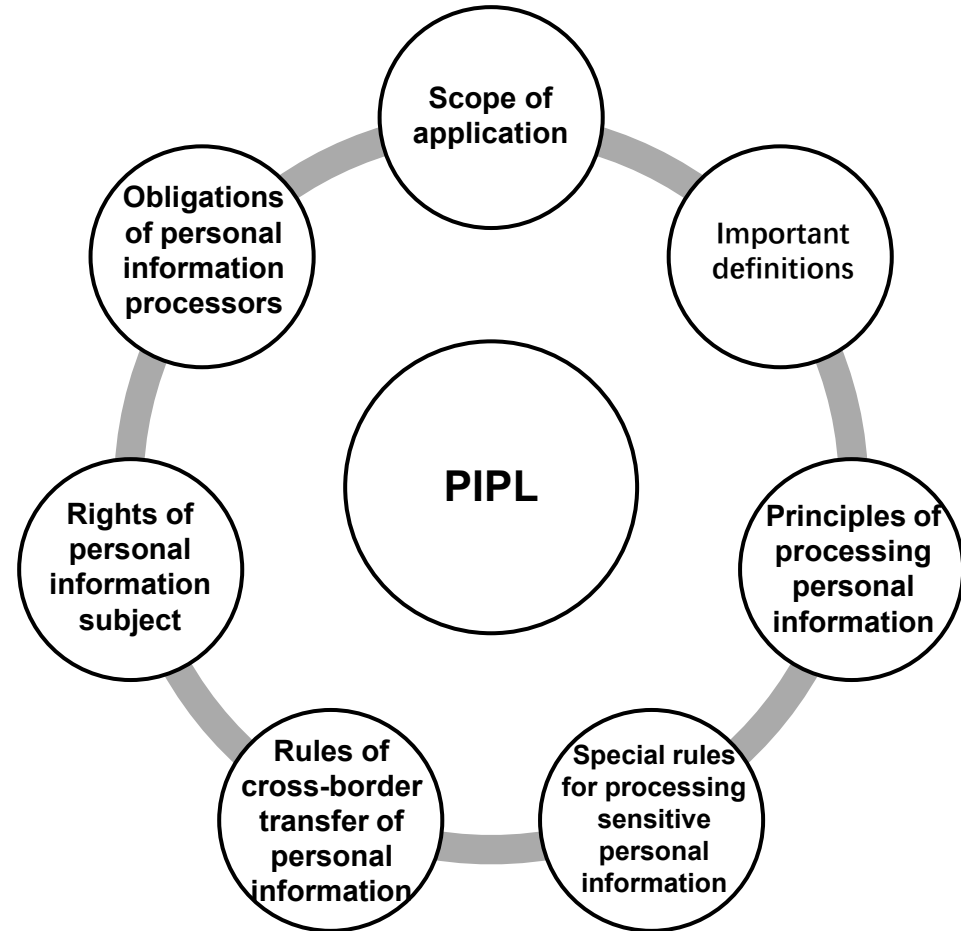
Adapted from King & Wood Mallesons Slides.

Framework of China Data Laws

- Laws
 - Personal Information Protection Law (PIPL) (个人信息保护法) of 2021
 - Data Security Law (DSL) (数据安全法) of 2021
 - Cybersecurity Law (CSL) (网络安全法) of 2016
- Departmental and ministerial Regulations
 - Personal Information Security Specifications (GB/T 35273-2020) (信息安全技术 个人信息安全规范)
- National Standards and Specifications
 - Guidance for Personal Information Security Impact Assessment (GB/T 39335-2020) (信息安全技术 个人信息安全影响评估指南)

Key Points of PIPL

- **Basic principles of processing personal information**
 - Lawfulness, Propriety, Necessity and Good Faith
 - Openness and Transparency
 - Clarity and Relevance
 - Completeness and Accuracy
 - Minimum Necessity
 - Security Guarantee

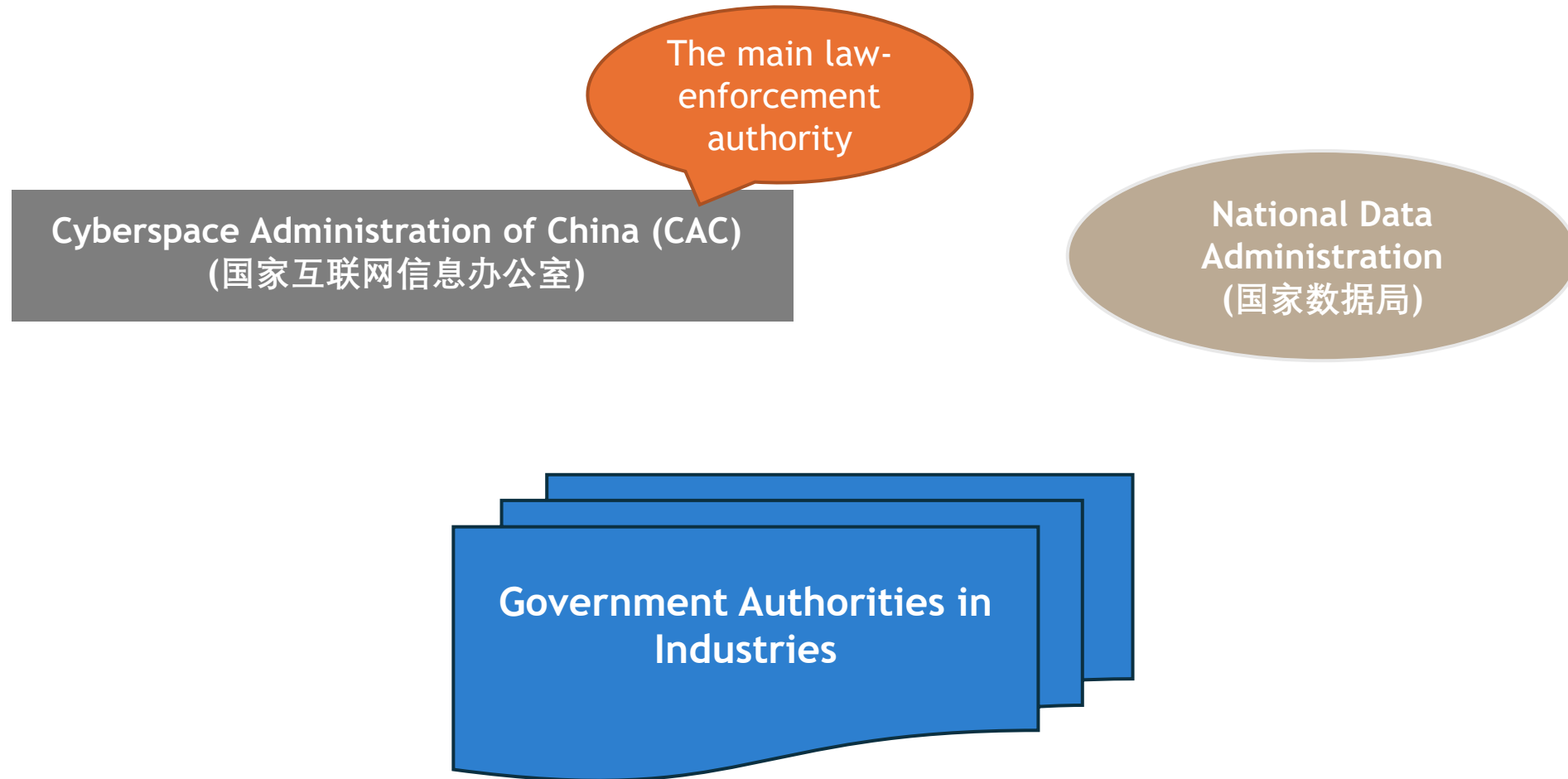


Definition of Personal Information Processor

- *Personal information processor refers to an organization or individual that independently determines the processing purpose and method in the processing of personal information.*

-- Personal Information Protection Law

Data Regulatory System in China



Data vs. Personal Information vs. Important Data

Personal information
means all kinds of information related to identified or identifiable natural persons recorded by electronic or other means, excluding anonymized information

The following factors shall be considered when identifying “important data”:

- a) It directly affects territorial security and national unity, or reflecting China's natural resource base, such as unpublished data on territorial land, water and airspace;
- b) It can be used by other countries or organizations to launch military strikes against China, or to reflect China's strategic reserves, emergency mobilization, combat and other capabilities, such as geographic data or data related to the production capacity and reserves of strategic materials that meet certain accuracy indicators;
- c)

(*GB/T43697-2024 Rules for Data Grading and Classification*
数据分级分类规则)

Personal information of more than 10 million individuals shall be regarded as important data.

(*Art. 28 of Regulation on Network Data Security Management*
网络数据安全条例))

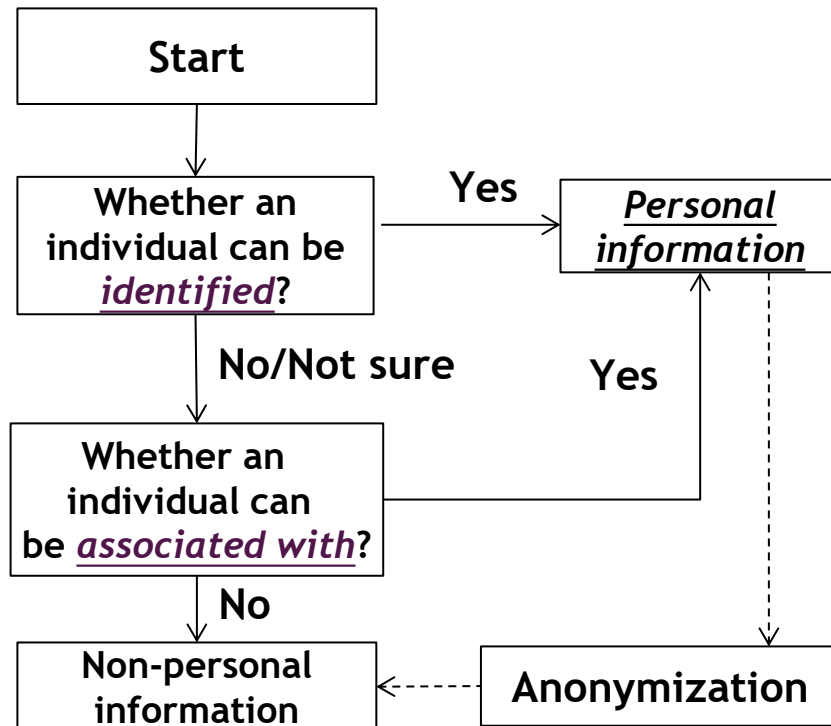
means any record information, electronic or otherwise.

Important data means the data in a specific field, group or region or with a certain precision and scale, which, once tampered with, destroyed, divulged, illegally obtained or illegally used, may directly endanger national security, economic operation, social stability, public health and security.

Definition of Personal Information

Personal information: all kinds of information related to identified or identifiable natural persons recorded by electronic or other means, excluding anonymized information.

How to identify personal information?

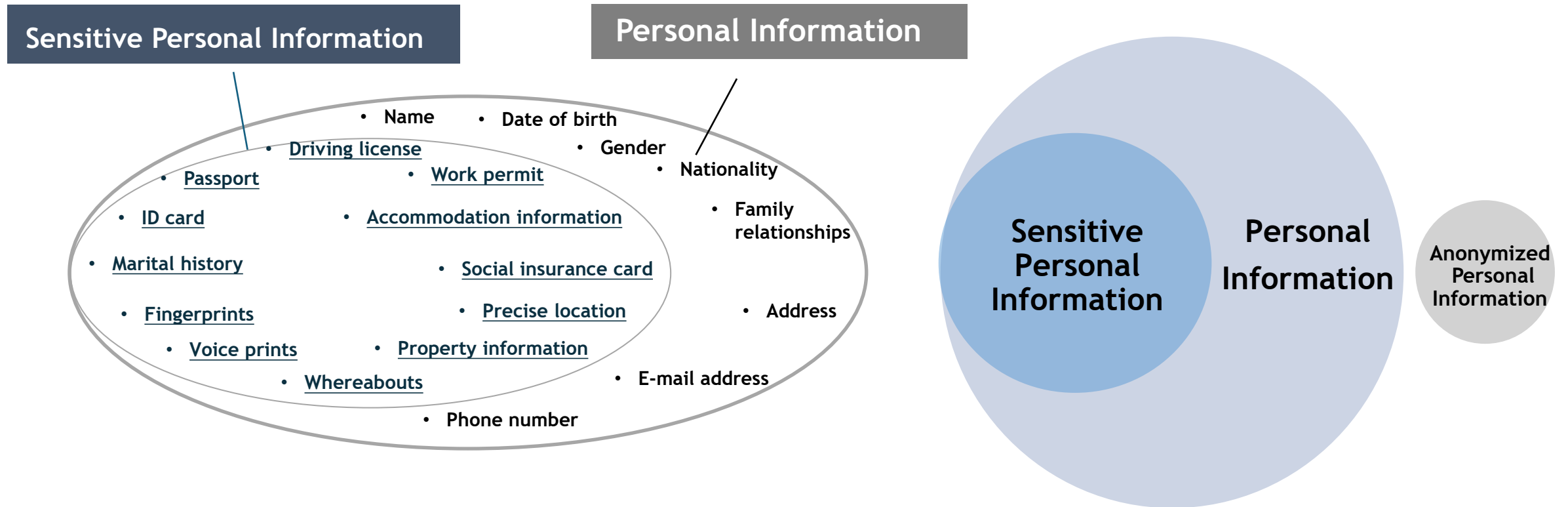


Definition of Sensitive Personal Information

Sensitive Personal Information: the personal information that is likely to result in damage to the dignity of any natural person or damage to his or her physical or property safety once disclosed or illegally used.

- Personal information processors should conduct the **personal information protection impact assessment (PIPIA)** in advance before processing sensitive personal information.
- **Separate consent** shall be obtained where sensitive personal information is to be processed.
- **Inform** individuals of the necessity of processing sensitive personal information and the impacts on individuals' rights and interests.
- Sensitive personal information should be **protected in a stricter way**, comparing to ordinary personal information.

Relationship between Personal Information and Sensitive Personal Information



Rights of the Personal Information Subject

It is a mandatory legal requirement to protect the following rights of the personal information subjects. The personal information processor must proactively and comprehensively respond to the requests of exercising such rights.

Right to know

Right to decide

Right to access

Right to copy

Right to erasure

Right to modify

Right to supplement

Right to portability (i.e., requesting to transfer the personal information to another personal information processor)

The close relatives' right to exercise rights of the deceased

Right related to automated decision-making (i.e., when the personal information processor makes decisions that have a significant impact on personal rights and interests through automated decision-making, individuals have the right to ask the personal information processor to explain and refuse to make decisions only through automated decision-making.)

Take-away messages

- Know key concepts in PIPL
 - Ten rights of personal information subjects

Readings due on November 5

- 1. Sweeney L. Simple Demographics Often Identify People Uniquely. Carnegie Mellon University, Data Privacy Working Paper 3. Pittsburgh 2000.
 - <https://dataprivacylab.org/projects/identifiability/paper1.pdf>
- Optional
 - Golle P. Revisiting the uniqueness of simple demographics in the US population. In Proceedings of the 5th ACM Workshop on Privacy in Electronic Society 2006 Oct 30 (pp. 77-80).
 - <https://doi.org/10.1145/1179601.117961>

Feedback Survey

- One thing you learned or felt was valuable from today's class & reading
- Muddiest point: what, if anything, feels unclear, confusing or “muddy”
- <https://www.wjx.cn/vm/hX0mlro.aspx>

BME2133 Class Feedback Survey

