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 2018 5 146-150

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2007

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80-91

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2018

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110-117

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2016

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ISO/IEC 2382-1:1993

ISO/IEC 2382:2015

information

“knowledge concerning objects, such as facts, events, things, processes, or ideas, including concepts, that within a certain context has a particular meaning” data “reinterpretable representation of information in a formalized manner suitable for communication, interpretation, or processing”

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informed consent

informed consent

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<sup>9</sup> [ ] .  
2003 264  
<sup>10</sup>  
67  
<sup>11</sup>

1999

2018 5 151

right to be informed

GDPR

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<sup>12</sup> EU Agency for Fundamental Rights (FRA), *Handbook on European Data Protection Law*, 207 (Publications Office of the European Union, 2018).

<sup>13</sup> Christopher Kuner, Lee A. Bygrave & Christopher Docksey eds., *The EU General Data Protection Regulation: A Commentary*, 401-402 (Oxford University Press 2020).

<sup>14</sup> The EU General Data Protection Regulation, Art.13.

<sup>15</sup> Christopher Kuner, Lee A. Bygrave & Christopher Docksey eds., *The EU General Data Protection Regulation: A Commentary*, 444-446 (Oxford University Press 2020).

<sup>16</sup>

2020

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<sup>17</sup>

2020

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right to access

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<sup>19</sup>

2014

YS v Minister voor Immigratie

Integratie en Asiel

and Minister voor Immigratie

Integratie en Asiel v M and S<sup>20</sup>

<sup>18</sup> Christopher Kuner, Lee A. Bygrave & Christopher Docksey eds., *The EU General Data Protection Regulation: A Commentary*, 462-465 (Oxford University Press 2020).

<sup>19</sup> Christopher Kuner, Lee A. Bygrave & Christopher Docksey eds., *The EU General Data Protection Regulation: A Commentary*, 465-466 (Oxford University Press 2020).

<sup>20</sup> European Commission v The Bavarian Lager Co. Ltd, <http://curia.europa.eu/juris/document/document.jsf?text=&docid=84752&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=593674> (accessed Jun. 16, 2021).

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summary

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<sup>21</sup> The EU General Data Protection Regulation, para.58.

<sup>22</sup> The EU General Data Protection Regulation, para.70.

<sup>23</sup> The Privacy Act of 1974 (5 U.S.C.A. 552a), §2(b)(3): "...permit an individual to gain access to information pertaining to him in Federal agency records, to have a copy made of all or any portion thereof, and to correct or amend such records".

<sup>24</sup> Christopher Kuner, Lee A. Bygrave & Christopher Docksey eds., *The EU General Data Protection Regulation: A Commentary*, 466-467 (Oxford University Press 2020).

<sup>25</sup>



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right to data portability

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right to rectification

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<sup>26</sup>

2020

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<sup>27</sup>

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<sup>28</sup> Christopher Kuner, Lee A. Bygrave & Christopher Docksey eds., *The EU General Data Protection Regulation: A Commentary*, 502 (Oxford University Press 2020).

<sup>29</sup>

2020 223

<sup>30</sup>

2020 396

<sup>31</sup> Christopher Kuner, Lee A. Bygrave & Christopher Docksey eds., *The EU General Data Protection Regulation: A Commentary*, 471 (Oxford University Press 2020).

<sup>32</sup> EU Agency for Fundamental Rights (FRA), *Handbook on European Data Protection Law*, 220 (Publications Office of the European Union, 2018).

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right to object

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her particular situation  
Spain v AEPD and Mario Costeja González

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on grounds relating to his or  
Google

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<sup>33</sup> 2020 397  
<sup>34</sup> Christopher Kuner, Lee A. Bygrave & Christopher Docksey eds., *The EU General Data Protection Regulation: A Commentary*, 477 (Oxford University Press 2020).  
<sup>35</sup> Case Number C-131/12, Google Spain SL, Google Inc v. Agencia Espanola de Proteccion de Datos and Mario Costeja Gonzalez, E.C.R. 317(2014).  
<sup>36</sup> Christopher Kuner, Lee A. Bygrave & Christopher Docksey eds., *The EU General Data Protection Regulation:*

opt-out

direct marketing

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*A Commentary*, 326-327 (Oxford University Press 2020).

<sup>37</sup> Christopher Kuner, Lee A. Bygrave & Christopher Docksey eds., *The EU General Data Protection Regulation: A Commentary*, 518 (Oxford University Press 2020).

<sup>38</sup> The Canadian Personal Information Protection and Electronic Documents Act (PIPEDA), § 5 “Principles Set Out in the National Standard of Canada Entitled Model Code for the Protection of Personal Information” (CAN/CSA-Q830-964.3): “*Principle 3 4.3.8 - Consent An individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice*”.

right to erasure

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the right to be forgotten 2014

Google Spain

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Google Spain

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2018 5

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“right to erasure („right to be forgotten )”

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<sup>39</sup> Vgl.Nolte/Werkmeister, in: Gola, DSGVO, § 17 Rn.8.

2020 398

<sup>40</sup> Case Number C-131/12, Google Spain SL, Google Inc v. Agencia Espanola de Proteccion de Datos and Mario Costeja Gonzalez, E.C.R. 317(2014).

<sup>41</sup> The EU General Data Protection Regulation (2018), Art. 17.

<sup>42</sup> Christopher Kuner, Lee A. Bygrave & Christopher Docksey eds., *The EU General Data Protection Regulation: A Commentary*, 481 (Oxford University Press 2020).

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### **On the Construction and Systematization of Right to Personal Information**

Shen Weixing

**Abstract:** By empowering information subject with the right to personal information, the problem of “rules of the jungle” and the “tragedy of the commons” in the field of data utilization can be eliminated, the governance of information subjects on their own personal information can be significantly enhanced from both positive and negative aspects, the utilization and integration of information can also be promoted while providing more comprehensive legal protection to individual information subjects, realizing the value and essence of information as information itself. The Chinese Civil Code has already established a general framework for the right to personal information. Now the Personal Information Protection Law further details the subject, object, effects, conditions for the exercise and remedies of the personal information right. Thus, a system for the right to personal information has been formally constructed, with specific capacities such as right to informed consent, the right of access, the right to object and rectification, the right of refusal, and the right to erasure. This system could be considered as the basis and core of the institution of personal information protection in today s China.

**Keywords:** personal information; right; capacities; systematization