

國立高雄科技大學資通安全暨個人資料保護管理要點
National Kaohsiung University of Science and Technology
Regulations Governing Cyber Security
and Personal Data Protection

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- 一、國立高雄科技大學(以下簡稱本校)為強化本校各單位(以下簡稱各單位)資訊資產之安全 管理及規範個人資料之蒐集、處理及利用，落實個人資料之保護及管理，並依據資通安全管理法(以下簡稱資安法)、個人資料保護法(以下簡稱個資法)及相關法令，訂定本校資通安全暨個人資料保護管理要點(以下簡稱本要點)。

Article 1

These Regulations Governing Cyber Security and Personal Data Protection (hereinafter referred to as “these Regulations”) are adopted by National Kaohsiung University of Science and Technology (hereinafter referred to as “the University”) to strengthen the information assets security of each office of the University (hereinafter referred to as “each office”) and standardize the collection, processing, and utilization of personal data, and protect and manage personal data, in accordance with the Cyber Security Management Act (hereinafter referred to as “the Cyber Security Act”) and the Personal Data Protection Act (hereinafter referred to as “the Personal Data Act”) and related regulations.

- 二、各單位自行或委外開發之資通系統應依資通安全責任等級分級辦法附表九所訂資通系統防護需求分級原則完成資通系統分級，並依附表十所定資通系統防護基準執行控制措施。

Article 2

Self-developed or outsourced information and communication systems by each office shall be classified with information and communication security levels in accordance with the Principles of Classification of Levels of Defense Requirements of Information and Communication System specified in

Appendix 9 of the Regulations on Classification of Cyber Security Responsibility Levels, and each office shall implement relevant control measures based on the Defense Standards of Cyber Systems specified in Appendix 10.

- 三、各單位委外辦理資通系統之建置、維運或資通服務之提供，選任及監督受託者時，應注意資通安全管理法施行細則第四條第一項第一款至第九款，並要求委外服務人員每年簽署保密同意書。

Article 3

When outsourcing for the construction, maintenance, and operation or provision of the information and communication system services and when selecting and supervising the contractors, each office shall take note of Article 4, Paragraph 1, Subparagraphs 1 to 9 of the Enforcement Rules of the Cyber Security Management Act, and require outsourced service personnel to sign a confidentiality agreement annually.

- 四、各單位蒐集、處理或利用個人資料之特定目的，以本校依適當方式公開者為限；有變更者，亦同。

Article 4

Personal data collected, processed, or utilized for specific purposes by each office shall be limited to those allowed to be disclosed by the University in an appropriate manner; the same shall apply when changes are made.

- 五、各單位對於個人資料之蒐集、處理或利用，應依個資法第五條規定為之。

Article 5

The collection, processing, or utilization of personal data by each office shall be conducted in accordance with Article 5 of the Personal Data Act.

- 六、各單位蒐集當事人個人資料時，除符合個資法第八條第二項規定情形之一者外，應依個資法第八條第一項規定，明確告知當事人下列事項：

- (一)本校名稱。
- (二)蒐集之目的。
- (三)個人資料之類別。
- (四)個人資料利用之期間、地區、對象及方式。
- (五)當事人依個資法第三條規定得行使之權利及方式。
- (六)當事人得自由選擇提供個人資料時，不提供對其權益之影響。

Article 6

When collecting personal data from data subjects, except for situations that

meet one of the conditions specified in Article 8, Paragraph 2 of the Personal Data Act, each office shall explicitly inform the data subject of the following matters, in accordance with Article 8, Paragraph 1 of the Personal Data Act:

- (1) the name of the University;
- (2) the purpose of the collection;
- (3) the categories of the personal data to be collected;
- (4) the time period, territory, recipients, and methods of which the personal data is used;
- (5) the data subject's rights under Article 3 of the Personal Data Act and the methods for exercising such rights; and
- (6) the data subject's rights and interests that will be affected if he/she chooses not to provide his/her personal data.

七、各單位蒐集非由當事人提供之個人資料，應依個資法第九條第一項規定，於處理或利用前，向當事人告知個人資料來源及前點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，得免為告知。

前項告知，依個資法第九條第三項規定，得於首次對當事人為利用時併同為之。

Article 7

7.1 Before processing or using personal data not provided by the data subject, each office shall inform the data subject, in accordance with Article 9, Paragraph 1 of the Personal Data Act, of its source of data and other information specified in Subparagraphs 1 to 5 of the preceding article. However, the obligation to inform may be exempted under the circumstances specified in Article 9, Paragraph 2 of the Personal Data Act.

7.2 The obligation to inform as prescribed in the preceding paragraph may be performed at the time of the first use of the personal data concerning the data subject pursuant to Article 9, Paragraph 3 of the Personal Data Act.

八、各單位依個資法第十五條第二款及第十六條但書第七款規定經當事人同意者，應取得當事人同意。

Article 8

Each office shall obtain the consent of the data subject when applying Article 15, Subparagraph 2, and the exception specified in Article 16, Subparagraph 7 of the Personal Data Act, where consent has been given by the data subject.

九、各單位依個資法第十五條或第十六條規定對個人資料之蒐集、處理、利用時，應詳為審核，並簽奉核定後為之；依個資法第十六條但書規定對個人資料為特定目的外之利用，應將個人資料之利用歷程做成紀錄。

前項對於個人資料之利用，不得為資料庫之恣意連結，且不得濫用。

Article 9

9.1 When collecting, processing, and utilizing personal data in accordance with Article 15 or Article 16 of the Personal Data Act, each office shall conduct a detailed review and proceed with signed approval. In the case of using personal data for purposes other than the specific purposes specified in the exceptions of Article 16 of the Personal Data Act, the utilization history of personal data shall be recorded.

9.2 The use of personal data in the preceding paragraph shall not involve arbitrary linking of databases and shall not be abused.

十、本校保有之個人資料有錯誤或不完整時，應由資料蒐集單位簽奉核定後，移由資料保有單位，依個資法第十一條第一項規定，更正或補充之，並留存相關紀錄。因可歸責於本校之事由，未為更正或補充之個人資料，應依個資法第十一條第五項規定，於更正或補充後，由資料蒐集單位以通知書通知曾提供利用之對象。

Article 10

In the case of incorrectness or incompleteness of personal data retained by the University, the office responsible for data collection shall proceed with signed approval and transfer the data to the office responsible for data retention to make corrections and supplements, as prescribed in Article 11, Paragraph 1 of the Personal Data Act, and keep relevant records. If any failure to correct or supplement any personal data is attributable to the University, the office responsible for data collection shall send a written notification to the persons who have been provided with this personal data after the correction or supplement is made, as prescribed in Article 11, Paragraph 5 of the Personal Data Act.

十一、本校保有之個人資料正確性有爭議者，應由資料蒐集單位簽奉核定後，移由資料保有單位停止處理或利用該個人資料。但符合個資法第十一條第二項但書情形者，不在此限。個人資料已停止處理或利用者，資料保有單位應確實記錄。

Article 11

In the event of a dispute regarding the accuracy of the personal data retained by the University, the office responsible for data collection shall proceed with signed approval and transfer the data to the data retention office to cease processing or using the personal data, except for the conditions specified in Article 11, Paragraph 2 of the Personal Data Act. The data retention office shall accurately record the cessation of processing or using personal data.

- 十二、本校保有個人資料，其蒐集之特定目的消失或期限屆滿時，應由資料蒐集單位簽奉核定後，移由資料保有單位刪除、停止處理或利用。但符合個資法第十一條第三項但書情形者，不在此限。個人資料已刪除、停止處理或利用者，各該單位應確實記錄。

Article 12

When the specific purpose of data collection no longer exists, or upon expiration of the relevant time period, the office responsible for data collection shall proceed with signed approval and transfer the data to the data retention office to erase or cease processing or using the personal data, apart from the conditions set forth in Article 11, Paragraph 3 of the Personal Data Act. Each respective office shall accurately record the erasure of personal data and the cessation of processing or using personal data.

- 十三、各單位依個資法第十一條第四項規定應主動或依當事人之請求刪除、停止蒐集、處理或利用個人資料者，應簽奉核定後，移由資料保有單位為之。個人資料已刪除、停止蒐集、處理或利用者，資料保有單位應確實記錄。

Article 13

In the case pursuant to Article 11, Paragraph 4 of the Personal Data Act, where each office shall, on its own initiative or upon the request of the data subject, erase the personal data collected or cease collecting, processing or using the personal data, the office shall proceed with signed approval and transfer the data to the data retention office to do so. The data retention office shall accurately record the erasure of personal data and the cessation of collecting, processing or using personal data.

- 十四、本校遇有個資法第十二條所定個人資料被竊取、洩漏、竄改或其他侵害情事者，經查明後，應由資料外洩單位以適當方式儘速通知當事人。

Article 14

In the event that the University encounters a situation of personal data theft, leakage, alteration, or other infringements as defined in Article 12 of the Personal Data Act, the office responsible for the data leakage shall promptly notify the data subject via appropriate means after the relevant facts have been clarified.

十五、當事人依個資法第十條或第十一條第一項至第四項規定向本校為請求時，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，應以書面駁回其申請：

(一)申請書件內容有遺漏或欠缺，經通知限期補正，屆期仍未補正。

(二)有個資法第十條但書各款情形之一。

(三)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。

(四)與法令規定不符。

Article 15

15.1 Where a request is made by a data subject to the University pursuant to Article 10 or Article 11, Paragraphs 1 to 4 of the Personal Data Act, the data subject shall fill out an application form attached with relevant supporting documents.

15.2 If there is any omission or deficiency in the contents of the aforementioned documents in the preceding paragraph, a notification shall be given to make corrections within a specified period.

15.3 The application shall be rejected in writing if the application case falls under any of the following circumstances:

- (1) where omissions or deficiencies in the content of the application documents are still uncorrected by the deadline after the notification has been made;
- (2) under any of the exceptions provided in Article 10 of the Personal Data Act;
- (3) under any of the exceptions provided in Article 11, Paragraphs 2 or 3 of the Personal Data Act; or
- (4) where the application is not compliant with the law.

十六、本校就當事人依個資法第十條規定提出答覆查詢、提供閱覽或製給複製本之請求，應依個資法第十三條第一項規定，於十五日內為准駁之決定。

前項之准駁決定，必要時得予延長，延長期間不得逾十五日，並應將其原

因以書面通知請求人。

當事人依第一項准予閱覽其個人資料時，應由承辦單位派員陪同為之。

當事人依第一項請求查詢、閱覽或製給個人資料複製本者，本校得收取必要成本費用。

Article 16

16.1 Where a request is made by a data subject to the University, pursuant to Article 10 of the Personal Data Act, to reply to the data subject's inquiry, to allow the review of personal data collected, or to provide a copy thereof, the University shall determine whether to accept or reject such request within fifteen days in accordance with Article 13, Paragraph 1 of the Personal Data Act. This deadline may be extended by up to fifteen days if necessary, and the data subject shall be notified in writing of the reason for the extension.

16.2 When the data subject is allowed to read his/her personal data in accordance with the preceding paragraph, he/she shall be accompanied by personnel sent by the department in charge.

16.3 The University may charge a fee to cover necessary costs from the data subject who, pursuant to the preceding paragraph, makes an inquiry or a request to review or obtain copies of the personal data.

十七、本校就當事人依個資法第十一條第一項至第四項規定提出個人資料更正或補充之請求時，應依個資法第十三條第二項規定，於三十日內為准駁之決定。前項准駁決定，必要時得予延長，延長期間不得逾三十日，並應將其原因以書面通知請求人。

Article 17

Where a request is made by a data subject to the University, pursuant to Article 11, Paragraphs 1 to 4 of the Personal Data Act, to correct or supplement personal data, the University shall determine whether to accept or reject such a request within thirty days in accordance with Article 13, Paragraph 2 of the Personal Data Act. Such a deadline may be extended by up to thirty days if necessary, and the data subject shall be notified in writing of the reason for the extension.

十八、個人資料檔案如有其他法律規定不得公開或應限制公開其檔案名稱者，依其規定辦理。

Article 18

If there are any laws or regulations that prohibit or restrict the disclosure of

personal data file names, such disclosure should be handled in accordance with the said laws or regulations.

十九、本要點經行政會議通過，陳請校長核定後施行；修正時亦同。

Article 19

These Regulations shall be passed by the Administrative Meeting and shall take force upon approval by the President. The same procedure shall apply when these Regulations are amended.