



## Khon Kaen University Regulation on Personal Data Protection B.E. 2565 (2022 A.D.)

In order to ensure that the operations concerning the protection of personal data of Khon Kaen University are consistent with the relevant laws on personal data protection, and are conducted in an orderly and efficient manner;

By virtue of the power under Section 23 (2) of the Khon Kaen University Act, B.E. 2558 (2015 A.D.), with the approval of the Khon Kaen University Administrative Committee in its meeting No. 10/2565 on May 23, B.E. 2565, and the Khon Kaen University Council in its meeting No. 6/2565 on June 1, B.E. 2565, this regulation is hereby issued as follows:

**Clause 1** This regulation shall be called the “Khon Kaen University Regulation on Personal Data Protection, B.E. 2565.

**Clause 2** This regulation shall come into force from the date of its announcement onwards.

**Clause 3** In this Regulation:

“University” means Khon Kaen University.

“University Council” means the Khon Kaen University Council.

“President” means the President of Khon Kaen University.

“Division” means a division of Khon Kaen University according to Section 9 of the Khon Kaen University Act, B.E. 2558.

“Unit” means an internal unit of a division within the University.

“Personal Data” means information relating to a person which is collected and maintained by the University in a state that enables the identification of that person, whether directly or indirectly, but does not include the data of deceased persons in particular.

“External Data Processor” means an external person or legal entity that carries out the collection, use, or disclosure of personal data as permitted, by order, or on behalf of Khon Kaen University.

“Data Protection Officer” means the Data Protection Officer of Khon Kaen University, who has duties as prescribed in the laws related to personal data protection.

“Processing of Personal Data” means the collection, use, exchange, or disclosure of personal data.

**Clause 4** The President shall have charge and control of the execution of this Regulation and shall have the power to issue announcements and orders concerning the implementation of this Regulation.

In case of problems in practical application or problems in the interpretation of this Regulation, the University Council shall be the arbiter, and the decision of the University Council shall be final.

## Chapter 1

### Principles, Personal Data, and Objectives

**Clause 5** The University must protect personal data from any infringement of an individual's right to privacy, which may cause nuisance or damage to the owner of the personal data, while still preserving the necessity of utilizing personal data in accordance with the objectives of its collection.

**Clause 6** Personal data related to the University, which has been collected and utilized according to the objectives of the collection, consists of:

- (1) Data of personnel working in the University.
- (2) Data of students.
- (3) Data of students of the Khon Kaen University Demonstration School.
- (4) Data of children in childcare facilities.
- (5) Data of persons who have been royally appointed, appointed, assigned, or invited to work with the University.
- (6) Data of service recipients of the University's divisions, units, or various projects, such as the Hospital, Hotel, dormitories, University enterprises, research projects, academic conferences, exhibitions, sports activities, and exercise, among others.

(7) Other personal data collected by the University.

The data in the first paragraph shall also include data collected before and after the royal appointment, appointment, assignment, invitation, contracting, or receiving services from the University, as the case may be.

**Clause 7** The processing of personal data shall be done only as necessary for the implementation of its objectives. The University must obtain prior consent from the data subject, unless:

(1) It is for the preparation of the University's historical documents or archives.

(2) It is for educational research or statistics, which must be consistent with the ethical standards of research in humans.

(3) It is to prevent or suppress a danger to a person's life, body, or health.

(4) It is for the performance of a contract or for taking steps as requested by the data subject prior to entering into a contract with the University, such as hiring personnel, or managing education for students and pupils, in order to carry out the management to achieve the objectives in education, research, development and technology transfer, academic and professional services to society, and the preservation of arts and culture.

(5) It is for compliance with the University's various legal obligations.

However, the actions under (1) and (2) of the first paragraph must have appropriate measures to protect personal data.

## Chapter 2

### Supervision of Personal Data Protection

**Clause 8** The President shall have the duties and powers as the Data Controller of the University as prescribed in the laws related to personal data protection.

**Clause 9** The President may appoint a committee to be responsible for overseeing the processing of the University's personal data to be in accordance with the law and this Regulation.

**Clause 10** The head of a division shall be responsible for controlling the processing of personal data, including maintaining the security of personal data in the parts related to the division or unit. The implementation under the first paragraph must be in accordance with the stipulations of the President or the committee under Clause 9, and the head of the division may appoint a committee to be responsible for controlling the processing of personal data of the division or unit.

**Clause 11** The President shall appoint a University employee or an employee of a contractor under contract with the University to be the Data Protection Officer for the University, and may appoint additional Data Protection Officers for a division or unit to be responsible for protecting personal data specifically for that division or unit, as the case may be, and to coordinate work with the Data Protection Officer for the University.

For the implementation under the first paragraph, the Data Protection Officer may propose that the President appoint a committee or a working group to support the performance of the Data Protection Officer's duties.

### **Chapter 3**

#### **Personal Data Protection Measures**

**Clause 12** The University shall establish a personal data protection policy for the University by issuing a University announcement and publicizing it for general awareness.

In addition to the implementation under the first paragraph, the University may have additional specific personal data protection policies, such as a personal data protection policy for medical service recipients or a personal data protection policy for minors, by issuing a University announcement.

**Clause 13** In cases where it is necessary to have personal data processed by an external data processor, the Data Protection Officer for the University must jointly evaluate, determine methods, and establish measures for personal data protection.

**Clause 14** There shall be a method for the data subject to withdraw consent for the processing of their personal data by notifying them of the rights or the limitation of rights arising from such withdrawal of consent. However, such withdrawal of consent shall not affect any processing that was carried out prior to the withdrawal.

**Clause 15** To promote the processing of personal data that takes into account the protection of personal data to be widely known and realized within the University, the University shall organize training and provide knowledge about personal data protection to those involved.

**Clause 16** Any personnel in the University who commits any act concerning personal data that is a violation of or non-compliance with the provisions of the laws related to personal data protection and this Regulation, causing damage to the data subject or causing damage to the University, the University shall take ethical, disciplinary, or severe disciplinary action, as the case may be.

## **Chapter 4**

### **Personal Data Security Measures**

**Clause 17** The persons responsible for controlling personal data under Clause 8, Clause 9, and Clause 10 shall establish security measures for personal data for controlling access to and use of personal data (Access Control), consisting of:

#### **17.1 Administrative Safeguards**

(1) There shall be a designation and assignment of responsible personnel for technical operations, including importing, processing, using, exchanging, and disseminating data.

(2) Data usage shall be limited to only what is necessary for carrying out the work's objective and shall be in accordance with the objective of the personal data collection.

#### **17.2 Technical Safeguards**

(1) For the purpose of utilization according to the data's objective, the University may collect personal data in paper format, electronic documents, or electronic data format.

(2) There shall be a system to define user access rights. In cases where data is collected in electronic format, data backups shall be made at a frequency appropriate for each type of data, and the security of the backup data shall be maintained at a level no less than that of the operational data.

(3) There shall be an establishment of access levels for data related to personal data for utilization according to the collection objectives, with at least a level that allows full access to personal data and a level that is rendered as anonymized data (anonymization).

(4) In cases where data is collected in electronic format, every information system that collects personal data must have an access log system that records access, modification, deletion, or transfer of data, which can be audited retrospectively.

### 17.3 Physical Safeguards

(1) There shall be access control to equipment with a security system for the equipment that collects personal data, which allows for retrospective auditing and identification of the person who accessed said equipment.

(2) There shall be a closed-circuit television (CCTV) system that can record entry and exit of the data center and locations where documents containing collected personal data are stored.

(3) There shall be an equipment access management system, which must at least include a user account system that allows access only to authorized personnel.

**Clause 18** In cases where the University processes personal data by using services from or linking data to or from government or private agencies, or cloud service providers, both domestic and international, such service providers should have personal data security measures that are no less than those specified in Clause 17 of this Regulation.

### Transitional Provisions

**Clause 19** For personal data that the University collected before the Personal Data Protection Act, B.E. 2562 (2019 A.D.) came into force, the University can continue to collect and use that personal

data for its original purposes. However, for any data for which the law requires consent, the University shall establish a method for withdrawing consent and publicize it so that data subjects are aware and can easily request to withdraw their consent.

Announced on June 1, B.E. 2565 (2022 A.D.)

(Signature)

**(Mr. Narongchai Akrasanee)**

**Chairman of the Khon Kaen University Council**