

## 亞太經濟合作組織資料隱私開路者計劃

### (APEC Data Privacy Pathfinder Projects)簡介<sup>1</sup>

#### 一、目標

為促進電子商務之利益，希望 APEC 區域內發展一套有效機制來保護消費者個人資料跨境傳輸。

#### 二、「資料隱私開路者計畫」之背景及目的

APEC 隱私權保護綱領 (APEC Privacy Framework) 業於 2004 年經智利部長級會議通過，有關國際間執行議題，各經濟體於該綱領承諾針對跨境個人資料傳輸 (cross-border data flows) 發展出一套有效且具彈性之機制，名之為「跨境隱私規則」(cross-border privacy rules (CBPRs))。為達成上開共同目標，APEC 電子商務小組資料隱私次級團體 (APEC ECSG Data Privacy Sub-Group (簡稱 DPS)) 提出「資料隱私開路者計畫 (The Pathfinder projects)」係於 2007 年 9 月在澳洲雪梨經 APEC 部長級會議所認可，其目的希望透由一連串子計畫之實驗，進行實證性的測試與評估，在各經濟體不同隱私文化情形下，建立商業活動之 CBPRs，不但讓消費者信賴這些有責任及義務之認證機構 (accountability agents)，也確保業者履行其對隱私保護之承諾。這樣的認證機構不限其組織型態，必需以下其一或兩種功能：認證該業者承諾係符合 APEC 隱私權保護綱領下之 CBPRs；提供有效爭議解決機制來協助消費者對業者所提有關隱私侵害之申訴。其中「隱私信賴標章」(privacy trustmarks) 亦是該計劃一個重要核心。

#### 三、「資料隱私開路者計畫」之內容

DPS 成立資料隱私開路者工作會議 (The Data Privacy Pathfinder Workshop) 鼓勵經濟體自願加入討論。依據未來 CBPRs 可能需要之 4 項規範要素，該計畫共分成 9 項九項子計畫如下：

##### 1. 自我評估(self- assessment)

計畫 1：對商業組織自我評估的指導 (project 1 - self-assessment guidance for business)

##### 2. 承諾審查(compliance review)

計畫 2：信賴標章之指導 (project 2 - trustmark guidelines)

計畫 3：跨境隱私規則的承諾審查程序 (project 3 - compliance review process of CBPRs)

##### 3. 互相承認與接受(recognition/ acceptance)

計畫 4：審查合格機構之名錄 (project 4 - directories of compliant organisations)

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<sup>1</sup> 1 本簡介詳細計畫內容之英文文件可參閱 APEC AIMP 網站「會議資料庫」2008 年 2 月有關「2008/02/21, Data Privacy Pathfinder Implementation Workshops」會議資料  
(<http://aimp.apec.org/MDD8/Pages/searchmeeting.aspx>)

#### 4. 爭議解決與執行(dispute resolution and enforcement)

計畫 5：個人資料保護專責機關或隱私權聯絡辦公室名錄 (project 5 - contact directories for data protection authorities and privacy contact officers)

計畫 6：執行合作協議範例 (project 6 - templates for enforcement cooperation arrangements)

計畫 7：跨境申訴處理機制範例 (project 7 - templates for cross-border complaint handling forms)

計畫 8：有關「跨境隱私規則」系統下對(申訴問題)回應性規範的指導與程序 (project 8 - guidelines and procedures for responsive regulation in CBPR systems)

#### 5. 上開 8 項子計畫成果之實驗平台

計畫 9：跨境隱私規則國際執行領航者計畫 (Cross-border privacy rules international implementation pilot project.)

※以上各項子計畫可經討論後隨時修正或增加，且參與討論之會員體勿需擔心曾經提供或表達之意見會造成承諾或拘束之效力。上開 1-8 子計劃預定於 2008 年年底完成初步結論。計劃之討論方式除舉行正式會議外，盡量使用電話會議或其他科技輔助之方式。

※討論進行應加強與國際與國內各方業者、消費者組織等等之廣泛諮詢，以強化計畫結論之實證性與可行性。

#### 四、「資料隱私開路者計畫」之參加名單

(共 14 個經濟體，及國際商業總會(the International Chamber of Commerce, ICC))  
區分領導者、成員、與觀察者：

**Project 1** - the ICC (leader), Australia, Canada, Hong Kong China (observer), Japan (observer), Mexico (observer), Thailand (observer), the United States and Vietnam (observer)

**Projects 2 and 3** - the United States (leader), Australia, Canada, the ICC, Hong Kong China, Japan, Mexico and Thailand (observer) and Vietnam (observer); Chinese Taipei (observer) project 2

**Project 4** - the United States has discussed with the APEC Secretariat; Australia (observer), Hong Kong China (observer), the ICC, Mexico and Vietnam (observer)

**Projects 5, 6 and 7** - Australia (leader), Canada, Hong Kong China, the ICC, the United States, and Vietnam are participating in projects 5, 6, and 7; New Zealand in projects 6 and 7; Peru in projects 5 and 6

**Project 8** - Australia, Canada, Hong Kong China (observer), the ICC, the United States and Vietnam (observer)

**Project 9** - the United States (leader), Australia (observer), Canada, Hong Kong China, the ICC, Mexico, Chinese Taipei (observer) and Vietnam

#### 五、計畫時程

目標: 希望能在 2008 年年底進行第 9 子計劃。

初步時程: 至少於 2008 年 3 月底以前開始進行至少 2 個子計劃。

APEC 隱私權保護綱領 (APEC Privacy Framework) 中英文對照請至本部網站

<http://www.moj.gov.tw/lp.asp?CtNode=13710&CtUnit=805&BaseDSD=7&mp=001> 下載

# 各計劃大綱內容詳目

(此部分由經濟部國際貿易局略譯)

	Project Outline 1 (工作計畫提綱 1)
Project Title (工作計畫名)	CBPR self-assessment guidance for organizations 為機構制定一個 CBPR(跨境隱私規則)自我評量指引。
Nature of project (工作計畫的本質)	Develop a standard self-assessment guidance document for use by organizations to assist the organization in developing its CBPRs. 開發一項標準的自我評量指引供組織運用提供機構使用並協助組織開發自己的 CBPR。 This project aims to implement the first step of the 4-Step Approach. 本子工作計畫旨在執行四步驟的第一步。
Which element of the CBPR system does this project seek to implement? (需要哪些 CBPR 系統要素來執行此計畫)	(1) self-assessment (自我評量)
Which objective/s of the Data Privacy Pathfinder does this project seek to achieve? (資料隱私開路倡議之目標計畫為何)	(3) practical documents (實務性文件) (4) practical implementation (實務的執行) (5) education and outreach (教育與延伸)
Project Goals (工作計畫目標)	<ul style="list-style-type: none"> <li>Develop a standard self-assessment guidance for organizations to use. 開發一個標準的自我評量指引供組織運用。</li> <li>Organisations see business benefits in using this self-assessment document. 組織透過自我評量標準文件發現商業利益。</li> <li>Increase awareness of APEC Privacy Principles and transborder privacy issues. 提昇 APEC 隱私原則及跨境議題的認知。</li> </ul>
Benefits to business and consumers (對企業及消費者的利益)	<ul style="list-style-type: none"> <li>For business – a standard self-assessment guidance document for use by organizations in developing their own CBPRs will assist in achieving consistency of assessment against the APEC Privacy Principles. 對企業,提供組織一個標準的自我評量的指引文件,使他們能開發自己的 CBPR,並依據 APEC 隱私原則協助達到一致性的評量。</li> <li>For consumers – this project will provide greater confidence that organizations have a guidance document that is consistent with the APEC Privacy Principles when developing their CBPRs.</li> </ul>

	對消費者而言,這個子工作計畫將提供更多信心,因對組織而言有指導綱領因在他們自己的 CBRP 時並符合 APEC 隱私原則。
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	Project Outline 2 (工作計畫提綱 2)
Project Title (工作計畫名稱)	Guidelines for trustmarks participating in a CBPR system 專為 CBPR 系統的信賴標章制訂的指導方針。
Nature of project (工作計畫的本質)	Develop guidelines for what a trustmark must do in order to be rganizati as an APEC CBPR accreditation provider. 開發指引是爲了信賴標章必須被視爲 APEC CBPR 之值得可信賴的提供者。 This project aims to implement the second step of the 4-Step Approach. 本子工作計畫旨在執行四步驟的第二步。
Which element of the CBPR system does this project seek to implement? (需要哪些 CBPR 系統要素來執行此工作計畫)	(2) compliance review (承諾之檢視)
Which objective/s of the Data Privacy Pathfinder does this project seek to achieve? (資料隱私開路者倡議之目標計畫爲何)	(3) practical documents (實務性文件) (4) practical implementation (實務的執行) (5) education and outreach (教育與延伸)
Project Goals (工作計畫目標)	<ul style="list-style-type: none"> <li>Develop guidelines for what a trustmark must do in order to be rganizati as an APEC CBPR accreditation provider. 開發指引是爲了信賴標章必須被視爲 APEC CBPR 之值得信賴的提供者。</li> <li>Consumers rganizat these guidelines as providing a standard which is considered 'trustworthy'. 消費者視此指引爲"值得信賴的"提供標準者。</li> <li>Incentive for trustmarks to adhere to the guidelines. 提供信賴標章誘因去遵循此指引。</li> <li>Increase uptake of guidelines by trustmarks within the APEC region. 提升信賴標章在 APEC 區域對指引的理解。</li> <li>Increase in uptake by rganizations to be accredited through a trustmark that adhere to these guidelines.</li> </ul>

	藉由遵循指引的信賴標章來提升被認可的組織對隱私保護的理解。 <ul style="list-style-type: none"> <li>• Increase awareness of APEC Privacy Principles and transborder privacy issues.</li> </ul> 提昇 APEC 隱私原則及跨境議題的認知。
Benefits to business and consumers (對企業及消費者的利益)	<ul style="list-style-type: none"> <li>• Business and consumers are able to see precisely what criteria a trustmarks must meet in order to be recognized as an APEC CBPR accreditation provider.</li> </ul> 企業及消費者能明確的發現什麼樣的標準是信賴標章必須達到以致能被 APEC CBPR 信賴提供者認定。 <ul style="list-style-type: none"> <li>• Contributes to promoting privacy protection throughout organisations that use trustmarks within the APEC region.</li> </ul> 透過 APEC 區域機構使信賴標章藉以促進提升隱私保護。

Project Outline 3 (工作計畫提綱3)	
Project Title (工作計畫名稱)	Compliance review of an organisation's CBPRs 機構的 CBPR 遵照檢視之符合性審查。
Nature of project (工作計畫的本質)	Develop guidelines for trustmarks to use when assessing an organisation's compliance with the APEC Privacy Principles. 為信賴標章開發指引用於當作評量一個組織是否遵照 APEC 隱私原則。 This project aims to implement the third step of the 4-Step Approach. 本子工作計畫旨在執行四步驟的第三步。
Which element of the CBPR system does this project seek to implement? (需要哪些 CBPR 系統要素來執行此工作計畫)	(2) compliance review (承諾之檢視)
Which objective/s of the Data Privacy Pathfinder does this project seek to achieve? (資料隱私開路倡議之目標計畫為何)	(3) practical documents (實務性文件) (4) practical implementation (實務的執行) (5) education and outreach (教育與延伸)
Project Goals (工作計畫目標)	<ul style="list-style-type: none"> <li>• Develop guidelines for trustmarks to use when assessing an organisation's compliance with the APEC Privacy Principles.</li> </ul> 為信賴標章開發指引用於當作評量一個組織是否遵照 APEC 隱私原則。 <ul style="list-style-type: none"> <li>• The guidelines ensure that trustmarks assess compliance in a consistent manner.</li> </ul> 指引是要確保信賴標章評量承諾是否達到一致的方式。 <ul style="list-style-type: none"> <li>• Increase in uptake by trustmarks in using the guidelines when assessing compliance.</li> </ul> 再評量承諾 + 提升信賴商標業者對使用指引的理解。



	<ul style="list-style-type: none"> <li>Organisations recognise the benefit (business incentive) of being accredited as 'APEC compliant'.</li> </ul> <p>組織認定此利益(企業誘因)係被認定為遵循 APEC 規則。</p> <ul style="list-style-type: none"> <li>Periodic review shows high level of compliance.</li> </ul> <p>週期性的檢視顯示出高階水準的承諾。</p> <ul style="list-style-type: none"> <li>Increase awareness of APEC Privacy Principles and transborder privacy issues.</li> </ul> <p>提昇 APEC 隱私原則及跨境議題的認知。</p>
<b>Benefits to business and consumers (對企業及消費者的利益)</b>	<ul style="list-style-type: none"> <li>Consumers have greater confidence and 'trust' when dealing with compliant organisations.</li> </ul> <p>消費者有更多的信心及'信任'當在處裡遵守規則的組織時。</p> <ul style="list-style-type: none"> <li>Contributes to promoting privacy protection throughout organisations that use trustmark agents within the APEC region.</li> </ul> <p>透過在 APEC 區域內使用信賴標章來促進隱私權的保護。</p>
<b>Project Outline 4 (工作計畫提綱 4)</b>	
<b>Project Title (工作計畫名稱)</b>	Directory of compliant organisations 審查合格機構之備錄。
<b>Nature of project (工作計畫的本質)</b>	<p>Develop a publicly accessible directory of organisations that have CBPRs that have been accredited as complying with the APEC Privacy Principles.</p> <p>開發一個公開可評量的組織目錄有著 CBPR 並且已經被認定像遵守著 APEC 隱私原則。</p> <p>This project aims to implement the third step of the 4-Step Approach.</p> <p>本子工作計畫旨在執行四步驟的第三步。</p>
<b>Which element of the CBPR system does this project seek to implement? (需要哪些 CBPR 系統要素來執行此工作計畫)</b>	(3) recognition/ acceptance (認識/採納)
<b>Which objective/s of the Data Privacy Pathfinder does this project seek to achieve? (資料隱私開路者倡議之目標計畫為何)</b>	<p>(3) practical documents (實務性文件)</p> <p>(4) practical implementation (實務的執行)</p> <p>(5) education and outreach (教育與延伸)</p>
<b>Project Goals (工作計畫目標)</b>	<ul style="list-style-type: none"> <li>Determine what a directory would comprise and who would be responsible for maintaining the directory.</li> </ul> <p>確定目錄將會包含什麼及誰會負責維護目錄。</p> <ul style="list-style-type: none"> <li>Develop a publicly accessible directory of organisations that have CBPRs that have been accredited as complying with the</li> </ul>

	<p>APEC Privacy Principles.</p> <p>開發一個公開可評量的組織目錄有著 CBRP 並且已經被認定像遵守著 APEC 隱私原則。</p> <ul style="list-style-type: none"> <li>• Organisations see the benefit in being listed in the directory. This also leads to an increase in uptake of projects (1), (2) and (3). 組織發現列於目錄的利益,此也會促進對(1), (2) 和 (3)的了解。</li> <li>• The Directory is used by consumers as a way to check an organisation's compliance with the APEC Privacy Principles before doing business with that organisation. 目錄被消費者用於查詢一個組織管控情形 APEC 隱私原則在消費者與組織有商業往來之前。</li> <li>• Increase awareness of APEC Privacy Principles and transborder privacy issues. 提昇 APEC 隱私原則及跨境議題的認知。</li> </ul>
Benefits to business and consumers (對企業和消費者的利益)	<ul style="list-style-type: none"> <li>• Consumers have greater confidence and 'trust' when dealing with compliant organisations. 消費者有更多的信心及'信任'當與遵從組織商業往來時。</li> <li>• Contributes to promoting privacy protection throughout organisations that use trustmark agents within the APEC region. 透過 APEC 區域機構使信賴標章促進提升隱私保護。</li> </ul>
	Project Outline 5 (工作計畫提綱 5)
Project Title (工作計畫名稱)	Data Protection Authority and Privacy Contact Officer Directory 個人資料保護專責機關及隱私性聯絡辦公室名錄。
Nature of project (工作計畫的本質)	<p>Establish and maintain a directory of relevant data protection authorities, supervisory authorities and/ or privacy contact officers in APEC economies. 建立及維護相關的資料保護當局、管理局和隱私性聯絡官員目錄在 APEC 經濟。</p> <p>The purpose of this directory is to assist data protection authorities and privacy contact officers locate appropriate counterparts in the event of cross-border privacy complaint handling. 這個目錄的目的是為了輔助資料保護當局和隱私性聯絡官原目錄找出適當的相似物在跨境隱私在無抱怨情況下。</p>
Which element of the CBPR system does this project seek to implement? (需要哪些 CBPR 系統要素來執行此工作計畫)	(4) information sharing; cross-border cooperation in investigation and enforcement; dispute resolution 資訊分享; 在調查和執行的跨境合作; 爭端解決。
Which objective/s of the Data Privacy Pathfinder does this project seek to	<p>(2) consultative process (諮詢的過程)</p> <p>(3) practical documents (實務性文件)</p> <p>(4) practical implementation (實務的執行)</p> <p>(5) education and outreach (教育與延伸)</p>



achieve? (資料隱私開 路者倡議之目標計畫為 何)	
Project Goals (工作計畫 目標)	<ul style="list-style-type: none"> <li>• Determine what contact information a directory would comprise and who would be responsible for maintaining the directory. 確定那些聯絡資訊會包含在目錄及誰必須負責維護目錄。</li> <li>• Determine whether the directory is password accessed only or whether it is publicly accessible. 確定目錄是否只有密碼通行或是公開登入。</li> <li>• Privacy regulators, supervisory authorities and privacy contact officers in APEC economies consider the directory useful when dealing with cross-border privacy complaints. 隱私管理者、管理局和隱私性聯絡官員在 APEC 經濟認為目錄用於應付跨境隱私性抱怨。</li> <li>• Increase awareness of APEC Privacy Principles and transborder privacy issues. 提昇 APEC 隱私原則及跨境議題的認知。</li> </ul>
Benefits to business and consumers (對企業 及消費者的利益)	<ul style="list-style-type: none"> <li>• Business and consumers know that data protection authorities have a contact directory to draw upon should a cross-border privacy compliant arise (and should their domestic law permit the cross-border handling of a compliant, etc.) 企業及消費者知道資料保護當局有聯絡目錄如果形成跨境隱私(並且應該讓他們國內法律許可管控情形跨境)。</li> </ul>
<b>Project Outline 6 (工作計畫提綱 6)</b>	
Project Title (工作計畫 名稱)	Template Enforcement Cooperation Arrangements 執行合作協議範例。
Nature of project (工作 計畫的本質)	Develop template documentation, such as a Memorandum of Understanding (MOU) or letters of commitment, which provides for cooperative arrangements between relevant enforcement authorities to exchange information and increase and promote cross-border cooperation in investigation and enforcement. 開發範例文件譬如承諾協議備忘錄(MOU)或承諾書, 提供合作協議在相關的執行當局之間對交換資訊和提昇及促進在調查和執行的跨境合作。
Which element of the CBPR system does this project seek to implement? (需要哪些 CBPR 系統要素來執行此 工作計畫)	(4) information sharing; cross-border cooperation in investigation and enforcement; dispute resolution 資訊分享; 在調查和執行的跨境合作; 爭端解決。
Which objective/s of the Data Privacy Pathfinder does this project seek to achieve? (資料隱私開	(2) consultative process (諮詢的過程) (3) practical documents (實務性文件) (4) practical implementation (實務的執行) (5) education and outreach (教育與延伸)

者倡議之目標計出為

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	<ul style="list-style-type: none"> <li>• Determine and develop the key components for effective template documentation, such as an MOU or letters of commitment. 為有效的範例文件確定和開發關鍵元件，譬如 MOU 或承諾書。</li> <li>• Increase in uptake of such documentation between relevant enforcement authorities in APEC member economies. 在 APEC 成員經濟體內相關的執行當局之間提升這類的文件理解。</li> <li>• APEC economies, enforcement authorities, organisations, and consumers and privacy groups recognise such documentation as a good faith commitment by relevant enforcement authorities to cross-border cooperation in privacy issues. APEC 經濟體、執行當局、組織、和消費者及隱私團體視這類文件由 APEC 良好信譽所做的誠諾承由相關的執行當局對跨境合作隱私議題。</li> <li>• The template documentation is recognised by other international privacy fora as a useful mechanism for information sharing and cross-border cooperation in investigation and enforcement. 範例文件是被其他國際隱私論壇視為一個有用的機制用以進行資訊分享和在調查及執行的跨境合作。</li> <li>• Increase awareness of APEC Privacy Principles and transborder privacy issues. 提昇 APEC 隱私原則及跨境議題的認知。</li> </ul>
Project Goals (工作計畫目標)	<ul style="list-style-type: none"> <li>• Should a cross-border privacy complaint arise, business and consumers know that data protection authorities can draw upon these cooperative arrangements for information exchange and investigation and enforcement assistance, where necessary or appropriate. 如果形成跨境隱私抱怨，企業和消費者知道，資料保護當局在必要時或適當可能會安排這些合作為資訊交換和調查和執行協助。</li> </ul>
Benefits to business and consumers (對企業及消費者的利益)	

	Project Outline 7 (工作計畫提綱 7)
Project Title (工作計畫名稱)	Template cross-border complaint handling form 跨境申訴處理機制範例。
Nature of project (工作計畫的本質)	<p>Develop a template cross-border complaint handling form similar to the OECD's 'request for assistance' form. 開發跨境範例申訴處理形式類似 OECD 對協助形式的要求。</p> <p>This will ensure basic categories of information are provided to data protection authorities to assist them in determining the most appropriate course of action, including referral for resolution at a lower level of the CBPR responsive regulation pyramid. 這將確保基本的資訊類別是被提供給資料保護當局作為協助他們在決定最適當的行動途程，此包括提供決議在 CBPR 金字塔的底層的回應章程。</p>

Which element of the CBPR system does this project seek to implement? (需要哪些 CBPR 系統要素來執行此工作計畫)	(4) information sharing; cross-border cooperation in investigation and enforcement; dispute resolution 資訊分享; 在調查和執行的跨境合作; 爭端解決。
Which objective/s of the Data Privacy Pathfinder does this project seek to achieve? (資料隱私開路者倡議之目標計畫為何)	(2) consultative process (諮詢的過程) (3) practical documents (實務性文件) (4) practical implementation (實務的執行) (5) education and outreach (教育與延伸)
Project Goals (工作計畫目標)	<ul style="list-style-type: none"> <li>• The cross-border complaint handling form assists in the timely handling and referral of cross-border privacy complaints. 跨境申訴處理形式係協助在及時的處理與導引的跨境隱私性申訴處理。</li> <li>• APEC economies, data protection authorities, organisations, and consumers and privacy groups recognise the cross-border complaint handling form as a practical commitment by data protection authorities to cross-border cooperation in privacy issues. APEC 經濟體、執行當局、組織、和消費者及隱私團體等視像這類文件是良好信譽誠意承由相關的執行當局對跨境合作隱私議題。</li> <li>• The cross-border complaint handling form is recognised by other international privacy fora as a useful mechanism for the timely handling and referral of cross-border privacy complaints. 跨境申訴處理形式是被其他國際隱私論壇視為一個有用的機制可處理,及時導正跨境隱私性申訴處理。</li> <li>• Increase awareness of APEC Privacy Principles and transborder privacy issues. 提昇 APEC 隱私原則及跨境議題的認知。</li> </ul>
Benefits to business and consumers (對企業及消費者的利益)	<ul style="list-style-type: none"> <li>• Should a cross-border privacy complaint arise, business and consumers know that data protection authorities can draw upon the MOU for information exchange and investigation and enforcement assistance, where necessary or appropriate. 如果跨境隱私申訴, 企業和消費者知道, 資料保護當局在必要時或適當時機可能會安排這些合作為資訊交換和調查和執行協助</li> </ul>

Project Outline 8 (工作計畫提綱 8)	
Project Title (工作計畫名稱)	Guidelines and procedures for responsive regulation in a CBPR system 為 CBPR 系統制定指引及程序回應規則。
Nature of project (工作計畫的本質)	Develop guidelines and procedures (e.g. flowchart) to assist in determining at which stage of the CBPR responsive regulation pyramid a cross-border complaint should be handled and identify the triggers for escalating a complaint to a higher level of

	<p>the pyramid.</p> <p>發展指引和程序(如流程圖) 來協助確定 CBPR 回應規則金字塔的哪個階段去作回應，如申訴升高，則另外再提高規格另作處理。</p>
<p>Which element of the CBPR system does this project seek to implement? (需要哪些 CBPR 系統要素來執行此作計畫)</p>	<p>(4) information sharing; cross-border cooperation in investigation and enforcement; dispute resolution</p> <p>資訊分享; 在調查和執行的跨境合作; 爭端解決。</p>
<p>Which objective/s of the Data Privacy Pathfinder does this project seek to achieve? (資料隱私開者倡議之目標計畫為)</p>	<p>(1) conceptual framework principles (概念上的架構原則)</p> <p>(2) consultative process (諮詢的過程)</p> <p>(3) practical documents (實務性文件)</p> <p>(4) practical implementation (實務的執行)</p> <p>(5) education and outreach (教育與延伸)</p>
<p>Project Goals (工作計畫目標)</p>	<ul style="list-style-type: none"> <li>• Develop guidelines and procedures (e.g. flowchart) to assist in determining at which stage of the CBPR responsive regulation pyramid a cross-border complaint should be handled and identify the triggers for escalating a complaint to a higher level of the pyramid.</li> </ul> <p>發展指引和程序(即流程圖) 來協助確定在 CBPR 的哪個階段回應章程金字塔跨境申訴應該被處理和辨認引發申訴使金字塔能升級為另一個更高的水平。</p> <ul style="list-style-type: none"> <li>• Uptake by all entities involved in the CBPR system as a tool for determining which stage of the pyramid a cross-border complaint should be handled.</li> </ul> <p>所有介入在 CBPR 系統的實體均理解此係一種工具，目的係為了確定金字塔的哪個階段的跨境規則應該被處理。</p> <ul style="list-style-type: none"> <li>• Increase awareness of APEC Privacy Principles and transborder privacy issues.</li> </ul> <p>提昇 APEC 隱私原則及跨境議題的認知。</p>
<p>Benefits to business and consumers (對企業及消費者的利益)</p>	<ul style="list-style-type: none"> <li>• Business and consumers have a greater understanding and certainty of whereabouts in the pyramid a complaint will be handled and understand when a complaint will be escalated up the pyramid.</li> </ul> <p>企業和消費者能更了解和確保申訴在金字塔哪端將被處理，以及瞭解何時申訴將被提升到金字塔的哪一階段作處理。</p>

#### PROJECT OUTLINE 9 (工作計畫提綱 9)



<b>Project Title (工作計畫名稱)</b>	Cross Border Privacy Rules International Implementation Pilot Project 跨境隱私規則國際實施領航(實驗)計畫。
<b>Nature of project (工作計畫的本質)</b>	Develop and implement a pilot project between interested economies for the implementation and testing of a CBPR system in the APEC region. This project would work in conjunction with the capacity-building projects under the Pathfinder. In this way, the CBPR Implementation Pilot Project will compliment the work of the other projects initiated under the umbrella of the Pathfinder. 爲了在 APEC 地區執行與測試 CBPR 系統，因此在以興趣的經濟體間開發及實施一項領航(實驗)計畫。此計畫將予能力薦購計畫共同進行。用此方式，此 CBPR 實驗性執行計畫將可補足同爲 pathfinder 項下的其他子工作計畫的工作。
<b>Which element of the CBPR system does this project seek to implement? (需要哪些 CBPR 系統要素來執行此工作計畫)</b>	(1) Self Assessment (自我的評量) (2) Compliance Review (檢視管控情形) (3) Recognition/Acceptance (認識/採納) (4) Dispute Resolution/Enforcement (爭端解決/執行)
<b>Which objective/s of the Data Privacy Pathfinder does this project seek to achieve? (資料隱私開路者倡議之目標計畫為何)</b>	(1) Conceptual framework (概念的架構) (2) Consultative process (諮詢的過程) (4) Practical implementation (實務的執行)
<b>Project Goals (工作計畫目標)</b>	<ul style="list-style-type: none"> <li>Determine participation of interested economies. 確定興趣的經濟體系之參與者。</li> <li>Create CBPR Pilot Project Study Group. 創造 CBPR 領航(實驗)計畫研究小組。</li> <li>Determine participation of interested businesses operating within these economies. 確定在這些經濟體系內感興趣的企業體之參與者。</li> <li>Implement a limited CBPR Pilot Project consisting of the above-mentioned economies and businesses. 實施一個有限的 CBPR 領航(實驗)計畫包括上述的經濟體和企業。</li> <li>Through such participation and in cooperation with other projects under the Pathfinder umbrella, determine best practices in practical CBPR operation. 在 pathfinder 項下，藉由參與者與其它子工作計畫的合作，可確保實務性的 CBPR 運作可達最佳實行。</li> </ul>
<b>Benefits to business and consumers (對企業及消費者的利益)</b>	<ul style="list-style-type: none"> <li>Participating businesses would have a greater understanding and certainty of the benefits to industry of a cross border privacy rules system. 參與企業將會有更多的理解且可確保在跨境隱私規則系統下的產業利益。</li> <li>Impacted consumers will realize the benefits of both the implementation of the principles in the APEC Privacy Framework and the increased dispute resolution and enforcement transparency such implementation would</li> </ul>

facilitate.

受到影響的消費者將體會到執行 APEC 隱私綱領（架構）原則與加快解決爭端的利益，此外，執行的透明化也會便捷此項的執行進度。