

Cite as: 4 Tech. L. Rev. 153 (2007)

## **The Protection of Genetic Information: An Analysis Focused on the Draft of the Protection of Personal Information**

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### Abstract

Genetic information is defined as the information that contains the hereditary characteristics and the physical features of each individual. The establishment of the Taiwan Biobank, a national program, has been merely introduced. Moreover, concerning great interests, research institutes and various related organizations have continued to make progress in the collection and establishment of a national genetic database. Although the program has been halted at present, the protection of the benefits of the genetic information of the Taiwan People still became a challenge.

In February 2005, a bill of amendment<sup>1</sup> was passed, protecting the privacy of personal information. In the document, “genetic information” has been classified as personal in article 2(2), and the collection and usage of such are restricted by article 6. However, other than the above mentioned, it is difficult to differentiate genetic-protection-related regulations from those regarding other personal data, such as name, phone number, education, and occupation. This kind of arrangement in the bill ignores the unique features of genetic information, therefore, results in an

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<sup>1</sup> Referred as “the Draft of the Protection of Personal Information.”

incomplete protection.

This article referred to several international regulations, including the *Universal Declaration on the Human Genome and Human Rights* and the *International Declaration on Human Genetic Data*. After thorough analysis and discretion, the author argues that the regulations concerning the protection of genetic information need to be fully developed. Besides proposing overall and detailed suggestions of amendments, a specific law is required to improve the protection of genetic information.

**Keywords:** gene, genetic information, protection of genetic information, genetic database, Draft of the Protection of Personal Information