

# Research on Administrative Law Protection of Personal Information under the Background of Big Data

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**Abstract:** *Since China entered the information society, the Internet industry has also developed rapidly, and mobile electronic devices such as smart phones have been inseparable from people's lives. While the Internet the double-edged sword has brought great convenience to people's lives, it has caused serious problems in the leakage of personal information of netizens, and the protection of personal information has been severely challenged. In the context of big data, the background of citizens' personal information urgently needs to be paid attention to, and relevant state departments need to provide citizens with administrative law protection to protect their personal interests. This paper studies administrative law protection of personal information, puts forward the existing problems and makes suggestions, hoping to promote the improvement of administrative law protection of contemporary citizen information, and contribute to the maintenance of social stability.*

**Keywords:** *big data; personal information; administrative law*

## 1. Introduction

In recent years, China's economy has developed continuously, and the popularity of the Internet has made the number of Internet users increased constantly, and citizens have become increasingly dependent on the Internet. At the same time, the leakage of citizens' personal information is everywhere, posing a certain threat to citizens' personal information security and even the safety of life and property. In the context of big data, the traditional personal information protection model is no longer applicable, and further improvement and innovation are urgently needed. The administrative law protection of personal information in big data mainly includes the methods that citizens can take to protect their personal information from the perspective of administrative law, and the strengthening of administrative law legislation. At present, although there are many relevant laws and regulations in our country, there is no specialized legislation for personal information protection, and there is a lot of room for improvement in relevant laws.

## 2. Current problems in administrative law protection of personal information in the context of big data

### 2.1 Incomplete personal information protection system

Due to the complexity of the background of big data, there are many issues involved in the protection of personal information of big data. For this reason, the issues that need to be considered when legislating administrative law protection of personal information are also more complicated. For example, the scope of protection of personal information through administrative laws is problematic. On the one hand, if the scope of protection is too small and not strong enough, it will be difficult to effectively protect personal information, and there are loopholes in relevant legislation; but on the other hand, if the scope of the legislation is too large and strong, the economy related to big data will be inevitably limited, which may affect the normal operation of network service providers.

### 2.2 Incomplete legislation about administrative law protection of personal information in Big data

Our country has not yet formed a special and unified the legislation of administrative law protection

of personal information. Common related protection laws mostly appear in some ordinary administrative laws, regulations and documents. It should also be noted that the general legislative class of administrative law protection of personal information is relatively low, and many are formulated by units, departments, etc. In this context, administrative agencies lack the relevant legal basis for obtaining citizens' personal information or using information, which can easily cause violations of citizens' personal information security.

### ***2.3 Imperfect use supervision system of personal information***

In the context of big data, citizens' personal information will not only be obtained and used by administrative agencies. Commercial enterprises and operators in the network have the opportunity to obtain personal information. Therefore, citizens' personal information is more likely to be leaked, and personal rights and interests are more likely to be violated. In order to protect the interests of citizens, relevant government agencies have the responsibility and obligation to strengthen the supervision of these use behaviors of information, especially those subjects who have the ability to obtain personal information other than administrative agencies. At present, there is no special subjects for supervision of the use of personal information in China.

## **3. Countermeasures for administrative law protection of personal information in big data**

### ***3.1 Establish a supporting system for administrative law protection of personal information***

The protection of personal information in big data requires the coordination of multiple entities. Unilateral legislation of administrative law is not enough to achieve efficient protection for personal information. It is necessary to construct related supporting systems. The management of citizens' personal information databases, the regulatory system for the administrative agencies' access to and use of citizen's information, and the behavioral monitoring system for network operators must be continuously improved to form a protective administrative law network of personal information.

### ***3.2 Formulate unified administrative law of personal information protection***

Our country has been exploring the law of personal information protection since 2013. However, due to the complexity of the issues about personal information protection, our country has not yet formed special and unified law of personal information protection. Especially with the advent of the Internet era, there are thousands of ways in which citizens' personal information can be leaked, which brings greater difficulty to the legislative work. For this reason, the formulation of law of the information protection can start with the basic principles, and then define the relevant concepts. The most important thing is that because the problem of personal information security is more serious in the field of market economy, it can be formulated the complete law of information protection from the perspective of market economy.

### ***3.3 All entities improve the efficiency of personal information protection through technical means***

Under the current publicity and education of the administrative law on the protection of citizens' personal information, whether it is an administrative agency or a market economy and other subjects capable of obtaining personal information, the awareness of protecting citizens' information is relatively strong. Some incidents about citizen information security are caused by technical loopholes. Therefore, in order to reduce the probability of information leakage, all relevant entities must strengthen network protection on the basis of security and build an efficient security defense system, that is to say, it will protect their own interests and also take user information security into consideration.

## **4. Conclusion**

In recent years, online personal information leakage incidents have occurred from time to time, and the issue of personal information protection in big data has also attracted more and more attention from the society. However, with the introduction of smart phones into people's lives, the use of the Internet and applications occurs all the time, and almost all netizens in our country have suffered more or less information exposure and malicious harassment. In the context of big data, the protection of citizens'

personal information requires coordination and cooperation in many aspects. First of all, citizens need to improve their awareness of self-information protection, learn to identify whether the submitted information on the Internet is safe or not, master the basic laws and regulations of information protection, and appropriately use legal means to protect their personal rights and interests. At the same time, the national legislature should pay attention to the improvement of the personal information protection law, build a sound administrative legislative protection system and supporting systems, actively promote the law, raise citizens' awareness of information protection, and conduct technical research on building network barriers of information security. It is believed that with the joint efforts of many parties, the protection of citizens' personal information in big data by the administrative law will achieve better results.

### References

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