
[中图分类号] D912.282 [文献标识码] A [文章编号] 2096-6180 (2022) 03-0115-15

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The Dilemma and Outlet of Data Trust Expediency or System Innovation

SUN Hongchen

Abstract: There are two models of data trust in Britain and the United States. It is named trust, but actually it is a governance structure. Data trust in Britain and American has many problems in trust object, trustee trust risk, trust income distribution and so on. Data property right does not belong to the personal information provider, but to the data controller. Based on this, data trust should build a new data trust with data property rights rather than personal information rights as the object. The structure of the new data trust is that the data controller acts as the trustor, the trust company acts as the trustee, the data property right is the subject of the trust, and the third-party professional independent organization is specially responsible for data analysis, processing and data products. This model of data trust shifts the focus of personal information protection from data input to data product output, which is more effective in protecting personal information rights and can give full play to the economic value of data as a factor of production. It should be the direction and outlet of data trust.

Keywords: Data Trust; Data Property Right; Dilemma and Outlet