

# ELECTRONIC GOVERNMENT ACTIVITIES BILL 2007

---

## ARRANGEMENT OF CLAUSES

---

### PART I

#### PRELIMINARY

Clause

1. Short title and commencement
2. Application
3. Use not mandatory
4. Reference to other written laws
5. Interpretation

### PART II

#### ADMINISTRATION AND APPLICATION OF THE ACT TO WRITTEN LAW

6. Designation by relevant Minister
7. Subsidiary legislation
8. Repeal or amendment
9. Information Technology Instructions

### PART III

#### LEGAL RECOGNITION OF ELECTRONIC MESSAGE

10. Legal recognition of electronic message
11. Formation and validity of contract

### PART IV

#### FULFILMENT OF LEGAL REQUIREMENTS BY ELECTRONIC MEANS

12. Writing
13. Signature
14. Seal

*Bill*

## Clause

15. Witness
16. Original
17. Certified true copy
18. Copy
19. Submission of a document
20. Prescribed form
21. Requirement to issue licence, permit, approval, authorization, *etc.*
22. Retention of document
23. Electronic register
24. Service and delivery
25. Personal service
26. Payment
27. Receipt

## PART V

## COMMUNICATION OF ELECTRONIC MESSAGE

28. Attribution of electronic message
29. Contents of electronic message
30. Each electronic message to be regarded separately
31. Time of dispatch
32. Time of receipt
33. Place of dispatch
34. Place of receipt
35. Acknowledgement of receipt

## PART VI

## MISCELLANEOUS

36. Regulations
- SCHEDULES

## A BILL

*i n t i t u l e d*

An Act to provide for legal recognition of electronic messages in dealings between the Government and the public, the use of the electronic messages to fulfill legal requirements and to enable and facilitate the dealings through the use of electronic means and other matters connected therewith.

ENACTED by the Parliament of Malaysia as follows:

## PART I

## PRELIMINARY

**Short title and commencement**

**1.** (1) This Act may be cited as the Electronic Government Activities Act 2007

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

**Application**

**2.** Subject to section 3, this Act shall apply to Federal laws which are designated in accordance with section 6.

## *Bill*

### **Use not mandatory**

**3.** (1) Nothing in this Act shall make it mandatory for a person to use, provide or accept any electronic message in dealings with the Government unless the person consents to the using, providing or accepting of the electronic message.

(2) A person's consent to use, provide or accept any electronic message in dealings with the Government may be inferred from the person's conduct.

### **Reference to other written laws**

**4.** The application of this Act shall be supplemental and without prejudice to any other written laws regulating the dealings between the Government and the public.

### **Interpretation**

**5.** In this Act, unless the context otherwise requires —

"designated Act" means a written law or part of it which is designated by the relevant Minister under section 6;

"Information Technology Instructions" means the instructions issued under section 9;

"electronic" means the technology of utilizing electrical, optical, magnetic, electromagnetic, biometric, photonic or other similar technology;

"Minister" means the Minister charged with the responsibility for leading the changes in modernizing the Malaysian public service administration;

"relevant Minister" means the Minister charged with the responsibility for the administration of the designated Act;

"electronic message" means an information generated, sent, received or stored by an electronic means;

"originator" means a person by whom or on whose behalf, the electronic message is generated or sent;

*Electronic Government Activities*

"addressee" means a person who is intended by the originator to receive the electronic message;

"information processing system" means an electronic system for generating, sending, receiving, storing or processing the electronic message;

"electronic signature" means any letter, character, number, sound or any other symbol or any combination thereof created in an electronic form adopted by a person as a signature.

**Part II**

ADMINISTRATION AND APPLICATION OF THE ACT TO  
WRITTEN LAW

**Designation by relevant Minister**

6. (1) The relevant Minister may, after consultation with the Minister, designate in Form 1 of the Schedule, any written law or part of it for the purpose of the application of this Act.

(2) The relevant Minister, in designating any written law or part of it under subsection (1), may impose any conditions as he deems fit.

**Subsidiary legislation**

7. (1) This Act shall be deemed to apply to any subsidiary legislation of a designated Act unless excluded in accordance with subsection (2).

(2) The relevant Minister may, by notification in Form 2 of the Schedule, after consultation with the Minister, exclude any subsidiary legislation of a designated Act from the application of this Act.

(3) The relevant Minister may, by notification in Form 3 of the Schedule, after consultation with the Minister, include any subsidiary legislation which has been excluded under subsection (2), for the purpose of the application of this Act.

## *Bill*

### **Repeal or amendment**

**8.** (1) Where a designated Act is repealed, such repealed Act shall no longer be the designated Act from the effective date of its repeal save for the subsidiary legislation unaffected by the repeal of the designated Act.

(2) Where a designated Act is amended and the relevant Minister is satisfied that the amended Act is inconsistent with the policy or objectives of this Act, the relevant Minister may, in Form 4 of the Schedule, exclude the amended Act or part thereof from the application of this Act.

### **Information Technology Instructions**

**9.** (1) The Minister may issue Information Technology Instructions which may include—

- (a) information technology standards;
- (b) the criteria for the electronic signature and appropriate seal for the purpose for which they are used;
- (c) the process of recording the time and acknowledgment of receipt of the electronic message;
- (d) security measures against any unauthorized access;
- (e) disaster recovery procedures;
- (f) accessibility rules for electronic government services and forms;
- (g) management and maintenance of the electronic message;
- (h) methods relating to data entry and verification of the electronic message;
- (i) guidelines for the payment and receipt of money; and
- (j) any other matters as may be required from time to time.

(2) Non-compliance with any of the Information Technology Instructions shall not affect the validity or enforceability of the activities, which are undertaken electronically pursuant to this Act.

*Electronic Government Activities*

## PART III

## LEGAL RECOGNITION OF ELECTRONIC MESSAGE

## Legal recognition of electronic message

10. (1) Any information shall not be denied legal effect, validity or enforceability on the ground that it is wholly or partly in an electronic form.

(2) Any information shall not be denied legal effect, validity or enforceability on the ground that the information is not contained in the electronic message that gives rise to such legal effect, but is merely referred to in that electronic message, provided that the information being referred to is accessible to the person against whom the referred information might be used.

**Formation and validity of contract**

11. (1) In the formation of a contract, the communication of proposals, acceptance of proposals, and revocations of proposals and acceptances or any related communication may be expressed by an electronic message.

(2) A contract shall not be denied legal effect, validity or enforceability on the ground that an electronic message is used in its formation.

## PART IV

## FULFILMENT OF LEGAL REQUIREMENTS BY ELECTRONIC MEANS

**Writing**

12. Where any law requires information to be in writing, the requirement of the law is fulfilled if the information is contained in an electronic message that is accessible and intelligible so as to be usable for subsequent reference.

*Bill***Signature**

**13.** (1) Where any law requires a signature of a person on a document, the requirement of the law is fulfilled, if the document is in the form of an electronic message, by an electronic signature which—

- (a) is attached to or is logically associated with the electronic message;
- (b) adequately identifies the person and adequately indicates the person's approval of the information to which the signature relates; and
- (c) is as reliable as is appropriate given the purpose for which, and the circumstances in which, the signature is required.

(2) For the purposes of paragraph (1)(c), an electronic signature is as reliable as is appropriate if—

- (a) the means of creating the electronic signature is linked to and under the control of that person only;
- (b) any alteration made to the electronic signature after the time of signing is detectable; and
- (c) any alteration made to that document after the time of signing is detectable.

(3) The Digital Signature Act 1997 [*Act 562*] shall continue to apply to any digital signature used as an electronic signature in any Government activities.

**Seal**

**14.** (1) Where any law requires a seal to be affixed to a document, the requirement of the law is fulfilled, if the document is in the form of an electronic message, by a digital signature as provided under the Digital Signature Act 1997.

(2) Notwithstanding subsection (1), the Minister may, by order in the *Gazette*, prescribe any other electronic signature that fulfills the requirement of affixing a seal in an electronic message.

*Electronic Government Activities***Witness**

**15.** Where any law requires the signature of a witness on a document, the requirement of the law is fulfilled, if the document is in the form of an electronic message, by an electronic signature of the witness which complies with the requirement of section 13.

**Original**

**16.** (1) Where any law requires any document to be in its original form, the requirement of the law is fulfilled by a document in the form of an electronic message if—

- (a) there exists a reliable assurance as to the integrity of the information contained in the electronic message from the time it is first generated in its final form; and
- (b) the electronic message is accessible and intelligible so as to be usable for subsequent reference.

(2) For the purposes of subparagraph (1)(a)—

- (a) the criteria for assessing the integrity of the information shall be whether the information has remained complete and unaltered, apart from the addition of any endorsement or any change which arises in the normal course of communication, storage and display; and
- (b) the standard of reliability required shall be assessed in the light of the purpose for which the document was generated and in the light of all other relevant circumstances.

**Certified true copy**

**17.** Where any law requires submission of a certified true copy of a document, the requirement of the law is fulfilled if the document is submitted in the form of an electronic message and fulfills the requirement under section 16.

*Bill***Copy**

18. Where any law requires any document to be retained, served, sent or delivered in more than one copy, the requirement of the law is fulfilled, if the document is in the form of an electronic message, by retention, service, sending or delivery of the document in one copy.

**Submission of a document**

19. (1) Where any law requires the filing or submission of any document, the requirement of the law is fulfilled, if the document is filed or submitted in the form of an electronic message, if the electronic message is accessible and intelligible so as to be usable for subsequent reference.

(2) For the purposes of subsection (1), where any prescribed form is specified by an electronic means, the filing or submission of such document shall be in accordance with such specified form.

**Prescribed form**

20. Where any law requires any document to be in a prescribed form, the requirement of the law is fulfilled by a document in the form of an electronic message if the electronic message is —

- (a) formatted in the same or substantially the same way as the prescribed form;
- (b) accessible and intelligible so as to be usable for subsequent reference; and
- (c) capable of being retained by the other person.

**Requirement to issue licence, permit, approval, authorization, etc.**

21. Where any law requires the issuance of any licence, permit, approval, authorization or similar document, the requirement of the law is fulfilled if the licence, permit, approval, authorization or similar document is issued in the form of an electronic message provided that the electronic message is accessible and intelligible so as to be usable for subsequent reference.

## *Electronic Government Activities*

### **Retention of document**

**22.** Where any law requires any document to be retained, the requirement of the law is fulfilled by retaining the document in the form of an electronic message if the electronic message —

- (a) is retained in the format in which it was generated, sent or received, or in a format that does not materially change the information contained in the electronic message that was originally generated, sent or received;
- (b) is accessible and intelligible so as to be usable for subsequent reference; and
- (c) identifies the origin and destination of the electronic message and the date and time it was sent or received.

### **Electronic register**

**23. (1)** Where any law requires a register to be established, operated and maintained, the requirement of the law is fulfilled if the register is in the form of an electronic message and its contents cannot be altered by any means by any person administering the register who has the power by law to alter the register.

(2) Any search made on a register established, operated and maintained by an electronic message shall have the same legal validity as the register referred to in a designated Act.

### **Service and delivery**

**24. (1)** Where any law requires any document to be served, sent or delivered, the requirement of the law is fulfilled by the service, sending or delivery of the document by an electronic means if an information processing system is in place—

- (a) to identify the origin, destination, time and date of service, sending or delivery; and
- (b) for the acknowledgement of receipt,

of the document.

*Bill*

- (2) This section does not apply to—
- (a) any notice of default, notice of demand, notice to show cause, notice of repossession or any similar notices which is required to be served prior to commencing a legal proceeding; and
  - (b) any originating process, pleading, affidavit or other documents which is required to be served pursuant to a legal proceeding.

**Personal service**

**25.** Where any law requires a document to be submitted or delivered personally, the requirement of the law is fulfilled if the document is submitted in accordance with section 19 accompanied with an electronic signature.

**Payment**

**26.** Where any law requires any payment to be made, the requirement of the law is fulfilled if the payment is made by an electronic means and complies with any condition imposed by the Government.

**Receipt**

**27.** Where any law requires the issuance of any receipt of payment, the requirement of the law is fulfilled if the receipt is in the form of an electronic message and the electronic message is accessible and intelligible so as to be usable for subsequent reference.

## PART IV

## COMMUNICATION OF ELECTRONIC MESSAGE

**Attribution of electronic message**

**28.** (1) An electronic message is that of the originator if it is sent by the originator himself.

*Electronic Government Activities*

(2) As between the originator and the addressee, an electronic message is deemed to be that of the originator if it is sent by -

- (a) a person who has the authority to act on behalf of the originator in respect of that electronic message; or
- (b) an information processing system programmed by, or on behalf of, the originator to operate automatically.

(3) As between the originator and the addressee, an addressee is entitled to regard an electronic message as being that of the originator, and to act on that presumption, if—

- (a) the addressee properly applies an authentication method agreed between the originator and the addressee for ascertaining whether the electronic message was that of the originator; or
- (b) the electronic message as received by the addressee resulted from the actions of a person whose relationship with the originator or any agent of the originator enabled that person to gain access to an authentication method used by the originator to identify electronic message as its own.

(4) Subsection (3) does not apply if—

- (a) the addressee has received a notice from the originator that the electronic message is not that of the originator and has reasonable time to act accordingly; or
- (b) the addressee knew or should have known that the electronic message was not that of the originator had he exercised reasonable care or used any authentication method agreed between the originator and the addressee.

**Contents of electronic message**

**29.** Where an addressee receives an electronic message, the addressee is entitled to regard the electronic message as being what the originator intended to send, and to act on that presumption, unless the addressee knew or should have known, had he exercised reasonable care or used any agreed procedure, that the transmission resulted in any error in the electronic message as received.

*Bill***Each electronic message to be regarded separately**

**30.** Where an addressee receives an electronic message, the addressee is entitled to regard each electronic message received as a separate electronic message and to act on that presumption, unless the addressee knew or should have known, had he exercised reasonable care or used any agreed procedure, that the electronic message was a duplicate.

**Time of dispatch**

**31.** Unless otherwise agreed between the originator and the addressee, an electronic message is deemed sent when it enters an information processing system outside the control of the originator.

**Time of receipt**

**32.** Unless otherwise agreed between the originator and the addressee, an electronic message is deemed received —

- (a) where the addressee has designated an information processing system for the purpose of receiving electronic messages, when the electronic message enters the designated information processing system; or
- (b) where the addressee has not designated an information processing system for the purpose of receiving electronic messages, when the electronic message comes to the knowledge of the addressee.

**Place of dispatch**

**33.** Unless otherwise agreed between the originator and the addressee, an electronic message is deemed sent from the originator's place of dealing, and —

- (a) where the originator has more than one place of dealings, from the place of dealing that has the closest relationship with the dealing or where there is no place of dealing that has the closest relationship with the dealing, from the originator's principal place of dealing; or
- (b) where the originator does not have a place of dealing, from the originator's ordinary place of residence.

*Electronic Government Activities***Place of receipt**

**34.** Unless otherwise agreed between the originator and the addressee, an electronic message is deemed received at the addressee's place of dealing, and—

- (a) where the addressee has more than one place of dealings, at the place of dealing that has the closest relationship with the dealing or where there is no place of dealing that has the closest relationship with the dealing, at the addressee's principal place of dealing; or
- (b) where the addressee does not have a place of dealing, at the addressee's ordinary place of residence.

**Acknowledgement of receipt**

**35. (1)** This section applies where, on or before sending an electronic message, or in the electronic message, the originator has requested or agreed with the addressee that receipt of the electronic message is to be acknowledged.

(2) Where the originator has requested or agreed with the addressee that receipt of the electronic message is to be acknowledged, the electronic message is treated as though it has never been sent until the acknowledgement is received.

(3) Where the originator has not agreed with the addressee that the acknowledgement be given in a particular form or by a particular method, an acknowledgement may be given by —

- (a) any communication by the addressee, automated or otherwise; or
- (b) any conduct of the addressee sufficient to indicate to the originator that the electronic message has been received.

(4) Where the acknowledgement has not been received by the originator within the time specified or agreed or, if no time has been specified or agreed, within a reasonable time, the originator may —

- (a) give notice to the addressee stating that no acknowledgement has been received and specifying a reasonable time by which the acknowledgement must be received; and

*Bill*

(b) if the acknowledgement is not received within the time specified in paragraph (a), give notice to the addressee to treat the electronic message as though it had never been sent and exercise any other rights he may have.

(5) Where the originator receives the addressee's acknowledgement of receipt, it is presumed that the addressee received the related electronic message.

(6) Where the received acknowledgement states that the related electronic message fulfills technical requirements, either agreed upon or set forth in applicable standards, it is presumed that those requirements have been fulfilled.

PART IV

MISCELLANEOUS

**Regulations**

**36.** The Minister may make such regulations as may be necessary or expedient for giving full effect to the provisions of this Act.

SCHEDULE

FORM 1

ELECTRONIC GOVERNMENT ACTIVITIES ACT 2007

NOTIFICATION OF DESIGNATED ACT

[Section 6]

IN exercise of the powers conferred by section 6 of the Electronic Government Activities Act 2007 [Act ], I .....  
[name of the relevant Minister]

Minister of ....., after consultation with the Minister,  
designate —  
.....  
[name of the Act or part of it]

as a designated Act under the Electronic Government Activities Act 2007.

*Electronic Government Activities*

2. The Electronic Government Activities Act 2007 shall apply to the provisions of the Act and the subsidiary legislations made under the Act subject to the following:

---

---

---

3. This Notification comes into operation on.....  
[specify the date].

Dated

[Name of the relevant Minister]  
Minister of [specify the Ministry]

FORM 2

ELECTRONIC GOVERNMENT ACTIVITIES ACT 2007

NOTIFICATION OF EXCLUSION OF SUBSIDIARY LEGISLATION  
FROM THE ACT

[Subsection 7(2)]

IN exercise of the powers conferred by subsection 7(2) of the Electronic Government Activities Act 2007 [Act ], I .....  
[name of the relevant Minister]

Minister of....., after consultation with the Minister, exclude—

.....  
[name of the subsidiary legislation]

made under

.....  
[name of the of the designated Act]

from the application of the Electronic Government Activities Act 2007.

2. This Notification comes into operation on..... [specify the date].

Dated

[Name of the relevant Minister]  
Minister of [specify the Ministry]

*Bill*

FORM 3

ELECTRONIC GOVERNMENT ACTIVITIES ACT 2007  
NOTIFICATION OF INCLUSION OF SUBSIDIARY LEGISLATION  
FOR THE APPLICATION OF THE ACT

[Subsection 7(3)]

IN exercise of the powers conferred by subsection 7(3) of the Electronic Government Activities Act 2007 [*Act*     ], I .....  
*[name of the relevant Minister]*

Minister of ....., after consultation with the Minister, include —

.....  
*[name of the subsidiary legislation]*

made under

.....  
*[name of the designated Act]*

for the purpose of the application of the Electronic Government Activities Act 2007.

2. This Notification comes into operation on ..... [*specify the date*].

Dated

*[Name of the relevant Minister]*  
Minister of [*specify the Ministry*]

FORM 4

ELECTRONIC GOVERNMENT ACTIVITIES ACT 2007  
NOTIFICATION OF EXCLUSION OF AMENDED ACT FROM THE ACT

[Subsection 8(2)]

IN exercise of the powers conferred by subsection 8(2) of the Electronic Government Activities Act 2007 [*Act*     ], I ..... Minister of  
*[name of the relevant Minister]*

....., exclude —

(a) the whole of ..... (*name of the amended Act*); or

*Electronic Government Activities*

(b) part of ..... (*name of the amended Act*), as follows:

- (i) .....
- (ii) ..... ; and
- (iii) ..... , (*please specify*)

from the application of the Electronic Government Activities Act 2007.

2. This Notification comes into operation on .....  
[specify the date].

Dated

*[Name of the relevant Minister]*  
Minister of *[specify the Ministry]*

---

EXPLANATORY STATEMENT

The Bill seeks to provide for legal recognition of electronic messages used in dealings between the Government and the public, the use of the electronic messages to fulfil legal requirements and to enable and facilitate the dealings through the use of electronic means and other matters connected therewith.

PART I

- 2. Part I contains preliminary provisions.
- 3. *Clause 1* contains the short title and seeks to empower the Minister to appoint a date of coming into operation of the proposed Act.
- 4. *Clause 2* seeks to define the scope of application of the proposed Act.
- 5. *Clause 3* seeks to provide that a person may conduct dealings by electronic means with the Government if he consents to it and such consent may be given expressly or impliedly.
- 6. *Clause 4* seeks to clarify the relationship between the proposed Act and other laws regulating Government activities.
- 7. *Clause 5* seeks to define certain words and expressions used in the proposed Act.

## *Bill*

### PART II

8. Part II contains provisions relating to administration and application of the proposed Act to written laws.
9. *Clause 6* seeks to empower the relevant Minister to designate any written law or part of it for the purpose of the proposed Act and to impose any conditions as he deems fit.
10. *Clause 7* seeks to empower the relevant Minister to exclude any subsidiary legislation of a designated Act from the application of the proposed Act and to include any subsidiary legislation which has been excluded under *subclause 7(2)*, for the application of the proposed Act.
11. *Clause 8* deals with the effect of a repealed designated Act and the powers of the relevant Minister to exclude an amended Act or part thereof from the application of the proposed Act.
12. *Clause 9* seeks to empower the Minister to issue Information Technology Instructions.

### PART III

13. Part III contains provisions relating to legal recognition of electronic messages.
14. *Clause 10* deals with the affirmation of the legal effect, validity or enforceability of an electronic message.
15. *Clause 11* provides that proposals, acceptance of proposals and revocation of proposals and acceptances or any related communication may be expressed by electronic messages. This *clause* also provides for the affirmation of the legal effect, validity or enforceability of contracts formed by the use of an electronic message.

### PART IV

16. Part IV contains provisions relating to the removal of legal obstacles to electronic dealings.
17. *Clause 12* provides that if the legal requirement for information is to be in writing, such requirement may be fulfilled by an electronic message that is accessible and intelligible for subsequent reference.
- 3 8. *Clause 13* provides that electronic signature that meets the criteria in *subclause 13(1)* fulfills any legal requirement for signature. This *clause* also states the criteria to be considered in assessing the reliability of an electronic signature.

### *Electronic Government Activities*

19. *Clause 14* provides that a digital signature fulfills the legal requirement for a seal to be affixed to a document. *Clause 14* also empowers the Minister to prescribe any other types of electronic signature which may be available in the future that can fulfill any legal requirement for a seal to be affixed to a document.
20. *Clause 15* provides that a witness may use an electronic signature to fulfill any legal requirement for the signature of a witness to a signing of a document or to a Government activity.
21. *Clause 16* deals with the situations where there is a legal requirement for any document to be in its original form. An electronic message is regarded as an original document if it fulfills the criteria in *subclause 16(1)*. *Clause 16* also provides the criteria for assessing the integrity of information and the standard of reliability of information required for the electronic message to be regarded as an original.
22. *Clause 17* provides for a situation where there is a legal requirement for the submission of a certified true copy of a document, it fulfills the requirement of the law if the document is submitted in an electronic message and fulfills the requirement under *clause 16*.
23. *Clause 18* seeks to provide that the retention, service, sending or delivery of a document in the form of an electronic message in one copy fulfills any legal requirement for the retention, service, sending or delivery of the document in more than one copy.
24. *Clause 19* provides for situations where there is a legal requirement for the filing or submission of any document, such requirement may be fulfilled if the document is filed or submitted in the form of an electronic message that is accessible and intelligible for subsequent reference.
25. *Clause 20* provides for situations where a law requires a document to be in a prescribed form, the requirement of the law is fulfilled by a document in an electronic message if the electronic message fulfills the criteria set out in *clause 20*.
26. *Clause 21* provides for situations where a law requires the issuance of any licence, permit, approval, authorization or similar document, the requirement of the law is fulfilled if the licence, permit, approval, authorization or similar document is issued in the form of an electronic message that is accessible and intelligible for subsequent reference.
27. *Clause 22* seeks to provide that the retention of a document in the form of an electronic message fulfills any legal requirement to retain the document. The requirement is fulfilled by an electronic message if the electronic message fulfills the criteria set out in *clause 22*.
28. *Clause 23* provides for situations where a law requires a register to be established, operated and maintained, the requirement is fulfilled if the register is in the form of an electronic message and its contents cannot be altered by lawful means by the person administering the register who has the power by law to alter the register.

### *Bill*

29. *Clause 24* provides that the service or delivery of any document by an electronic means fulfills any legal requirement to serve or deliver any document.
30. *Clause 25* provides for situations where there is a legal requirement for a document to be submitted or delivered personally. The requirement is fulfilled if the document is submitted in accordance with *clause 19* accompanied with an electronic signature.
31. *Clause 26* provides for situations where any law requires any payment to be made, the requirement is fulfilled if the payment is made by an electronic means and complies with any condition imposed by the Government.
32. *Clause 27* provides for situations where any law requires issuance of any receipt of payment, the requirement of the law is fulfilled if the receipt is in the form of an electronic message that is accessible and intelligible for subsequent reference.

### PART V

33. Part V contains provisions relating to the communication of electronic message.
34. *Clause 28* deals with the situations where there is a question as to whether an electronic message was really sent by the person who is indicated as being the originator.
35. *Clause 29* deals with the problem of errors in the content of an electronic message that resulted from an error during the course of transmission of the electronic message.
36. *Clause 30* deals with the problem of receipt of a duplicate electronic message which has to be regarded separately from the original electronic message unless the addressee has knowledge that such electronic message is a duplicate.
37. *Clause 31* seeks to provide for the time an electronic message is deemed to be sent.
38. *Clause 32* seeks to provide for the time an electronic message is deemed to be received.
39. *Clause 33* seeks to provide for the place an electronic message is deemed to be sent.
40. *Clause 34* seeks to provide for the place an electronic message is deemed to be received.
41. *Clause 35* provides for the manner and effect of acknowledging the receipt of an electronic message.

*Electronic Government Activities*

PART VI

42, Part VI which contains *clause 36* seeks to empower the Minister to make regulations under the proposed Act.

*FINANCIAL IMPLICATIONS*

This Bill will involve the Government in extra financial expenditure the amount of which cannot at present be ascertained.

[PN(U<sup>2</sup>)2266]