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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B. 5/2007

THE ELECTRONIC TRANSACTIONS ACT, No. 19 OF 2006

REGULATIONS made by the Minister of Digital Infrastructure and Information Technology under Section 24 read with Section 8(2) of the Electronic Transaction Act, No. 19 of 2006 on the recommendation of the Secretary to the Ministry of the Minister assigned the subject of Registration of Persons.

AJITH P. PERERA,
Minister of Digital Infrastructure and
Information Technology.

Colombo,
05th March, 2019.

Regulations

1. These regulations may be cited as the Electronic Transaction (e-Registration of Persons) Regulations No. 1 of 2019.

2. These regulations shall authorize and facilitate the use of electronic documents and electronic records by the Commissioner-General for the efficient delivery of services.



3. The National Register of Persons, being an information system, established and maintained under Registration of Persons Act, No. 32 of 1968 shall be used to create, file, process, securely retain, share or issue documents or records generated under Sections 6, 6A, 9, 16, 17 and 39B of the said Act, No. 32 of 1968 electronically for the purpose of Section 8 of the Act (hereinafter referred to as the “electronic documents” or “electronic records”)

4. The Commissioner-General shall ensure that-

- (a) an electronic document and electronic record is created, filed and securely retained and maintained in the manner provided in Schedule A.
- (b) the control process and procedure followed to secure the confidentiality, authenticity and integrity of an electronic document and electronic record is in accordance with Schedule B.
- (c) the manner or method for receipt of payment of any fees or charges for the filing, creation, retention or issue of any electronic record or electronic document shall be in accordance with Schedule C.

5. In these regulations -

“Act” means the Electronic Transaction Act, No. 19 of 2006 ;

“Commissioner-General” means the Commissioner-General for the Registration of Persons appointed under the Registration of Persons Act, No. 32 of 1968 ;

“electronic” means information generated, sent, received or stored by electronic, magnetic, optical or other similar capacities regardless of the medium ;

“electronic document” includes a document, record, information, communication or transaction, issued or reproduced by electronic means ;

“electronic record” means a written document or other record created, stored, generated, received or communicated by electronic means ; and

“information system” means an electronic system for creating, generating, sending, receiving, storing, reproducing, displaying, recording or processing information.

[Regulation 4(a)]

SCHEDULE A

The electronic documents and electronic records shall be created, filed, securely retained and maintained by the Commissioner-General in the following manner -

- (a) in both text and image data ;
- (b) by scanning document images and through data capturing and data entry procedures in a manner specified by the Commissioner-General ;
- (c) in relation to national identity cards -

(i) all data shall be stored in a database which standards and specification shall be specified by the Commiissioiner-General ;

(ii) all images shall be encrypted and stored in the information system ;

and access shall be provided to authorized officers in writing by the Commissioner-General.

[Regulation 4(b)]

SCHEDULE B

The control process and procedures that should be followed by the Commissioner-General to secure the confidentiality, authenticity and integrity of an electronic document and electronic record, shall be as follows :-

- (a) all data storerd in servers, server systems and network of the information system of the Commissioner-General, including the physical security of servers, shall be securely maintained under the supervision of system administrator with secure access rights to be determined from time to time ;
- (b) the electronic documents and electronic records shall be created, edited, viewed and shared only by officers authorized by the Commissioner-General in writing ;
- (c) access shall be granted to the authorized officers through information security control procedure specified by the Commissioner-General from time to time.
- (d) the authorized officers shall be assigned different job roles in the information system for purpose of control and supervision ;
- (e) data related to national identity cards shall be validated, verified and corrected at several points to minimize data entry errors. The scanned images of source documents shall be made available to the authorized officers of the information system for verifying the data at any given time.
- (f) if any authorized officer of the information system makes any change to any data in the said system it shall be recorded in the information system with edited fields, user ID, date, time and such information shall be required to be recorded by the Commissioner-General.
- (g) The Commissioner-General shall inform the authorized officers the purpose for which reports may be generated form the information system ;
- (h) The Commissioner-General shall designate the officers who shall take daily and weekly backups of the data as well as electronic records and electronic documents in the information system and specify the location and manner in which such backup information may be stored.

SCHEDULE C

The manner or method for receipt of payment of any fees or charges for the filing, creation, retention or issue of any electronic record or electronic documents, shall be as follows :-

- (a) the Commissioner-General shall levy fees or charges for the services provided, including charges for the filing, creation, retention or issue of any electronic records or electronic document using the information system and certifying the authenticity of the particulars in a national identity card of a person ;
- (b) the fees and charges to be levied for the services facilitated using the information system shall be determined and notified by the Commissioner-General from time to time ;
- (c) all payments received in respect of the services provided, including payments for the filing, creation, retention or issue of any electronic record or electronic document, shall be updated through the information system.
- (d) reports in relation to any payments received for the services provided, including payments for the filing, creation, retention or issue of any electronic record or electronic documents, shall be issued and generated from the information system ;
- (e) the Commissioner-General may specify the manner in which fees and charges may be levied, whether by electronic payment methods or otherwise, for the services provided using the information system.