

Regulatory Compliance for Digitalisation



Digital Transformation



„A new way to address the end-to-end consumption and delivery of goods and services to customers using appropriate digital technology.“

Senator the Honourable Hassel Bacchus





- **Digital Society** – Universal access and Digital inclusion
- **Digital Economy** – Enabled GDP growth
- **Digital Government** – deliver key services digitally with new services being digital by default

Structure of the Technical Units





Electronic Transactions Act

- Legislation to guide the development and use of infrastructure, platforms, and personnel to facilitate secure and reliable electronic transactions in alignment with proclaimed legislation (ETA Chap. 22:05 – Parts I –IV, VII)

G-Commerce Enablement

- Mechanism and tools to enable an eco-system whereby real time payments can be made, processed, validated, and applied for Government services

Office of Information Commissioner

- Engendering trust in Electronic transactions by having an independent body for oversight and redress (Data Protection Act Chap. 22:04)



The Legislation in a nutshell



Electronic Transactions Act

- Establishes the legality of a transaction in electronic form
- Exceptions – negotiation instruments, Wills, Trusts / Power of Attorney, Immigration document & Conveyancing

Data Protection Act

- Protection and privacy of personal information
- Statutory oversight of Data Protection (OIC)
- Ensure that data is collected and used for the purpose for which it is intended



ETA, 2011 – leveraging what is proclaimed



- Part IV ('Electronic Signature') of the Act is proclaimed and legal in TnT
- Based on the act, transactions in electronic form (incl. Electronic signatures) must meet the following criteria
 - **Media neutrality** no discrimination of acceptance in paper based or electronic form
 - **Functional equivalence** able to meet the functions of the paper based requirements in the electronic environment
 - **Technologically neutral** no specific reference to any technology to satisfy the requirements for transactions and transacting
- **Electronic signatures are already used in the private sector**, most often for financial services where a variety of electronic signatures enable transactions in the local environment.



Criteria for Reliability/Integrity of Digital Signature



- The authentication technology uniquely links the user to the signature;
- The signature is capable of identifying the user;
- The signature is created using a means that can be maintained under the sole control of the user;
- The signature will be linked to the information to which it relates in such a manner that any subsequent change in the information is detectable



Engendering Trust



- Mandate of Office of Information Commissioner to ensure that trust can be established
- Mechanism for Monitoring and approving advances in Digital signatures and authentication of individuals, documents, and transactions
- Roadmap to secure all of Government Digital Platform enabled by ETA
- Digital Cash Book initiative in Ministry of Finance Opens up the door to wider E-Commerce



Types of Electronic Signatures you can use now



- A digitized version of a signature (i.e., Image of the wet signature or touchscreen signature)
- The combination of username, pin number, or password
- A digitized fingerprint (i.e., digitized image of a fingerprint)
- A biometric scan of a fingerprint, iris, or vocal signature
- A typed name at the end of an email message
- An “I Agree” or “Purchase Now” button or box on a computer screen (Holds same weight as wet signature once customer agreed at enrollment)
- A digital signature that uses encryption and decryption technology alongside a Public Key Infrastructure (PKI) (e.g., DocuSign).



Thank You!



Our Core Values