

A REVIEW ON ELECTRONIC GOVERNMENT ACTIVITIES ACT (EGAA) 2007

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The students/authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

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ABSTRACT

This research is carried out in order to propose the amendment in EGAA 2007. In doing so, it will prove that there are the needs to amend certain provisions in this Act. The said provisions are Section 23, Section 2, Section 21 and Section 27 of the Act.

The method used in this research is the qualitative methodology. References are made to books, journals and reliable internet materials. Interview was also conducted with an academician, Dr. Sonny Zuhuda to get his view regarding the review on EGAA 2007 from the legal perspective.

The goal of this research is to critically analyse the adequacy and comprehensiveness of the provisions in the EGAA and to suggest amendment to certain provisions in the Act. The benefit of making amendment to certain provisions in the EGAA 2007 will be proven by comparing EGAA 2007 with the Electronic Transaction Act 2010 in Singapore, China Electronic Transactions Ordinance and the Uniform Electronic Transaction Act 1999 in United States in order to establish the legal benchmark of the study.

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CHAPTER ONE: INTRODUCTION

1.0 Introduction

This paper focuses on the adequacy and issues of the provisions in the Electronic Government Activities Act (EGAA) 2007 and this chapter is divided into 9 parts. They are; Introduction, Research Background, Problem Statement, Research objectives, Research Methodology, Scope of Research, Limitation of Research, Significance of this Research and Literature Review.

1.1 Background of study

Currently, the electronic services by various agencies and ministries are being governed by the Electronic Government Activities Act (EGAA) 2007. The Act seeks to provide certain function.¹ They are; firstly, provide legal recognition of electronic messages in dealings between the government and the public.² Secondly, provide the use of the electronic messages to fulfill legal requirements and thirdly, to enable and facilitate the dealings through the use of electronic means and other matters connected therewith.³

We are living in the 21st century where almost every dealings and transactions are done through the net. According to Bank Negara Malaysia, approximately 95 percent of the volume of the payment made by the government was electronically transacted and there were 89 government agencies providing 148 online payment services at the end of 2008.⁴ As in Malaysia the situation where internet transaction becoming one of the most important aspect in daily businesses, the needs for a more proper laws

¹ Sonny Zuhuda, "The State of E-Government Security in Malaysia: Reassessing the Legal and Regulatory Framework on the Threat of Information Theft" 812.

² Ibid.

³ Ibid.

⁴ "Payment Systems Report," <http://www.bnm.gov.my/files/publication/fsps/en/2008/cp04.pdf>.