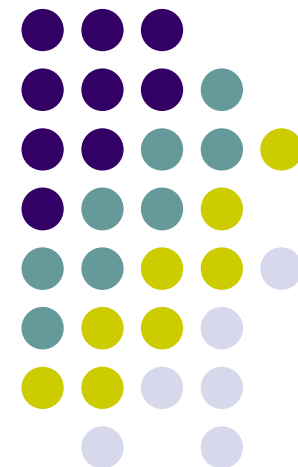


# NEW FORMS OF E-COMMUNICATION IN THE CZECH REPUBLIC

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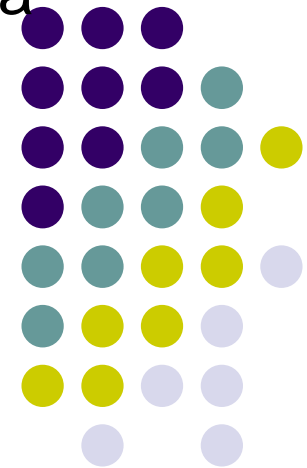
E-Leader Budapest 2010

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# Introduction

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## Abstract

- Concept of e-government
- Data boxes and their legislation Act No. 300/2008 Coll., on the electronic acts and authorized document conversion
- Paper is an outcome of the internal grant of the University of Economics in Prague called in English “Changes in Communication in Public Administration in connection with the Development of E-government

# Setting up of data boxes



- Is by law or on the request of the concerned person
- Data box was set up by law to the public authorities, to the legal entities established by law or registered in the trade Register, to the organizational parts of foreign legal entities registered in the Trade Register and liquidators



## Setting up of data boxes

- Established by Act No. 300/2008 Coll. on the electronic acts and authorized document conversion
- The responsible authority for setting up of data boxes is Ministry of Interior
- The Ministry of Interior has to set up data box immediately, when it receives information on registering the legal entities into the defined register.



## Setting up of data boxes

- Definition of data boxes according the Act No. 300/2008 Coll.: Data box is the electronic store, which is determined to delivering by public authorities and for performing acts towards public authorities. Data box is the electronic store, which serves for delivering of the documents of the individuals, of the legal entities like some companies or natural persons doing entrepreneurial activity. Data boxes are set up and managed by the Ministry of Interior.

# Setting up of data boxes



- Data box is a part of Information system of data boxes
- Act No. 300/2008 Coll. defines Information system of data boxes like information system of public administration, which contains information on data boxes and its users.



## Setting up of data boxes

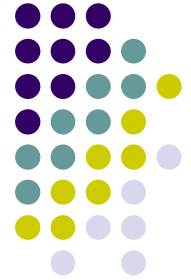
- The Ministry of Interior is administrator of Information system of data boxes, but holder of the postal licence is operator of Information system of data boxes.
- Information system of data boxes is not e-mail server
- Data box is not e-mail box





## Setting up of data boxes

- The wrong, incorrect, inexact, incompleted or outdated data registered in the Trade Register are not the obstacle both to the legal and matter reason for not setting up of data box, but they are the reason for giving suggestion to the court, that is territorially responsible for keeping Trade Register, on the verify the accuracy, correctness and topicality of registered data.



# Setting up of data boxes

- Subjects whom data box is not set up by law (for example natural persons) can request for setting up of data box
- The request must be delivered to the Ministry of Interior

# Setting up of data boxes



- The request can be made by these ways:  
personally in the filling room of the Ministry of Interior, on the contact point of public administration (workplace of CzechPOINT),  
by mail or by e-mail.



## Setting up of data boxes

- If the request fulfils the requirements set by Act No. 300/2008 Coll., the Ministry of Interior sets up data box till 3 working days from the moment of making application
- The access data will be sent to the applicant
- The correctness of data cited in the applications for setting up of data boxes is verified through data registered in information system of the population database and next information systems or databases.



# Setting up of data boxes

- The authorized person confirms the result of this verification
- In the case of making of application through the contact point of public administration, data are also verified on base of the documents brought by the applicant



## Setting up of data boxes

- Act No. 300/2008 Coll. distinguishes data boxes of the public authorities, of the legal entities, self-employed individuals and other individuals
- The original concept of Act No. 300/2008 Coll. is that each subject has the right to have one data box
- But this concept allows to set up data box on the request to the individual, who is also self-employed person, from both reasons

# Setting up of data boxes



- The self-employed person can have only one data box regardless on the number of the subjects of undertaking
- For the branches of advocacy, tax advisory and insolvency administration, separate data box of self-employed person is set up with connection to other subject of undertaking

# Setting up of data boxes



- According to Act No. 300/2008 Coll. it is also possible to set up data box to the individual person or legal entities who resides outside the territory of the Czech republic. These subjects has the obligation to prove their status with some relevant documents.





# Setting up of data boxes

- The amendment of Act No 300/2008 Coll. from the year 2009 enabled to the public authorities to dispose of more data boxes
- These data boxes of public authorities can be set up on the request of the public authority, especially for the need of their internal organizational units (like territorial departments) with regard to the performed agenda

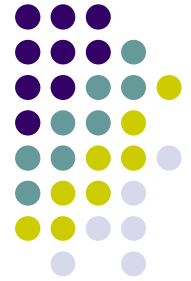


## Setting up of data boxes

- The legal effects of the documents delivered to these data boxes are the same.
- The Ministry of Interior has the obligation to publish by the way enabling the remote access the list of data boxes of public authorities and individuals and self-employed persons and legal person that performs the activities in the sphere of public administration, and the list of their organizational structure

# Setting up of data boxes

- The ministry of Interior has to have information on all changes about organizational structures



# Accessing of data boxes



- The Ministry of Interior sends the entitled person immediately after setting up of data box the access data as the login name and security password



# Accessing of data boxes

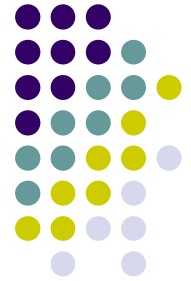
- Data box is made available generally by first login of the entitled person into data box
- If the entitled person does not login into data box to 15 days from delivering the access data, data box is available by 15th days from its delivering automatically

# Accessing of data boxes



- The data message is delivered when the entitled person logs into data box, according to Act on Administrative Procedure

# Accessing of data boxes



- Sometimes it is used the institut called „fiction of delivering“
- The impediment of the accessing of data boxes is not the fact, that the legal entity entried into insolvency, into bankruptcy or into liquidation

# Accessing of data boxes



- “Bigger“ users have the possibility to login into data box through the electronic system of the filing service or through other electronic application by specific system certification

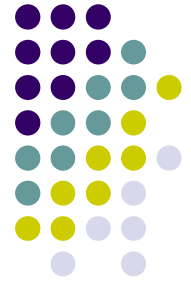


# Accessing of data boxes



- If it happens that access data are lost or alienated, this fact must be announced to the Ministry of Interior

# Subjects of the communication through data boxes



- The original form contained in Act No. 300/2008 Coll. supposed the using of the communication through the system of data boxes among the public authorities each other and among public authorities and natural persons and legal entities

# Subjects of the communication through data boxes



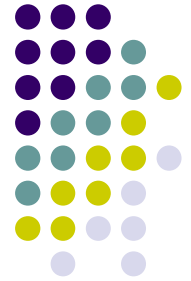
- The amendment of the Act No. 300/2008 Coll. enabled, so that, from 1st January 2010, data boxes were used for delivering of data messages also between the private subjects

# Subjects of the communication through data boxes



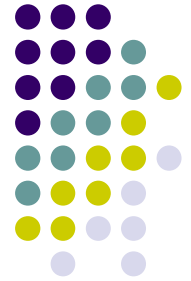
- The concrete conditions of this service are established by the operator of information system of data boxes (by the Czech Post, state enterprise)

# Subjects of the communication through data boxes



- The Ministry of Interior has the right to destroy data message, if it finds out that data message contains wrong format or computer program that is enable to bring some damages at information system of data boxes. or in information registered within this information system

# Subjects of the communication through data boxes



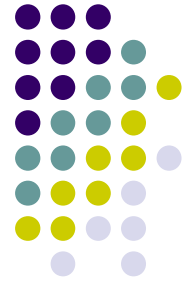
- From 1st January 2010 till 30th June 2010 it is possible to use „private“ communication only for the purpose of sending of the invoices or similar „things“ for payment

# Limitation and cancellation of data boxes



- The Ministry of Interior make unavailable data box of individual person or self-employed person in cases connected to this person
- Data boxes of self-employed person or of the legal entity will be made inaccessible from the date of erasure of this person from the set database

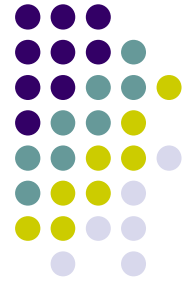
# Limitation and cancellation of data boxes



- Data box can be also made unaccessible on the request of the concerned subject, for which data box was set up
- Within the mentioned 3-year term data box is not accessible, but data on the manipulation with data box including received and sent data messages are stored.



# Information system of data boxes



- It contains information on data boxes and their users
- Data contained in information system of public administration are not public and it is not possible to provide them to the other persons, with exemption of the contact adress, to which should be delivered to the addressee, if the agreement was given for its publication

# Information system of data boxes



- The conditions of the identification of data boxes are set up by the obligation of the Ministry of Interior to ensure the protection of personal data within this information system

# Conversion



- The nature of the system of delivering through data boxes implies the forms of the documents, which can be used for delivering
- These documents must have the form of data message

# Conversion



- Sometimes it is necessary to convert the one form of the document to second form of the document
- Act No. 300/2008 Coll. introduces the institution of so called authorized document conversion

# Conversion



- Authorized document conversion is conversion of the document from the digital into paper form or vice versa
- Verification clause contains the necessary matters relating to the conversion

# Conversion



- The conversion is described in Act No. 300/2008 Coll. and next regulation No. 193/2009 Coll., on setting of the details of authorized document conversion

# Conversion



- Introducing authorized document conversion means the equalization of the electronic (digital) form of the document with the paper form of the document during the communication with authorities or bodies



# Conversion

- The authorized document conversion is made through the electronic application of the system of the contact points of public administration which is accessible by the way enabling the remote access



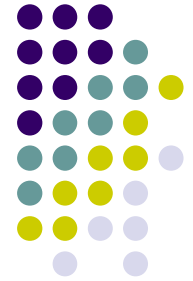
# Conversion



- By the system of the contact points of public administration we mean the set of the technical equipment and software administered by the Ministry of Interior

# Conversion

- CzechPOINT



# Conversion



- The authorized document conversion is thus made on the request or ex effo
- Administrative fee of 30 Czech crowns for each page of the converted document



# Conversion

- The authorized document conversion cannot be made in some specific cases.
- The authorized document conversion made ex offo can be made only by the public authority and this permission cannot be transferred on other subject.
- The documents converted on the request and converted ex offo have the same legal effects.

# Some initial shortcomings



- Risky introduction of the system through the form of „big-bang“
- In practice, only one activity how to test the environment of data box is activation of data box

# Some initial shortcomings



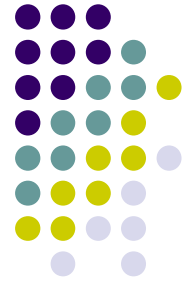
- Not all authorities and bodies are ready to use data box concerning the technical specification or training the concerned employees in this field

# Some initial shortcomings



- Nobody had the possibility to test data box in advance
- Using of data boxes require the instalation of of the specific complement to the browser

# Some initial shortcomings



- Data boxes are accompanied with big documentation of using, that is surely good for users, but it can be seen sometimes difficult to read it



# Some initial shortcomings

- The user have to fill his login name and password on the right internet page ([www.mojedatovaschranka.cz](http://www.mojedatovaschranka.cz))



# Conclusion



- It is obvious that legislation brought the fundamental change in the field of delivering of the documents