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LEGAL REGULATION OF INFORMATION SECURITY

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MODULE 1

INFORMATION SECURITY AND ELECTRONIC SERVICES

LECTURE 5

PARTICIPANTS, RIGHTS AND OBLIGATIONS IN ELECTRONIC SERVICES

LECTURE OBJECTIVE

Distinguish providers, recipients, owners and holders, and explain how rights and duties vary with each participant’s role in an electronic service.

LECTURE PLAN

1. Participants in electronic services

2. Rights and duties of owners, holders and users

3. Service types and payment flows

PARTICIPANTS IN AN ELECTRONIC SERVICE

Concept or participant	Meaning, duties and application
Provider	The organization or person delivering the service and handling the request.
Recipient	The individual or organization requesting or receiving the service.
Owner, holder and user	These roles describe a party's relationship to the system, infrastructure or data. One party can have several roles.
Third parties	A host, identity provider or payment intermediary may support one part of the service.

A party's service role can change between interactions. An organization may receive a service from a hosting provider and provide another service to citizens. Ownership of the data, operation of the platform and receipt of the service therefore need to be described separately when assigning responsibilities or analysing a dispute.

RIGHTS AND DUTIES OF THE OWNER

Concept or participant	Meaning, duties and application
Property rights	The owner may possess, use and dispose of informatization objects, including through lease or other arrangements.
Access and handling rules	The owner can set conditions for processing, storing, copying and sharing resources within the scope of its authority.
Protection duties	The owner takes measures to protect the objects and provides or restricts access in accordance with the applicable rules.

The owner can set processing and access conditions within its authority. Those conditions cover activities such as storage, copying and distribution. The owner also has protection duties and must apply access restrictions consistently with the governing rules. A contractual delegation of operation needs to define which decisions the holder can make.

RIGHTS AND DUTIES OF THE HOLDER

Concept or participant	Meaning, duties and application
Scope of use	The holder possesses and uses the object on the terms defined by the owner and the applicable rules.
Operational decisions	Within that scope, the holder may set conditions for third-party access and processing.
Protection and third-party rights	The holder protects the objects and respects the rights and legitimate interests of the owner and others.

The holder’s decisions remain within the scope granted by the owner or by law. Operational tasks may include handling third-party access and setting processing conditions. The holder also protects the objects and respects the rights of other parties. A clear operating agreement supports accountability when several organizations participate in the service.

RIGHTS AND DUTIES OF THE USER

Use of resources

The user can access and use resources on the terms set by the applicable law, owner or holder.

Personal data

The user can inspect personal data about them held in a resource or system, subject to applicable exceptions.

Obligations

The user respects access conditions and the rights of other parties and observes applicable information protection duties.

Users exercise rights under the applicable access conditions. They also have duties concerning the rights of owners, holders and other people. Access to personal data about oneself is a distinct issue from permission to inspect another person’s records. The system’s role model can reflect these different purposes and limits.

SHARED OWNERSHIP AND HOSTING

Information system owner

Manages the system and may regulate the distribution of resources within the limits of law and agreement.

Resource owner

Controls the resource under the applicable rules even if another party operates the platform.

Infrastructure owner

Has responsibilities for safe storage and protection of the resources and systems hosted on its infrastructure.

Agreement between parties

The parties set terms for operating the system and accessing data and infrastructure where ownership is split.

Separate ownership creates coordination requirements. The parties need to establish the operating procedure, access conditions and protection responsibilities. A hosted resource can remain under its owner’s legal control while the infrastructure provider maintains storage and availability. Incident handling then depends on timely exchange between the parties that hold different records.

CLASSIFICATION BY AUTOMATION AND PAYMENT

Fully automated

The service runs without paper document flow.

Partially automated

The workflow includes both electronic and paper steps.

Paid

The recipient pays a fee or other remuneration for the service.

Free of charge

The provider receives no payment from the recipient for the service.

Automation concerns the process, while payment concerns remuneration. A free service can be fully automated, and a paid service can include paper stages. Mixed workflows create handover points between electronic and physical records. Tracking the request across those stages helps identify delays and establish whether the recipient completed the required action.

CLASSIFICATION BY MODE OF DELIVERY

Informational

The provider makes an electronic resource available to the user.

Interactive

The service requires a two-way exchange and may require identity verification.

Transactional

The exchange includes an electronic payment. The payment gateway can supply confirmation to the provider.

Composite

A single request covers several linked services. The lecture describes confirmation using an electronic digital signature.

Transactional services connect the request with electronic payment information. Providers, banks and gateways retain different parts of the transaction. Matching these records helps resolve a disputed status. The exchange concerns authorized transaction details, such as amount and payment time, rather than unrestricted access to the recipient’s financial information.

CASE DISCUSSION

A public service portal shows a request as unpaid after the recipient completes an electronic payment.

Which parties hold the payment record, request record and confirmation?

What information would help trace the payment without sharing unrelated personal data?

Analysis

The provider has the request record and the payment intermediary has the payment record. The gateway can relay confirmation. Match records by transaction reference and time. The service type determines whether it involves information exchange, payment or linked requests.

RIGHTS OVER ELECTRONIC RESOURCES

The owner determines conditions for storage, copying and distribution within the applicable legal limits. The holder exercises the rights delegated through an agreement or legal arrangement.

Users receive access under the conditions governing the resource. Access to a service does not automatically grant unrestricted rights to redistribute the information obtained through it.

The system owner, resource owner and infrastructure owner may be separate organizations. Their agreement defines how the system operates and who can access the resources and supporting facilities.

The infrastructure owner has responsibilities for safe storage and protection of hosted resources. The resource owner and holder retain duties associated with the information and its permitted use.

PAYMENT GATEWAY INTERACTION

The lecture describes providers receiving electronic payment information through the e-government payment gateway. The gateway supports the transfer of payment requests and confirmation that the relevant payment has occurred.

The bank and provider hold different records. Reconciliation connects the payment to the service request using transaction details such as amount, time, sender and beneficiary within the authorized exchange.

A fully automated service excludes paper document flow in the process described by the lecture. A partially automated service combines electronic and paper stages.

At each stage, the provider needs a clear record of the request and its status. Mixed workflows introduce handover points where delays, missing documents or inconsistent data can affect the outcome.

CONCLUSION

1. Providers and recipients describe service roles. Owners, holders and users describe relationships to the relevant assets.

2. When several parties operate a service, agreements define access and protection responsibilities.

3. The service type determines whether it involves information exchange, payment or linked requests.

SELF-ASSESSMENT QUESTIONS

1. What roles do providers and recipients perform in electronic services?
2. How do the roles of an owner, holder and user differ?
3. Why is it important to define responsibilities when several organizations deliver one service?
4. What records can help resolve a dispute about an electronic payment?
5. How can one organization perform several roles within the same service?

REFERENCES

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3. E. Turban, C. Pollard and G. Wood. Information Technology for Management.