

ANTIGUA AND BARBUDA



**THE ELECTRONIC TRANSACTIONS (AMENDMENT) BILL, 2016**

No. of 2016



**THE ELECTRONIC TRANSACTIONS (AMENDMENT) BILL, 2016**

**ARRANGEMENT**

**Sections**

1. Short title.
2. Interpretation
3. Amendment of section 31

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THE ELECTRONIC TRANSACTIONS (AMENDMENT) BILL, 2016

No. of 2016

AN ACT to amend the Electronic Transactions Act, No. 24 of 2013 and for incidental and connected purposes.

ENACTED by the Parliament of Antigua and Barbuda as follows:

1. Short title

This Act may be cited as the Electronic Transactions (Amendment) Act, 2016.

2. Interpretation

In this Act—

“principal Act” means the Electronic Transactions Act, No 24 of 2013.

3. Amendment of section 31

(1) The principal Act is amended in section 31 by repealing subsection (2) and substituting the following—

“(2) Notwithstanding subsection (1), nothing in this Act shall require a ministry or public body to process an electronic record, but either the Minister or the appropriate Minister or official member may, by notice published in the *Gazette*, specify—

- (a) the manner and format in which the electronic records must be filed, created, retained or issued;
- (b) in cases where the electronic record has to be signed, the type of electronic signature required;
- (c) the manner and format in which such electronic signature must be attached to, incorporated in or otherwise, associated with the electronic record;
- (d) the identity of or criteria that must be met by any authentication service provider used by the person filing the electronic record or that such authentication service provider must be a preferred authentication service provider;
- (e) the appropriate control processes and procedures to ensure adequate integrity, audit ability, security and confidentiality of electronic records or payments; and
- (f) any other requirements for electronic records or payments.

Passed by the House of Representatives on the , 2016.

Passed by the Senate on the , 2016.

*Speaker.*

*President.*

*Clerk to the House of Representatives.*

*Clerk to the Senate.*

**EXPLANATORY MEMORANDUM**

The Bill seeks to amend the Electronic Transactions Act 2013 to incorporate the necessity to have a Notice to facilitate the recognition of Electronic Transactions in a specific Ministry or public body made pursuant to section 31 of the Act, published in the Gazette.

Hon. Melford W. Nicholas  
Minister of Information,  
Broadcasting, Telecommunications  
and Information Technology