

THE LEGAL SYSTEM OF E-GOVERNMENT IN THE PEOPLE'S REPUBLIC OF CHINA

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From the perspective of scientific, reasonable and accurate grasp of the characteristics and development requirements of e-government, the legal system should be established from the process of e-government construction and application [1].

1) *Administrative laws and regulations related to government information* mainly involve government information disclosure, administrative procedures of e-government, management of legality of electronic documents and validity of electronic signatures, etc. Here, because the disclosure of government information has been widely discussed and has entered the legislative process, this article does not discuss it here for simplicity [2].

1. Laws and regulations regulating administrative procedures of e-government. The business process of e-government provides a new way to realize the government's management and service functions. E-government uses information technology to reorganize and integrate the business process of traditional government affairs.

2. Electronic file. Electronic documents in e-government refer to the digital form records formed by government agencies in government affairs activities. It is a file that is operated, transmitted, stored, and utilized by a computer, expressed in digital (bit) form and input and output through encoding and decoding, also known as a digital file. There is a big difference from written documents. Written documents, together with their paper carrier, handwriting and seals, etc. constitute the proof of the original identity of the document. To confirm the originality, authenticity and safety of electronic documents depends on the relevant technical conditions [3].

The laws and regulations on electronic documents mainly address the following issues. First, the legal status and legal effect of electronic documents must be specifically and clearly endowed with the same status and effect as electronic documents and written documents. It is difficult to define the originality of electronic documents, which also makes people doubt the role of electronic documents as legal documents. On the one hand, the establishment of the legal effect of electronic documents needs to solve the problem of defining the originality of electronic documents technically, which is the basis for solving the legal effect of electronic documents. On the other hand, the evidentiary role of electronic documents needs to be clarified legally so that there are laws to follow.

The second is to standardize the formation and filing of electronic documents, the management and use of electronic documents, etc. The information types of electronic files include word processing files, multimedia files, graphics, image files, etc.

3. Electronic signature. Electronic signature can clarify the identity of the subject so that the implementation of the law has a clear subject. With an electronic signature,

any information can be safely transmitted over the network in the form of electronic files.

2) *Laws and regulations on the management and application of e-government construction.* The goal of e-government is to establish convenient, fast, safe and stable information communication channels between government departments, government agencies and all sectors of society. Since the construction of e-government has gone through different stages of technological progress-industrial development-government application, each region and each department has its own independent construction, which brings many problems to the unified e-government construction. Therefore, the strengthening of e-government construction and application management must be standardized, scientific decision-making, and brought into the track of legalization. The laws and regulations on the construction, management and application of e-government should take the "E-government Law" as the core. The "E-Government Law" should comprehensively integrate the government affairs process on the basis of building a unified national e-government information platform, and make specific regulations on related management and operation. Combined with the current situation of e-government development, the focus of e-government construction management and the application of laws and regulations are the following three aspects.

1. *E-government management mechanism.* At present, the management system of e-government is multi-management and fragmented. Relevant laws and regulations are required to clarify the mechanism and functions of management. Through laws and regulations, special e-government leading organizations should be established to lead and organize the e-government construction of the central and local governments. Industry associations are responsible for project construction management affairs, such as coordinating industry technical standards, carrying out various related training, and providing assistance to software companies participating in e-government construction.

2. *Construction and management of government websites.* The functions undertaken by government websites generally include: introducing basic information such as the functions of government departments; disclosing government information such as policies, regulations, and procedures of government departments to the public; providing government electronic service windows; publicizing local industries; receiving public feedback, etc.

3. *E-government security.* The operation of e-government is an open system. The threat to the safety of e-government comes not only from technology but also from economic, legal and management issues. Therefore, we must strengthen the e-government security system.

Thus, the legal environment for the development of e-government should improve the legal system from three aspects: 1) administrative regulations related to government information; 2) laws and regulations on the management and application of e-government construction; 3) technical standards for e-government construction.

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