

QUESTIONS OF THE LEGAL SUPPLY ON E-GOVERNMENT IN THE PEOPLE'S REPUBLIC OF CHINA

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In recent years, with the accelerated pace of global information, the application of China's e-government has continued to deepen, and the problems in its legislation have become increasingly prominent, which has hindered the rapid development of China's e-government to a certain extent. Therefore, it is of great significance to strengthen the research on China's e-government legislation, carefully analyze the current situation of China's e-government legislation, systematically summarize its main problems, and put forward effective countermeasures to promote the sustainable and healthy development of China's e-government.

E-In the development of China's e-government, compared with traditional administrative methods, the biggest feature of e-government lies in the electronicization of its administrative methods, such as the networking of information transmission and the non-traditionalization of administrative and legal relations. Electronic regulations and policies system. Provide relevant government departments and staff with relevant currently effective laws, regulations, rules, administrative orders and policy specifications. Both the country and localities are actively promoting the construction of relevant laws and regulations, and the legal system related to e-government has begun to take shape. At present, my country has promulgated about 60 bylaws and regulations related to e-government. Strictly speaking, local regulations still account for the vast majority. These laws and regulations related to e-government are classified according to different scopes of application:

1. E-government and government information disclosure: such as the "Measures for Government Information Work" issued by the General Office of the State Council;
2. Information services and credit system establishment in e-government: such as the "Internet Information Service Management Measures";
3. Information security and confidentiality categories: such as the "Decision on Maintaining Internet Security", which was passed by the 19th meeting of the Ninth National People's Congress Standing Committee on December 28, 2000 and further accelerated the process of China's e-commerce and e-government legal construction [1];
4. Industry informatization category: "Interim Measures for the Administration of Online Banking Business".

The classification of China's e-government laws and regulations are next: 1) those belonging to the construction of computer network systems are mainly information system construction and information security; 2) the laws and regulations belonging to the stage of government information disclosure and personal data protection in information disclosure are mainly information disclosure and information service markets in e-government affairs, Management and registration licensing laws and regulations; 3) laws and regulations belonging to the e-government stage are mainly industry information. Judging from the distribution of these laws and

regulations in different stages, my country's e-government policies and laws are still in different stages and different types coexist.

The current development of China's e-government has defects and deficiencies in the legislative model, privacy protection of citizens and information blocking between government units, etc., which need to be further improved. Under the current administrative law, due to the reasons of the administrative system and the drive of the department's vested interests, the departmental control of information resources is caused, and some organizations often use the information owned by the department due to conservative or competitive reasons. Resources are regarded as their own private property and they are not willing to disclose them to the outside world, forming an information island [2].

There are some problems in Government Information Disclosure Legislation. If in the United States the "E-Government Act" was enacted successively in 2002, our country has not promulgated the government information disclosure law so far, and the government information disclosure has not become a system, which makes it difficult to obtain government information, violates citizens' right to know, and wastes information resources.

Problems in Citizens' Privacy Protection Legislation. In the e-government environment, when the government collects information, it is easy to infringe on the personal interests of citizens. The use of the Internet by e-government will lead to the disclosure of a large amount of personal information, which will easily violate citizens' right to privacy. China's current laws have no clear regulations on what is personal privacy and how to protect personal privacy.

In order to develop e-government, we must formulate special laws and regulations on e-government that adapt to the development characteristics and implementation stages of China's e-government according to China's national conditions, combined with actual and foreign experience. The development level of the Chinese e-government should be closely related to the performance evaluation method in the future, and the e-government guarantee measures are proposed from the aspects of organizational structure, policy system, personnel training, and standards [3].

We closely follow the national conditions, combine practice, and learn from foreign experience to gradually build an e-government legal system, and continue to improve it, so that the e-government legislation can keep up with the pace of practice, and provide strong legal protection and support for the development of e-government.

References:

1. Decision of the Standing Committee of the National People's Congress on Maintaining Internet Security [Electronic resource]. – Mode of access: http://www.lswz.gov.cn/html/zmhd/dfdj/2015-02/27/content_152804.shtml. – Date of access: 27.02.2015.
2. E-government and Administrative Law Construction [Electronic source]. – Mode of access: <https://www.maxlaw.cn/z/20170515/>. – Date of access: 15.05.2017.
3. Jiangjun, Jin. E-Government // Theory and Method. – 2013. – №13. – P. 105–135.

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