

FUTURE OF ELECTRONIC DELIVERY - NORMATIVE ANALYSIS

(Szelągowska Karolina
Research supervisor: Agnieszka Skóra)
Uniwersytet Warmińsko - Mazurski w. Olsztynie, Poland

“E – Government” is significant for the development of the data economy and the Digital Single Market, especially for ensuring the secure and free movement of data as an enabler for digital innovation in Europe and for reducing the costs of and barriers to seamless functioning of the Single Market. Since from signed the “eGovernment Declaration” in Tallin on 6 October 2017 European Union Member States has taken many steps towards modernising the delivery of public services nationally and across the borders within the EU with digital tools [3].

Electronic delivery service is one of the main directions of e-government development included in Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (eIDAS). With a view to ensuring the proper functioning of the internal market while aiming at an adequate level of security of electronic identification means and trust services this Regulation established a legal framework for electronic registered delivery [1].

According to the eIDAS Regulation 910/2014 – “electronic registered delivery service” means a service that makes it possible to transmit data between third parties by electronic means and provides evidence relating to the handling of the transmitted data, including proof of sending and receiving the data, and that protects transmitted data against the risk of loss, theft, damage or any unauthorised alterations. Data sent and received using an electronic registered delivery service shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in an electronic form or that it does not meet the requirements of the qualified electronic registered delivery service [1].

Actually, the electronic delivery service model is already functioning in several European Union Member States, e.g. the Czech Republic, Belgium, Denmark, France and Estonia.

Recently, also Polish Parliament was starting work on implementing a comparable model of electronic delivery service. According to the bill, correspondence will be sent and received by a public body in electronic form. Electronic delivery service will be complemented by a hybrid public service, which consist in replacing correspondence sent in electronic form by paper form and delivering it to the recipient in that form. Therefore, people who, for various reasons, will not be ready to exchange electronic correspondence - thanks to the hybrid public service - will be able to receive traditional delivery of the letter (e.g. the electronic letter will be delivered to the post office, printed and delivered on paper) [2].

The Polish bill on electronic delivery services is part of the new digital services market of the European Union and results from Article 44 of the eIDAS Regulation 910/2014. The bill introduces into the Polish legal order necessary solutions to fulfill the requirements for securing electronic delivery services

Electronic delivery service will obviously improve the functioning of public administration. It will provide high quality services using modern information technologies for the development of society and economy, as well as open the prospect of more people contacting public entities electronically and replace the traditional method of communication based on registered mail in paper form.

REFERENCES

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2. Rządowy projekt ustawy o doręczeniach elektronicznych, druk 239, source: <https://www.sejm.gov.pl/>
3. Tallinn Declaration on eGovernment at the ministerial meeting during Estonian Presidency of the Council of the EU on 6 October 2017, source: <https://ec.europa.eu/digital-single-market/en>