



University of Asia Pacific

Department of CSE

Mid-Semester Examination, Fall 2020

Name: Rashik Rahman

Reg ID: 17201012

Year: 4th

Semester: 1st

Course Code: CSE 407

Course Title: ICT LAW, POLICY & ETHICS

Date: 25.02.2021

"During Examination and upload time I will not take any help from anyone. I will give my exam all by myself."

University of Asia Pacific

Admit Card

Mid-Term Examination of Fall, 2020

Financial Clearance

PAID

Registration No : 17201012

Student Name : Rashik Rahman

Program : Bachelor of Science in Computer Science and Engineering



Sl.NO.	COURSE CODE	COURSE TITLE	CR.HR.	EXAM. SCHEDULE
1	CSE 400	Project / Thesis	3.00	
2	CSE 330	Industrial Training	1.50	
3	CSE 401	Mathematics for computer Science	3.00	
4	CSE 403	Artificial Intelligence and Expert Systems	3.00	
5	CSE 404	Artificial Intelligence and Expert Systems Lab	1.50	
6	CSE 405	Operating Systems	3.00	
7	CSE 406	Operating Systems Lab	1.50	
8	CSE 407	ICTLaw, Policy and Ethics	2.00	
9	CSE 410	Software Development	1.50	
10	CSE 427	Topics of Current Interest	3.00	

Total Credit: 23.00

1. Examinees are not allowed to enter the examination hall after 30 minutes of commencement of examination for mid semester examinations and 60 minutes for semester final examinations.

2. No examinees shall be allowed to submit their answer scripts before 50% of the allocated time of examination has elapsed.

3. No examinees would be allowed to go to washroom within the first 60 minutes of final examinations.

4. No student will be allowed to carry any books, bags, extra paper or cellular phone or objectionable items/incriminating paper in the examination hall.
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Answer to the Q.No. 1

First let's see in which section the power shifts to executives. The followings are from Digital Security ACT, 2018.

- Section 5, sub-section 3: The responsibility, powers and functions of the Agency will be determined in accordance with rules.
- Section 7, sub-section 2: The agency can appoint necessary ~~members~~ number of employees to properly perform its functions. The terms of employment will be determined by rules.
- Section 8, sub-section 4: To fulfill the objective of ~~this a~~ the provision, other necessary subjects will be determined by rules.
- Section 9, sub-section 4: Computer emergency response team will operate round the clock performing their responsibilities as determined by rules.
- Section 10, sub-section 4: The establishment of digital forensic lab, its uses, operations and other issues will be determined by rules.

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→ Section 11, sub-section 2, clause e: All activities should be performed following scientific procedure and procedure determined by rules.

→ Section 13, sub-section 2, clause e: Any other act determined by rules

→ Section 16, sub-section 2: The declared Critical

information in infrastructures within this ~~act~~ ACT, in a progress determined by Rules will submit an investigative report regarding the internal and external infrastructure of it to the Govt. and notify The Director General about the subject matter of the report.

So here in all this sections we see a common word "rule". These rules may or may not be published in parliament as they are decided by the executives. As executives decide rules thus democracy is depreciated as he/she may decide rules as he/she pleases. Though our nation's law is all power belongs to the people of the republic or the representative of the people of the republic (parliament members) but whenever the term

rules "rule" comes the power transfers from the people of republic to executives.

Answer to the Q. No. 2.

At first let's address the very strong ethics of Ms. Praise. She has a very strong sense of judgement and colleague ethic. Despite of being in a romantic relationship

when ~~judges judgement~~ ^{was} judgement, wasn't influenced and she didn't support her colleague in his unfair means.

Now let's discuss about infringement of law committed by Mr. Desire. ^{Though} ~~As~~ their company's database is responsible for public health ~~that~~ ^{yet} it ~~can be a~~ ^{is not} a critical information infrastructure ~~cause~~ ^{is}. Because from the definition of critical information infrastructure we know that, a critical information infrastructure is a physical ~~or~~ on virtual information infrastructure that is declared by govt. and hamper to which ~~to~~ may harm the followings:

- Public safety / financial security / public health
- national security / national integrity / sovereignty.

⑥ The information infrastructure of this database is responsible for public health but there's no mention in the fact that govt. declared it to as a critical information infrastructure ~~thus~~ thus we can't assume it as a critical information infrastructure. Now ~~that~~ let's move on to the offences.

Mr. Desire illegally accessed the database from Ms. Praise's office and he had the intention to commit criminal activity knowingly ~~thus~~ we can say that this offence falls under section 18, subsection 1, ~~at~~ clause a ~~and~~ and clause b ^{of DSA 2018}. So here he is proven guilty as both element of crime actus reus and ~~mens rea~~ mens rea is ~~fulfilled~~ fulfilled.

He also committed another offence. As he violated copyright protection by using algorithms of copyright protected software "Prattle" ~~thus~~ he knowingly thus he committed a crime according to section 28, clause A of intellectual property right.

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So his punishments are:

~~As he committed it~~

According to section 18, sub-section 2, clause a of DSA 2018 he will be imprisonment for a term not exceeding 6 ~~month~~ months or by fine not exceeding 3 lacs taken on with both.

~~According~~

According to section 84 ~~claus~~ clause a of intellectual property rights, he shall be punished with imprisonment for a term which may extend to four years and shall not be less than six months or with fine which may extend to take four lakh and shall not ~~be~~ be less than take ~~one~~ one lakh.

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