

Updated text (Current)
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LAW N ° 1080
LAW OF JULY 11, 2018
EVO MORALES AYMA
CONSTITUTIONAL PRESIDENT OF THE PLURINATIONAL STATE OF
BOLIVIA

Inasmuch as, the Plurinational Legislative Assembly has enacted the following Law:
THE PLURINATIONAL LEGISLATIVE ASSEMBLY,

DECREES:

DIGITAL CITIZENSHIP LAW

ARTICLE 1. (PURPOSE). The purpose of this Law is to establish the conditions and responsibilities for full access and exercise of the digital citizenship in the Plurinational State of Bolivia.

ARTICLE 2. (SCOPE). This Law is applicable to all the citizens of the Plurinational State of Bolivia, and the entities public and private services that provide public services delegated by the State, in all the Bodies and levels of government. Its implementation will be gradual in accordance with the institutional capacity of the same.

ARTICLE 3. (CONSTITUTIONAL FRAMEWORK). This Law is It is framed in Articles 21 numeral 6, 24, 103 Paragraph II, and in the competence exclusive established in number 2 of Paragraph II of Article 298 of the State Constitution.

ARTICLE 4. (DIGITAL CITIZENSHIP).

I. Digital citizenship consists of the exercise of rights and duties to through the use of information and communication technologies in the interaction of people with public and private entities that provide public services delegated by the State.

II. The use of the mechanisms of digital citizenship implies that the

institutions mentioned in the previous paragraph, may dispense with the presence of the person concerned and the presentation of physical documentation for the substantiation of the procedure or application.

ARTICLE 5. (EXERCISE OF DIGITAL CITIZENSHIP).

I. Bolivian women and men, foreigners residing in Bolivia, over eighteen (18) years of age, and those minors in accordance with the capacity recognized by the legal system, By registering with the responsible entities, they must obtain your digital citizenship credentials, which can only be administered by the interested party.

II. The Electronic Government and Information Technologies Agency and Communication - AGETIC, will develop the technical guidelines of the registration for access to digital citizenship.

III. Public and private institutions that provide public services, must share data and information they generate within the framework of the digital citizenship for the purposes established in this Law and in compliance with its specific regulations, through mechanisms of interoperability.

ARTICLE 6. (DIGITAL MANAGEMENT). Digital citizenship allows to carry out by digital means before public and private entities that provide public services delegated by the State, in a safe, reliable and uninterrupted, the following actions:

a) Initiate and manage procedures until their conclusion according to regulations in force;

b) Access public and private administration services that provide public services;

c) Be part of spaces for participation and social control, and access the information provided by the State in accordance with the regulations governing such matters;

d) Others according to current regulations.

ARTICLE 7. (PAYMENT OF PROCEDURES OR SERVICES). In the case of procedures or services that have a cost, payments may be made through digital media.

ARTICLE 8. (LEGAL VALIDITY).

I. Any act that is carried out through the exercise of digital citizenship, It has full legal validity.

II. Documents or applications generated through digital citizenship, or digitally signed, must be accepted or processed by all public and private institutions that provide public services. The Failure to comply with this provision is subject to liability for public function; in the case of private institutions that provide public services, the entity that exercises supervision regarding its functions, it must establish the relevant mechanisms in order to provide compliance with this standard.

III. Applications made through digital citizenship do not require the use of a digital signature, with the exception of acts of provision of rights.

IV. Without prejudice to the provisions of specific regulations, public and private institutions that provide public services delegated by the State, they will be able to make digital notifications previous agreement of the or the administered; the document will be held by notified the moment it is received in a mailbox of notifications of the or the administered.

ARTICLE 9. (LIABILITY). The and the administered ones are responsible for the use and management of their credentials for the exercise of citizenship digital.

ARTICLE 10. (IMPLEMENTATION). AGETIC will establish and

will direct the technical guidelines and standards to be adopted for the implementation of digital citizenship, in this sense:

1. Public and private institutions that provide services delegated by the State, have the obligation to generate conditions and tools for access to digital citizenship, having to adapt their processes and procedures to technical guidelines and standards established by AGETIC, within the framework of this Law.

2. The autonomous territorial entities may incorporate the digital citizenship to the services they provide, within the framework of their powers. For this purpose, they must comply with the established in this Law.

3. The implementation of digital citizenship will include actions of simplification of procedures.

ARTICLE 11. (PROHIBITIONS AND SANCTIONS). Misuse, impersonation, alteration, modification or sale of credentials, data or information, will be sanctioned in accordance with current regulations.

ARTICLE 12. (PROTECTION OF PERSONAL DATA AND INFORMATIC SECURITY).

I. The servants and officials of the institutions provided for in the this Law, will use personal data and information generated in the interoperability and digital citizenship platform only for the purposes established in current regulations.

II. Failure to comply with the foregoing provision will be subject to responsibility for the public function; for the case of institutions private companies that provide public services delegated by the State, entity that exercises supervision regarding its functions shall establish the relevant mechanisms in order to comply with this standard.

ADDITIONAL PROVISION

ONLY. The implementation of digital citizenship in institutions

will be financed within its institutional budget and not

It will commit additional resources to the General Treasury of the Nation - TGN.

TRANSITORY DISPOSITIONS

FIRST. Within a period of up to sixty (60) business days computable from the publication of this Law, the AGETIC will establish the technical guidelines and standards to be adopted for the implementation of digital citizenship and electronic notification.

SECOND. The public institutions of the central level of the State, generate mechanisms that guarantee practical implementation and access to digital citizenship, within a maximum period of one (1) year after the AGETIC publish the technical guidelines and standards to be adopted for the implementation of digital citizenship.

THIRD. Public entities must, within the framework of their possibilities, facilitate operational logistics, information and infrastructure required by the AGETIC for the authentication and registration of digital citizenship.

ABROGATORY AND REPEAL PROVISION

ONLY. All provisions contrary to the

present Law.

Refer to the Executive Branch for constitutional purposes.

It is given in the Session Hall of the Legislative Assembly

Plurinational, on the twenty-eighth day of the month of June of the year two thousand and eighteen.

Signed. José Alberto Gonzales Samaniego, Lilly Gabriela Montaña Viaña, Patricia M. Gómez Andrade, Erwin Rivero Ziegler, Sebastián Texeira Rojas, Raúl Rocha Ayala.

Therefore, I promulgate it so that it is kept and fulfilled as a Law of the Plurinational State of Bolivia.

Government Palace of the city of La Paz, on the eleventh day of the month of July of the year two thousand and eighteen.

FDO. EVO MORALES AYMA, Fernando Huanacuni Mamani, Alfredo Rada Vélez, Carlos Gustavo Romero Bonifaz, Javier Eduardo Zavaleta López, Mariana Prado Noya, Mario Alberto Guillén Suárez, Luis Alberto Sanchez Fernandez, Rafael Alarcón Orihuela, Eugenio Rojas Apaza, Milton Claros Hinojosa, Félix Cesar Navarro Miranda, Héctor Enrique Arce Zaconeta, Héctor Andrés

Hinojosa Rodríguez, Rodolfo Edmundo Rocabado Benavides, Carlos Rene Ortuño Yañez, Roberto Iván Aguilar Gómez, Cesar Huigo Cocarico Yana, Wilma Alanoca Mamani, Gisela Karina López Rivas, Tito Rolando Montaña Rivera.

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