Third party Web hosting services Policy

1. Policy statement

   i) General

   The Government of Malta (Government) encourages the participation of the local private sector in the provision of third party Web hosting services to Government Entities.

   Third party Web hosting services shall be cost effective, secure, reliable, timely and subject to validation and certification.

   ii) Third party Web hosting services

   A third party Web hosting services provider shall have a physical Web hosting presence under Maltese jurisdiction and shall be compliant with the applicable authorisation requirements of the Malta Communications Authority (MCA).

   In the event that the third party Web hosting services provider does not act as an Internet services provider, it shall ensure that the Internet services provider, which services it uses, is authorised to offer such services by the MCA.

   A third party Web hosting services provider shall operate the services, from a Data Centre and on technology deployed, based on European recognised standards as specified in the Supporting Documents section of this Policy.
A third party Web hosting services provider shall have documented internal management procedures that shall be available in audits.

A third party Web hosting services provider shall have facilities for remote administration.

A third party Web hosting services provider may provide the services in two forms, either (i) using the Agent as an intermediary or (ii) independent of the Agent.

Should the third party Web hosting services provider use the Agent as intermediary, then the third party Web hosting services provider shall access data through the Agent’s Demilitarised Zone (DMZ).

A third party Web hosting services provider shall establish and maintain its own DMZ.

A third party Web hosting services provider that hosts Web sites published under the \textit{gov.mt} domain shall comply with this Policy.

\textbf{iii) Implementation}

The target population are: (i) Government Entities and (ii) third party Web hosting services providers.

Implementation shall be backed by:

(i) A Service Level Agreement (SLA) between the third party Web hosting services provider and the Government Entity. The SLA shall include, but shall not be limited to:

- Operations of Web hosting services at any point in time,
- Minimum of full working day support,
- Regular backups,
- Reliable computer network performance,
- No single point of computer network failure,
- Around the clock monitoring,
- Data Centre and technology deployed that complies with this Policy.

(ii) A Declaration of Conformance, issued by the third party Web hosting services provider to the Government Entity, copied to CIMU. This Declaration shall be used as one reference for the selection of a third party Web hosting services provider. It shall be the responsibility of the third party Web hosting services provider to ensure, on an on-going basis, that services provided via an Internet services provider conform to the applicable authorisation requirements of the MCA.

(iii) Internal audits, by the third party Web hosting services provider on its operations, for conformance purposes. Records shall be maintained in the process. The third party Web hosting services provider shall carry out timely and effective follow-up action to satisfactorily close items arising in the internal audits. The third party Web hosting services provider shall maintain records of the actions taken.

(iv) Compliance checks, by CIMU on the third party Web hosting services provider. CIMU shall maintain records in the process. The third party Web hosting services provider shall carry out timely and effective follow-up action to satisfactorily close items arising during the compliance checks. The third party Web hosting services provider shall maintain records of the actions taken.

iv) Policy violations

Abuse or misuse of third party Web hosting services by the Government Entity and/or the third party Web hosting services provider in terms of the Telecommunications (Regulation) Act, Electronic Commerce Act, the Data Protection Act and the Computer misuse provisions of the Criminal Code shall be treated as an offence.

2. Purpose

The objective of this Policy is: (i) to encourage Government Entities to resort to the local private sector for Web hosting services provision and (ii) to establish high quality requirements for the provision of third party Web hosting services to the Government Entities.

3. Who should know this Policy

Knowledge of this Policy should extend up and down the organisations concerned and be wide spread within them.

- Chief Information Management Officer (CIMO)
- CIMU Communications Executive
- Head of Agent
- Ministry of Justice and Local Government
- Information Management Officers (IMOs)
- Head of Government Entity
- Head of Third party Web hosting services provider
- Head of Internet services provider
- Head of MCA

4. Scope of applicability

The provisions of this document apply to third party Web hosting services provided to Government Entities by third party Web hosting services providers that (i) operate the services through the Agent or independently and (ii) host Web sites published under the gov.mt domain.

5. Definitions
Agent - a trusted organisation that has the mandate by Government to provide Information and Communications services.

Compliance - the process performed by CIMU or an independent body to check that a service provided satisfies the criteria set in a referenced document.

Computer network - a network of data processing nodes that are interconnected for the purposes of data communication.

Conformance - the correspondence by a service to the criteria set in a referenced document.

Declaration of Conformance - a documented statement by the third party Web hosting service provider to the Government Entity which declares, under its sole responsibility, conformance to this Policy. The Declaration shall also include the reference number of registration with the MCA.

Demilitarised Zone (DMZ) - the organisation’s "neutral zone" between the organisation’s computer network and the external network to prevent outside users from getting direct access to internal computer servers that have data.

Government Entity - a Government Ministry, Department, Local Government or Public Sector entity.

Service Level Agreement (SLA) - a contractual obligation between parties, which stipulates and commits the third party Web hosting service provider to a required level of service. An SLA shall contain a numerically quantified level of service, support options, enforcement or penalty provisions for services not provided, a guaranteed level of system performance relating to downtime or uptime.

Third party Web hosting service - the process in which a third party services provider furnishes a Government Entity with a Website presence.

Third party Web hosting service provider - a local private organisation having a physical Web hosting presence under Maltese jurisdiction and be compliant with the applicable authorisation requirements of the MCA.

6. Roles and responsibilities

For the purpose of this Policy, the following roles and responsibilities have been identified:

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<thead>
<tr>
<th>Role</th>
<th>Responsibility</th>
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| 1. Chief Information Management Officer (CIMO) | i. To maintain this Policy.  
| | ii. To audit for compliance. |
2. CIMU Communications Executive
   i. To publish and promote this Policy.
   ii. To liaise appropriately with the Agent with regards to the publication of this Policy on the CIMU Website.

3. Head of Agent
   i. To establish and maintain the DMZ.
   ii. To provide support to the third party Web hosting services provider, should the Web hosting services require the Agent as intermediary.

4. Head of Government Entity
   i. To direct the Government Entity to the provisions found in this Policy.
   ii. To establish a SLA.

5. Head of third party Web hosting services provider
   i. To have a publicly declared target date to achieve accredited Certification to MSA EN ISO 9001:2000 for the scope of applicability of this Policy.
   ii. To operate Web hosting services according to the provisions of this Policy.
   iii. To establish and maintain its own DMZ.
   iv. To establish internal management procedures that shall be available in audits.
   v. To issue Declaration of Conformance to the Government Entity, copy to CIMU.
   vi. To audit for conformance.
   vii. To conduct timely and effective follow-up action to satisfactorily close items arising in internal and external audits.

6. Head of Internet services provider
   i. To operate according to the provisions of the Declaration of Conformance issued by the third party Web hosting services provider.

7. Head of Malta Communications Authority (MCA)
   i. To confirm that parties applying for the provision of third party Web hosting services and any relevant Internet service providers conform to the applicable authorisation requirements.

7. Supporting Documents

In support of this Policy, the following Standard shall apply:
8. References

01. The Telecommunications (Regulations) Act – Chapter 399
   http://www.justice.gov.mt

02. Data Protection Act – Chapter 440
   http://www.justice.gov.mt

03. Electronic Commerce Act – Chapter 426
   http://www.justice.gov.mt

04. Article 337 of the Criminal Code – Chapter 09
   http://www.justice.gov.mt

05. Code of practice for Internet Service Providers
   http://www.mca.org.mt

06. Convention on Cyber Crime ETS No. 185
   http://conventions.coe.int

07. Third party Web hosting services security Policy
   http://www.cimu.gov.mt

9. Modification history

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
<th>Changes</th>
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<tbody>
<tr>
<td>1.0</td>
<td>19.06.2002</td>
<td>Initial release</td>
</tr>
<tr>
<td>2.0</td>
<td>09.04.2003</td>
<td>Updated release</td>
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10. Maintenance and review cycle

Maintenance of this Policy shall be based on a twelve month cycle.

Signature and stamp