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The New Virtual Money: Law and Practice

Olivier Hance, Suzan Dionne Balz

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In a world of fading borders, the internet has become a regular method of buying and selling. However, technological and legal means of guaranteeing secure electronic transactions lag behind the increasing flexibility required by a flourishing `virtual' economy. Furthermore, as virtual money circulates it is susceptible to interception, processing and channeling by any number of corporate interests and public authorities. The questions arise: Who is going to control what and why? There are, as yet, no firm answers.

This book sets the stage and takes the necessary first steps towards developing a reliable legal regime for virtual money. Its purpose is: to analyze the legal issues raised by internet payment systems, and to explain clearly the solutions already adopted, and to discuss policy issues, with available hypotheses, raised by the convergence of financial services and information technology, and by the advent of virtual money.

The authors provide a rigorous assessment of the appropriateness of the relevant existing legal instruments that regulate internet payment systems, and focus in particular upon the rapidly increasing use of `electronic cash' – on smart cards or in the form of dematerialized electronic tokens – which behaves like cash, in that it can circulate between parties without the intermediation of a financial institution.

The New Virtual Money: Law and Practice is a vital building block of the robust regulatory system so urgently needed to protect users of virtual money. It is a crucial element in the knowledge base that will help lawyers, policymakers and business people successfully negotiate the radical transformation now under way in all sectors of business and industry.

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