

# THE contractual responsibility arising from the illegal use of electronic payment cards (Comparative study)

*By*

Einas Yousif Dakhil Al- saadi

## **Abstract**

Electronic payment cards is one of the important innovations spawned technological evolution in the modern era, becoming the most important means of payment throughout the world, and there are expectations by becoming the primary means used to pay in the next few years ; Because they are more easily and more secure means of dealing because they provide advantages to all her limbs, this widespread use has not accompanied by legislative regulation which is commensurate with the importance .Where e-Credit Cards raises in pay lots of problems, although the actors within electronic payment cards worked on creating and developing means of protection and security to deal with the cards ,but there are many risks to users of electronic payment cards whether from Parties or others card About these risks were to be the responsibility of the perpetrators, it can produce responsible parties collaborating with the card on the basis that the combined contractual relationships determine each party's rights and obligations, and any party breach its obligations lead to contractual responsibility .

Due to the lack of legislation in Iraq organizes the nodal responsibility for electronic payment card parties that this study would be to discuss this responsibility by applying the General rules on Civil and commercial legislation, Also, legislation governing electronic transactions in General.

This responsibility will be examined through a preliminary look is what electronic payment cards and legal nature, either the first Chapter looking at nodal responsibility for electronic payment card holder, while the second Chapter examines the nodal responsibility for electronic payment cards source, the third Chapter is dedicated to the responsibility of the trader.