



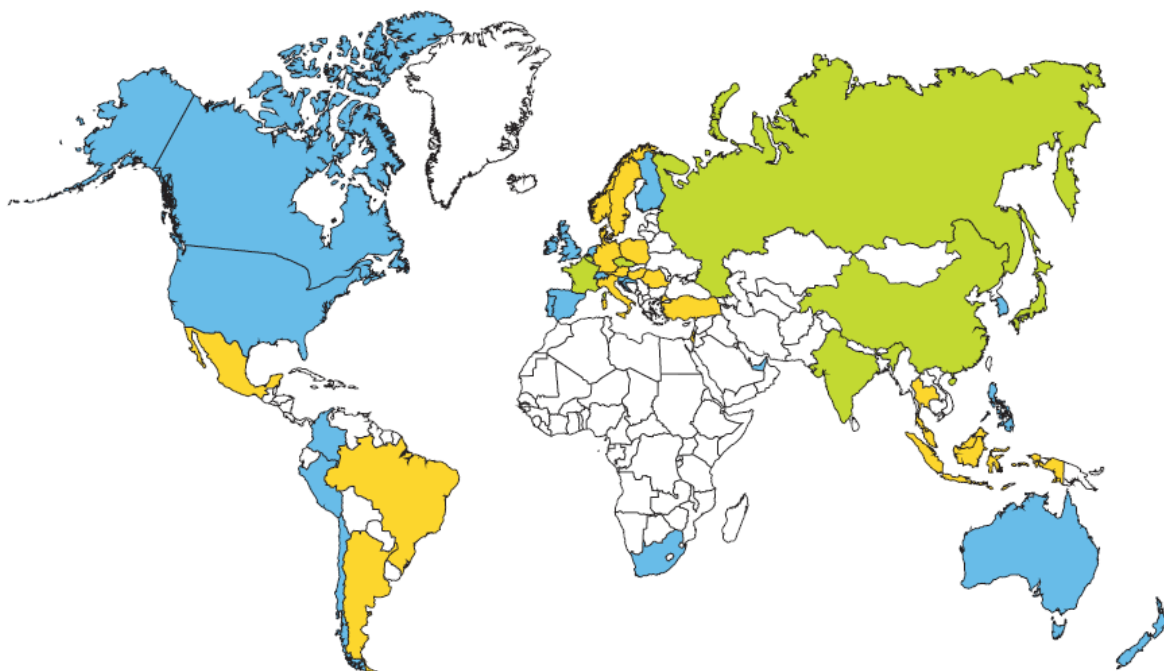
## Electronic Signature Legislation

# Electronic Signature Legislation

The term “electronic signature” means an electronic sound, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record.

- a signature, contract, or other record relating to such transaction may not be denied legal effect, validity, or enforceability solely because it is in electronic form; and
- a contract relating to such transaction may not be denied legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation.

Where are e-signatures accepted?



## Category 1

Countries where electronic signatures have the same legal status as written signatures.

The following countries treat electronic and written signatures equally. There are sometimes exceptions for highly regulated industries (e.g. real estate) or contracts with the government. The only additional requirement is that the agreement includes language where the parties agree to conduct business electronically. This statement is automatically added to all agreements signed through EchoSign.

*Australia, Canada, Chile, Colombia, Finland, Hong Kong, Ireland, New Zealand, the Netherlands, Peru, Philippines, Portugal, Singapore, South Africa, South Korea, Spain, Switzerland, United Arab Emirates, United Kingdom, United States*

## Category 2

Countries where electronic signatures are enforceable, but do not have the same status as a written signature.

In these countries, electronic signatures are legally admissible in court as evidence of the parties' agreement, but do not have the same status as written signatures.

Because of this, it may be helpful to insert a clause stating that U.S. law (or governing law of another country listed in Category 1 above) shall apply to the agreement or to have signers return their signatures via fax.

*Belgium, China, Czech Republic, France, India, Japan, Russia*

## Category 3

Countries where the status of electronic signatures is unclear or where digital signatures are strongly preferred.

In these countries, electronic signatures do not have the same enforceability as other types of signatures. This is sometimes the case where a country has stated an explicit preference for the usage of authenticated digital signatures.

Because of this, it may be helpful to insert a clause stating that U.S. law (or governing law of another country listed in Category 1 above) shall apply to the agreement or to have signers return their signatures via fax.

*Argentina, Austria, Brazil, Denmark, Germany, Hungary, Indonesia, Israel, Italy, Macao, Malaysia, Mexico, Norway, Poland, Romania, Sweden, Taiwan, Thailand, Turkey, Uruguay*

## Procedure

All documents between parties is signed of both parties by electronic signature which has permitted. First is Document(s) send to first party by e-mail to sign and after is automatically delivery to CONSORTIUM DIPLOMATIQUE EUROPÉEN to final sign.

## Implementation

We implement laws which permitted the legal use of electronic signatures:  
Europe (European Union) European Directive 1999/93/EC of 13 December 1999 establishes a Community framework for electronic signatures. 30 European countries (EU-28, Turkey and Liechtenstein) have already implemented the Directive 1999/93/EC.

### Austria

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Austrian legislation through:

- the Signature Act which went into force 1 January 2000 and has been amended in 2000 and in 2001;
- the Signature Order of 2 February 2000. The Signature Order has been amended in 2004;

### Belgium

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Belgian legislation through:

- the Act of 20 October 2000 introducing the use of telecommunications tools and electronic signatures in the judicial and extra-judicial procedure;
- the Act of 9 July 2001 laying down a legal framework for electronic signatures and certification services (the 'eSignatures act');
- the Royal decree of 6 December 2002 organising the supervision and accreditation of certification service providers issuing qualified certificates.

### Bulgaria

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Bulgarian legislation through:

- the Electronic Documents and Electronic Signatures Act (promulgated in State Gazette, issue 34, 6 April 2001) (EDESA). For the implementation of EDESA the following regulations were also adopted:
  - Regulation for the Activity of the Certification Service Providers, the Procedure for its Termination and for the Requirements for Provision of Certification Services (promulgated in State Gazette, issue 15, 8 February 2002);
  - Regulation for the Procedure for Registration of Certification Service Providers (promulgated in State Gazette, issue 15, 8 February 2002);
  - Regulation for the Requirements to the Algorithms for Advanced Electronic Signatures (promulgated in State Gazette, issue 15, 8 February 2002);
  - Tariff for the Fees which are Collected by the Communications Regulation Commission under the Post Services Act and the Electronic Documents and

Electronic Signatures Act (promulgated in State Gazette, issue 68, 16 July 2002);  
and

- o Decision Council of Ministers No 153 from 5 July 2004 (promulgated in State Gazette, issue 61, 13 July 2004) (Decision No 153).

## **Croatia**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Croatian legislation through:

- Electronic signature act, Narodne novine, no. 10/2002.
- Regulation for registering of persons that offer services for certification of electronic signatures, Narodne novine, no. 54/02.
- Regulation for registering of persons that offer services for certification of electronic signatures that issue qualified certificates, Narodne novine, no. 54/02.
- Regulation of measures and procedures of use and protection of electronic signature and advanced electronic signature, means for creation of electronic signatures, advanced electronic signatures and the system of certification and obligatory insurance of persons that issue qualified certificates, Narodne novine, no. 54/02.
- Electronic Document Act (Narodne novine, no. 150/2005)

## **Cyprus**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Cypriot legislation through:

- The Legal Framework for Electronic Signatures and Associated Matters Law of 2004 (hereinafter “the Law”). (Law No. 188(I)/2004) The Law was enacted on 30 April 2004 for the purpose of implementing Directive 1999/93/EC of the European Parliament and of the Council on a Community framework for electronic signatures (OJ L13, 19 January 2000, p. 12.) and Commission Decision 2000/709/EC on the minimum criteria to be taken into account by Member States when designating bodies in accordance with Article 3(4) of Directive 1999/93/EC (OJ L289, 16 November 2000, p. 42.).

## **Czech Republic**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Czech legislation through:

- Act on electronic signature 227/2000 Coll. it was amended in 2004. Ordinances belonging to this act:
  - o Ordinance on electronic filling rooms 496/2004 Coll.
  - o Ordinance on qualified certification service providers’ procedures 378/2006 Coll.
  - o Government decree 495/2004 Coll. implementing act on e-signature 227/2000 Coll.
  - o Government Decree 140/2000 Coll. on the list of free trade licences
  - o Act on administrative fees 634/2004 Coll., as amended

## Denmark

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Danish legislation through:

- Act no. 417 of 1 October 2000 on Electronic Signatures;
- Executive Order no. 922 of 16 October 2000 on "Reporting of Information to the National Telecom Agency by CAs and system Auditors";
- Executive Order no. 923 of 16 October 2000 on "Security Requirements etc. for Certification Authorities".

## Estonia

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Estonian legislation through:

- The Digital Signature Act on March 8, 2000, and it entered into force on December 15, 2000.

## Finland

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Finnish legislation through:

- The Act on Electronic Signatures (14/2003) (or "Laki sähköisistä allekirjoituksista"). The Act contains provisions on electronic signatures created by means of a qualified certificate. The Act came into force on 1 February 2003.
- The Regulation on the Requirements for Reliability and Information Security in the Operation of Certification Authorities Providing Qualified Certificates (8/2003M), which came into force on 1 February 2003 and remain valid until 31 January 2008.
- Regulation of FICORA (Communication Regulatory Authority) on CAs' notification obligations.

## France

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into French legislation through:

- The Loi n° 2000-230 of 13 March 2000: this law has adapted the civil rules of evidence in order to make electronic documents and signatures legally acceptable. The Law changed the articles 1316, 1316-1, 1316-2, 1316-3, 1316-4 et 1326 of the Civil Code.
- The Loi n° 2004-575 of 21 June 2004, called "trust in the digital economy" of which article 33 has regulated the liability of certification service providers issuing qualified digital certificates.
- The Décret n° 2001-272 of 30 March 2001 implementing article 1316-4 of the Civil Code (requirements for electronic signatures equivalent to handwritten signatures).
- The Décret n° 2002-535 of 18 April 2002 with regard to the evaluation and certification of the security level of IT products and systems.
- The Arrêté of 28 February 2003 which installs the Comité directeur de la certification en sécurité des technologies de l'information.
- The Arrêté of 26 July 2004 with regard to the qualification of certification service providers issuing digital certificates and to the accreditation of the bodies in

charge of the evaluation of CSPs. This arrêté describes the national scheme for the qualification of CSPs issuing qualified certificates as defined in article 6 of the décret 2001-272. The scheme is completed by a “a posteriori “ control by the DCSSI (Direction Centrale pour la Sécurité des Systèmes d’Information), as provided by article 9 of the décret 2001-272.

## Germany

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into German legislation through:

- Law on the framework for electronic signatures and for amending other provisions, of 16.05.2001, BGBl. (Official Gazette) 2001 I No. 22, p. 876 and following pages amended by Art. 1 law of. 04.01.2005 (BGBl. 2005 I No 1, p. 2 and following pages);
- Electronic signature ordinance of 16.11.2001, BGBl. 2001 I No. 59, p. 3074 and following pages amended by Art. 2 law of 04.01.2005 (BGBl. 2005 I No. 1, p. 2 and following pages);
- First law amending the Signature Act (1. SigÄndG) of 04.01.2005, BGBl. 2005 I No. 1, p. 2 and following pages.

## Greece

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Greek legislation through:

- the Presidential Decree 150/2001 of 25 June 2001 introducing the use of telecommunications tools and electronic signatures in the judicial and extra-judicial procedure;

## Hungary

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Hungarian legislation through:

- Act XXXV of 29 May 2001 on electronic signature (Eat) amended by the act of 2004. The „signature” act laid down the legal framework for e-signature and certification services.
- On the detailed rules of the scope of duties, competence and the rules of procedure of the National Communication Authority in connection with the electronic signature (Government decree 151 of 1. September 2001 amended by decree 45 of 11. March 2005.)
- On the electronic signature used in public administration procedures and the certificates thereof, and the requirements for certification service providers issuing the certificates (Government decree 194 of 22. September 2005.)
- On the certificatory bodies for electronic signature products and the rules for the designation of these bodies (Decree of the Minister heading the Prime Minister’s Office (MeHVM) No 15 of 27 August 2001 amended by the decree of the Minister of Informatics and Communications (IHM) No 9 of 21 July 2005.)
- On the detailed requirements for electronic signature services and service providers, (Decree of MeHVM No 16 of 1 September 2001 amended by the decree of the IHM No 3 of 18 March 2005.)
- On the registration of electronic signature service experts (decree of MeHVM No 7 of 2 April 2002)

- On the security requirements of services relating to qualified electronic signature and to the service providers. (Directive of MeHVM No 2 of 26. April 2002).

## **Ireland**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Irish legislation through:

- The Electronic Commerce Act 2000.

## **Italy**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Italian legislation through:

- Decreto legislativo 82/05, known as the Digital Administration Code (“Codice dell’amministrazione digitale”), as lastly amended by Decreto legislativo 159/06. The technical rules in force are contained, among others, in d.p.c.m. of January 13, 2004.

## **Latvia**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Latvian legislation through:

- Electronic Documents Law effective as of 1 January 2003. Its latest amendments regarding qualified certificates and trusted certification service providers effective as of 7 July 2006 were adopted due to introduction of a qualified eSignature in September 2006.
- Regulations of the Cabinet of Ministers No. 473 adopted on 28 June 2005, on order of elaboration, formatting, storage and circulation of electronic documents in state and municipal institutions and order of circulation of electronic documents among state and municipal institutions and natural and legal persons.

## **Liechtenstein**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Liechtensteiner legislation through:

- eSignatures Law (Signaturgesetz; SigG, registry number 784.11) has been in force since September 2003.
- Regulation on Electronic Signatures ( SigV, registry number 784.111) in June 2004.

## **Lithuania**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Lithuanian legislation through:

- The Law on Electronic Signature No VIII-1822 of 11 July 2000;
- Decree No 2108 of the Government of the Republic of Lithuania on the Requirements for Certification Services Providers Issuing Qualified Certificates, Requirements for Electronic Signature Equipment, Procedure of Registration of

- Certification Services Providers Issuing Qualified Certificates and Regulation of electronic signature Supervision as of 31 December 2001; Decree No T-7 of the Director of Information Society Development Committee under the Government of the Republic of Lithuania on Establishment of Procedure of Registration of Individuals for Issuing of Certificates and Provision of Consultation Services as of 29 January 2003;
- Decree No T-10 of the Director of Information Society Development Committee under the Government of the Republic of Lithuania on Establishment of Procedure of the Provision of Time-Stamp Formation Services as of 29 January 2003;
- Decree No T-9 of the Director of Information Society Development Committee under the Government of the Republic of Lithuania on Requirements for Accreditation of Certification Services Providers and Accreditation Procedure as of 29 January 2003;
- Decree No T-8 of the Director of Information Society Development Committee under the Government of the Republic of Lithuania on Requirements for Electronic Signature Verification Procedure 29 January 2003;
- Decree No T-31 of the Director of Information Society Development Committee under the Government of the Republic of Lithuania on the Minimum Requirements of Civil Liability Insurance of Certification Services Providers as of 31 March 2003.

## **Luxembourg**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Luxembourg legislation through:

- The eCommerce Act of 14 August 2000 (and its modifications of December 31, 2003 and July 5, 2004) laying down a legal framework for eCommerce, electronic signatures, certification services and consumer protection;
- The regulation of 1 June 2001 on electronic signatures, electronic payments and the creation of an electronic commerce committee.

## **Malta**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Maltese legislation through:

- The Electronic Commerce Act, Chapter 426 of the Laws of Malta, subsequently amended by Legal Notice 251 of 2006.

## **Netherlands**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Dutch legislation through:

- Act of 8 May 2003 (Act on electronic signatures), entered into force on May 21, 2003. Stb. 2003, 1999. Aanpassing van Boek 3 en Boek 6 van het Burgerlijk Wetboek, de Telecommunicatiewet en de Wet op de economische delicten inzake elektronische handtekeningen ter uitvoering van richtlijn nr. 1999/93/EG van het Europees Parlement en de Raad van de Europese Unie van 13 december 1999 betreffende een gemeenschappelijk kader voor elektronische handtekeningen (PbEG L 13) (Wet elektronische handtekeningen).
- Royal decree of 8 May 2003 defining the requirements for Certification Service Providers, entered into force on May 21, 2003. Stb. 2003, 200. Besluit van 8 mei



2003, houdende de vaststelling van eisen voor het verlenen van diensten voor elektronische handtekeningen.

- Ministerial regulation of 6 May 2003 on electronic signatures, entered into force on May 21, 2003. Stcrt. 8 mei 2003, nr. 88, p. 9, (Regeling van de Staatssecretaris van Economische Zaken van 6 mei 2003, nr. WJZ/03/02263, houdende nadere regels met betrekking tot elektronische handtekeningen.
- Guidelines of the Ministry of Economic Affairs on Certification Service Providers, entered into force on May 21, 2003. Stc. 8 mei 2003, p. 10, see <http://www.sdu.nl/staatscourant/> Beleidsregel van de Staatssecretaris van Economische Zaken met betrekking tot de aanwijzing van organisaties die certificatedienstverleners toetsen op de overeenstemming met de bij of krachtens de Telecommunicatiewet gestelde eisen, op grond van artikel 18.16 van de Telecommunicatiewet.

## Poland

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Pole legislation through:

- Act on Electronic Signature from September, 18th, 2001 (Law Diary - Dz.U. 2001 no 130, pos.1450) Act on changes of rules concerning publication of normative acts, some another legislative acts and the act on electronic signature from July, 21th, 2006 (Law Diary - Dz.U. 2006 no 145 pos.1050)
- The Regulation of Ministry Council from August, 7th, 2002 on technical and organizational requirements for qualified certification authorities, certification policies for qualified certificates issued by them, and technical requirements for secure signature creation and verification devices (Low Diary -Dz.U. 2002 no 128, pos. 1094).
- The Regulation on a template and detailed scope of application form for register entry concerning qualified certification authorities providing electronic signature certification services (Law Diary - Dz.U. 2002 no 128, pos. 1097).
- The Regulation on maintenance of register of qualified certification authorities providing electronic signature certification services, register entries specification and detailed procedures for an entry assignment (Law Diary - Dz.U. 2002 no 128, pos. 1099).
- The Regulation on a detailed procedure for creation and issuance of public key certificates for qualified certification authorities providing electronic signature services (Law Diary - Dz.U. 2002 no 128, pos. 1101).

## Portugal

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Portuguese legislation through:

- The Act of April 3 (Decree-Law no. 62/2003) that amended Decree-Law no. 290-D/99, of August 2, which introduced the legal regime for electronic documents and electronic signatures (a minor amendment was introduced also by Decree-Law no. 165/2004, of 6 July).
- Implementing Decree no. 25/2004, of 15 July, that regulates the referred Decree-Law no. 62/2003, comprising, namely, technical and security standards applicable to certifying entities established in Portugal as regards the issue of qualified certificates intended for the general public.
- Decree-Law no. 234/2000, of 25 September, nominated the Accreditation Technical Committee as a consultative body aid the Instituto das Tecnologias da

Informação na Justiça (ITIJ - Institute of Information Technologies in Justice) in its function of accreditation of digital signatures.

- The resolution of the Council of Ministers no. 171/2005, of 3 November approved the establishment of the ECEE - Entidade de Certificação Electrónica do Estado - Infra-Estrutura de Chaves Públicas (State's Electronic Certification Body - Public Key Infrastructure).

## Romania

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Romanian legislation through:

- Law no. 455/2001 regarding the electronic signature which sets the legal status of the electronic signatures and electronic documents, as well as the conditions for certification service providers' activity in the electronic signature field.
- Government Decision no. 1259/2001 on the approval of the technical and methodological norms for the application of law no. 455/2001 regarding the electronic signature.
- ORDER no. 54 of February 14, 2005 regarding the granting, suspension and withdrawal procedure of the accreditation decision of the certification service providers.

## Spain

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Spanish legislation through:

- The Law 59/2003, of 19 December, on eSignature.
- European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Swedish legislation through:
- Act on Qualified Electronic Signatures (Sw: Lag (2000:832) om kvalificerade elektroniska signaturer). The law applies to certificate providers established in Sweden and who issue qualified certificates to the public.
- Government Ordinance on Qualified Electronic Signatures (Sw: Förordning (2000:833) om kvalificerade elektroniska signaturer), in which the National Post and Telecom Agency is appointed supervisory authority.
- Government Ordinance on the financing of the National Post and Telecom's operations (Sw: Förordning (1999:836) om finansiering av Post- och telestyrelsens verksamhet), in which the fees for Certificate Providers issuing qualified certificates are regulated.
- Post and Telecom Agency's regulations on fees according to the Act on Qualified Electronic Signatures (Sw: Post- och telestyrelsens föreskrifter om avgifter enligt lagen (2000:832) om kvalificerade elektroniska signaturer; PTSFS 2002:1), which stipulates fees for certificate providers falling under the Act on Qualified Electronic Signatures.
- The Technical Conformity Assessment Act (Sw: Lag (1992:1119) om teknisk kontroll), which provides a voluntary accreditation scheme for accreditation of certification bodies.

## Slovakia

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Slovakian legislation through:

- The Act of 15 March 2002 on electronic signature and on amendment of some acts as amended (Zákon •.215/2002 Z.z. o elektronickom podpise a o zmene a doplnení niektorých zákonov v znení neskorších predpisov).
- Ordinance of the National Security Authority of 9 September 2002 No. 537/2002 Coll. on the format and manner of creating a qualified electronic signature, the manner of issuing the Authority's public key, the verification procedure and verification conditions of a qualified electronic signature, time stamp format and the manner of time stamping, requirements for the source of time data and requirements for holding documentation on time stamps (on the creation and verification of an electronic signature and time stamp).
- Ordinance of the National Security Authority of 9 September 2002 No. 538/2002 Coll. on the format and content of the qualified certificate, on the administration of qualified certificates, and on the format, periodicity and manner of issuing the qualified certificate revocation list (on qualified certificates).
- Ordinance of the National Security Authority of 9 September 2002 No. 539/2002 Coll. laying down details on the requirements for secure-time-
- stamping devices and the requirements for electronic signature products (on electronic signature products).
- Ordinance of the National Security Authority of 9 September 2002 No. 540/2002 Coll. on the conditions for providing accredited certification services and on the requirements for audit, the scope of audit and qualification of auditors.
- Ordinance of the National Security Authority of 9 September 2002 No. 541/2002 Coll. on the content and scope of operating documentation administered by a certification authority and on the security rules and rules for performing certification activities.
- Ordinance of the National Security Authority of 9 September 2002 No. 542/2002 Coll. on the manner and procedure of using an electronic signature in commercial and administrative intercourse.

## **Slovenia**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Slovenian legislation through:

- The Electronic Commerce and Electronic Signature Act (abb.: ECESA) of 13 June 2000, coming into force on 22 August 2000. It provides the legal basis for using e-signatures and developing eservices in Slovenia (Official Gazette of the RS, No. 57/2000).
- The Decree on Conditions for Electronic Commerce and Electronic Signing (Official Gazette of the Republic of Slovenia, No. 77/2000 and 2/2001) defining in detail individual conditions from the act, prescribing special, rigorous conditions regarding Certification Authorities, who issue qualified certificates (compulsory liability insurance, special requirements regarding equipment and employees, exacting procedures, internal regulations, etc.).
- The Act amending Act on Electronic Commerce and Electronic Signature of 19 March 2004, which defines more precisely the responsibilities of providers of information society services and sets the conditions for the realisation of the electronic identity card project (Official Gazette of the RS, No. 25/04).
- Rules on official registration procedure for certification authorities register of the Republic of Slovenia (Official Gazette of the RS, No. 99-4859/2001).
- Protection of Documents and Archives and Archival Institutions Act (Official Gazette of the RS, No. 30/2006).

- Regulation on documentary and archival material custody (Official Gazette of the RS, No. 86/2006).

## **Turkey**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into Turkish legislation through:

- Electronic Signature Law No.5070 was published in the 23th January 2004. The Telecommunications Authority was authorised to prepare secondary legislation until 23 January 2005 and inspect the market. The Law entered into force 23 August 2004
- By-law on Certificate Financial Liability Insurance of 26 August 2004.
- By-law on the Procedures and Principles Pertaining to the Implementation of Electronic Signature Law of 6 January 2005.
- Communiqué on Processes and Technical Criteria Regarding Electronic Signatures of 6 January 2005.
- Telecommunications Board's Decision Regarding security requirements for signature creation application and electronic signature format of 1 June 2006.

## **United Kingdom**

European Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures was transposed into the UK (England, Scotland and Wales) legislation through:

- The Electronic Communications Act 2000, which came into force on 25th May 2000.
- The Electronic Signatures Regulations 2002, which came into force on 8 March 2002.

## **Europe (outside European Union)**

### **Norway**

- Electronic Signature Act, 2001.

### **Switzerland**

Federal Law on Certification Services Concerning the Electronic Signature, 2003

## **North-America**

### **Canada**

- The Personal Information Protection and Electronic Documents Act Part 2 specifies certain instances when a "secure electronic signature" is required.
- The "Secure Electronic Signature" regulations which describe the processes and technology for creation of a secure electronic signature (SES) came into force in February 2005.

- The Secure Electronic Signature Regulations Recognition Process describes the process to have a Certification Authority recognized as satisfying the requirements of the regulations.

## **United States**

- Electronic Signatures in Global and National Commerce Act, (E-SIGN) at 15 U.S.C. 7001 et seq.
- Uniform Electronic Transactions Act (UETA).

## **South America**

### **Argentina**

- Digital Signatures Law N° 25.506 (B.O. 14/12/2001).
- Decree N° 2628/02 developing Law N° 25.506. (B.O. 20/12/2002).
- Decree N° 724/06 amending Decree N° 2628/02 (B.O. 13/06/06) and lessening requirements to become a Certification Authority in Argentina.

### **Brazil**

Medida provisória 2.200-2 - Brazilian law states that any digital document is valid for the law if it is certified by ICP-Brasil or if it is certified by other PKI and the concerns parties agree with the validity of the document.

### **Chile**

The Act on electronic documents, electronic signature and certification services N°19.799. Published on 12th April 2002.

### **Perú**

- LEY No. 27269. Ley de Firmas y Certificados Digitales

### **Uruguay**

- Law N° 16.736. Concerning passwords or adequate information technology gestures.
- Law N° 17.243. Concerning electronic and digital signature and PKI.

### **Venezuela**

Law Decree on data messages and electronic signatures.

## **Asia**

### **China**

Electronic Signature Law of the People's Republic of China (Chinese) - The stated purposes include standardizing the conduct of electronic signatures, confirming the legal validity of electronic signatures and safeguarding the legal interests of parties involved in such matters.

### **India**

- IT Act 2000
- Rules for the Information Technology Act 2000
- Report of the Expert Committee on Amendments to IT Act 2000

### **Japan**

- Law Concerning Electronic Signatures and Certification Services. 24 May 2000.

### **Malaysia**

- Digital Signature Act (Act 562), 1997
- Digital Signature Regulations (P.U.(A) 359), 1998

## **Oceania**

### **New Zealand**

- Electronic Transactions Act, 2003 sections 22-24

## **International Bodies**

United Nations Commission on International Trade Law

- UNCITRAL Model Law on Electronic Signatures (2001)

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