

CHAPTER 12 DIGITAL TRADE

Article 12.1 Definitions

For the purposes of this Chapter:

“algorithm” means a defined sequence of steps, taken to solve a problem or obtain a result;

“electronic authentication” means an electronic process that enables the confirmation of:

- (a) the electronic identification of a person; or
- (b) the origin and integrity of data in electronic form;

“electronic invoicing” means the automated creation, exchange and processing of a request for payments between a supplier and a buyer using a structured digital format;

“electronic registered delivery service” means a service that makes it possible to transmit data between persons by electronic means and provides evidence relating to the handling of the transmitted data, including proof of sending and receiving the data, and that protects transmitted data against the risk of loss, theft, damage, or any unauthorised alterations;

“electronic signature” means data in electronic form that is in, affixed to, or logically associated with, an electronic data message that may be used to identify the signatory in relation to the data message and indicate the signatory’s approval of the information contained in the data message;¹

“electronic time stamp” means data in electronic form which binds other data in electronic form to a particular date and time, establishing evidence that the latter data existed at that date and time;

“electronic trust service” means an electronic service consisting of:

- (a) the creation, verification and validation of electronic signatures, electronic time stamps, electronic registered delivery services, electronic seals, certificates related to those services, and certificates for website authentication; or
- (b) the preservation of electronic signatures or certificates related to those services;

¹ For greater certainty, nothing in this definition prevents a Party from according greater legal effect to an electronic signature that satisfies certain requirements, such as indicating that the electronic data message has not been altered or verifying the identity of the signatory.