



Notification Number: 2010/682/F

## Decree introduced pursuant to Articles 1369-7 and 1369-8 of the French Civil Code relating to electronic time stamping

Date received : 18/10/2010

End of Standstill : 19/01/2011

### Message

Message 002

Communication from the Commission - SG(2010) D/52543

Directive 98/34/EC

Translation of the message 001

Notification: 2010/0682/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201002543.EN)

#### 1. Structured Information Line

MSG 002 IND 2010 0682 F EN 18-10-2010 F NOTIF

#### 2. Member State

F

#### 3. Department Responsible

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#### **4. Notification Number**

2010/0682/F - SERV

#### **5. Title**

Decree introduced pursuant to Articles 1369-7 and 1369-8 of the French Civil Code relating to electronic time stamping

#### **6. Products Concerned**

Information society product or service: electronic time stamping module and electronic time stamping service

#### **7. Notification Under Another Act**

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#### **8. Main Content**

An electronic time stamping process means any mechanism associating a representation of data with a specific time and vouching for the existence of this data at that moment. In particular, it can be used to affix a courier dispatch or receipt date or to vouch for the date of an action performed through electronic means.

This draft Decree aims to lay down the requirements to be met so that such a procedure can be presumed reliable within the context of trading relations. In order to create confidence in the corresponding products and services, it also lays down, as an option, procedures for certification of devices and for qualification of electronic time stamping service providers.

#### **9. Brief Statement of Grounds**

Dematerialisation is one of the key issues for today's society. It is supposed to provide the users of these techniques with a certain level of confidence and security. Within this context, this draft Decree aims to lay down the conditions to be met so that contractual formalities can be accomplished by e-mail using a presumably reliable electronic dating procedure.

#### **10. Reference Documents - Basic Texts**

Reference texts: this draft Decree is introduced pursuant to Articles 1369-7 and 1369-8 of the French Civil Code, introduced by Order 2005-674 of 16 June 2005 on accomplishment of certain contractual formalities using electronic means. This Order was introduced pursuant to Article 26 of the Act on confidence in the digital economy of 21 June 2004, which was covered by a previous notification to the European Commission. It draws inspiration from the regulatory framework applicable to electronic signature services.

It is also based on Decree 2002-535 of 18 April 2002 on assessment and certification of the security provided by information technology products and systems also notified pursuant to Directive 98/34/EC.

The reference texts shall be sent as part of the preceding notification: 2003/0127/F: 2001/0448/F

#### **11. Invocation of the Emergency Procedure**

No



**12. Grounds for the Emergency**

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**13. Confidentiality**

No

**14. Fiscal measures**

No

**15. Impact assessment**

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**16. TBT and SPS aspects**

TBT

No - The draft complies with an international standard.

SPS

No - The draft is not a sanitary or phytosanitary measure.

Catherine Day  
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