



Notification Number: 1999/386/E

Draft Law on electronic signatures

Date received : 06/08/1999

End of Standstill : Closed

Message

Departement of Trade and Industry - Standards and Technical Regulations - Dir 2
Mrs Brenda O'Grady

EFTA Surveillance Authority
Ms Solveig Georgsdottir

ELOT
Mr E. Melagrakis

European Free Trade Association
Ms Anne-Lise Bakke-D'Aloya

Kauppa-ja teollisuusministeriö
Mr Petri Kuurma

Kommerskollegium
Fru Kerstin Carlsson

Min. of Industry, Energy & Technology
Mr K. Polychronidis

Ministerie van Financiën - Belastingdienst - Douane / CDIU
De Heer IJ.G. van der Heiden

NSAI
Mr Owen Byrne

Représentation Permanente de l'Irlande
.

Représentation Permanente du Royaume-Uni
.

SGS
Ms Christel Naveau

Message 002



Communication from the Commission - SG(1999) D/51865

Directive 98/34/EC

Translation of the message 001

Notification: 1999/386/E

(MSG: 199901865.EN)

1. Structured Information Line

MSG 002 IND 1999 0386 E EN 06-08-1999 E NOTIF

2. Member State

Spain

3. Department Responsible

COMISION INTERMINISTERIAL PARA ASUNTOS CON LA UNION EUROPEA.
SECRETARÍA DE ESTADO DE POLÍTICA EXTERIOR Y PARA LA UNIÓN EUROPEA.

DIRECCION GENERAL DE COORDINACIÓN DEL MERCADO INTERIOR Y OTRAS POLÍTICAS
COMUNITARIAS. SUBDIRECCION GENERAL DE ASUNTOS INDUSTRIALES, ENERGÉTICOS,
TRANSPORTES, COMUNICACIONES Y MEDIO AMBIENTE, C/PADILLA Nº46, 2ª PLANTA, MADRID 28006.
TELÉFONO: 91.379.84.64 FAX 91.575.56.29.

3. Originating Department

MINISTERIO DE FOMENTO. SECRETARÍA GENERAL DE COMUNICACIONES.

4. Notification Number

1999/0386/E

5. Title

Draft Law on electronic signatures

6. Products Concerned

-

7. Notification Under Another Act

-

8. Main Content

This law regulates the use of electronic signatures, the recognition of their legal validity and the provision of public certification services. In the same way, the law determines the register in which certificate service providers must enroll and the administrative inspection rules for this activity, regulates the dispatch and loss of validity of the certificates and typifies the infringements and penalties which are laid down in order to guarantee its implementation.



9. Brief Statement of Grounds

While respecting the content of the common position with regard to the Directive on electronic signatures, this draft law establishes clear regulations for the use of the latter, awards them legal validity and lays down the rules applicable to certification service providers.

10. Reference Documents - Basic Texts

-

11. Invocation of the Emergency Procedure

Yes

12. Grounds for the Emergency

The draft law on electronic signatures which is subject to the present procedure for the provision of information regulates the legal validity of electronic signatures and associated data authentication services and the rules applicable to certification service providers.

The rapid development of telematic communications, and particularly electronic commerce, urgently requires the adoption of the aforementioned rules for reasons of legal security, that is, in order to guarantee the integrity and reliability of the said electronic communications. In the same way, this urgency derives from the necessity for both users and the business sector involved in the certification of electronic signatures to have sufficient confidence in the new electronic systems and services on the market to guarantee the rapid development of the market while maintaining adequate quality levels.

In short, the establishment of legislation on electronic signatures is one of the fundamental pillars of the development of the information society. The delay in approving this standard could constitute a barrier to the development of electronic commerce, in Spain as well as in the European Union, and may therefore be considered to be a public matter, insofar as electronic commerce will gradually replace traditional commerce.

For all these reasons, we request that this matter be treated as urgent.

13. Confidentiality

No

14. Fiscal measures

No

Carlo Trojan
General Secretary
European Commission