



Notification Number: 2006/611/E

Draft Act on impulse measures of the Information Society.

Date received : 20/11/2006

End of Standstill : 21/02/2007

Issue of comments by : Commission

Message

Message 002

Communication from the Commission - SG(2006) D/52891

Directive 98/34/EC

Translation of the message 001

Notification: 2006/0611/E

No abre el plazo - Nezaħajuje 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 késéset - 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.

(MSG: 200602891.EN)

1. Structured Information Line

MSG 002 IND 2006 0611 E EN 21-02-2007 20-11-2006 E NOTIF 21-02-2007

2. Member State

SPAIN

3. Department Responsible

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4. Notification Number

2006/0611/E - SERV10

5. Title

Draft Act on impulse measures of the Information Society.

6. Products Concerned

Information Society Services.

7. Notification Under Another Act

d) Directive 1999/93/EC and Directive 2000/31/EC.

8. Main Content

The draft Act on impulse measures of the Information Society includes amendments to Act No. 34 of 11 July 2002 on Information Society Services and Electronic Commerce (Spanish acronym: LSSI), which is the standard transposing Directive 2000/31/EC, and Act No. 59 of 19 December 2003 on electronic signatures transposing Directive 1999/93/EC (Spanish acronym: LFE). The amendments to the LSSI aim to delete excessive or unnecessary obligations, to add flexibility to some obligations in order to allow their adaptation to the use of mobile terminals, and to include a new information obligation for Internet access providers on certain tools to improve the security of information. The amendments of the LFE aim to improve the definition of electronic documents, to clarify the rules applicable to the value regarding the validity of the recognised electronic signature, and to add flexibility to certain obligations applicable to providers of certification services. Similarly the draft Act lays down the obligation for certain large companies to have a means of computer communication with its clients, it establishes a minimum legal framework applicable to auctions between companies (B2B) and it provides for impulse measures in the use of electronic invoicing as well as certain small additional legislative amendments.

9. Brief Statement of Grounds

The draft falls within the set of measures that constitute the 2006-2010 Plan for the development of the Information Society and the convergence with Europe and between autonomous communities and cities, the Plan AVANZA, adopted by the Government in November 2005. The Plan AVANZA, among its measures, provides for the adoption of a series of legislative initiatives aimed at eliminating the existing barriers to the expansion and use of information and communication technologies and to guarantee the rights of citizens in the new Information Society. Hereby, the draft Act undertakes the necessary amendments of the LSSI and the LFE and introduces a series of additional legislative innovations.



10. Reference Documents - Basic Texts

C) Act No. 34 of 11 July 2002 on Information Society Services and Electronic Commerce (Notification No. ...),
Act No. 59 of 19 December 2003 on electronic signatures (Notification No. ...).

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

No evaluation of regulatory impact is available

16. TBT and SPS aspects

TBT aspects:

a) No.

b) The draft is not a technical regulation nor is it a procedure for evaluating compliance with Annex 1 of the TBT Agreement.

SFS Aspects:

a) No.

b) The draft is not a sanitary or phytosanitary measure in accordance with Annex A to the SPS Agreement.

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