



Notification Number: 2002/454/F

Draft Act on the Digital Economy

Date received : 22/11/2002

End of Standstill : 26/02/2003

Issue of comments by : Commission

Message

Message 002

Communication from the Commission - SG(2002) D/52272

Directive 98/34/EC

Translation of the message 001

Notification: 2002/0454/F

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200202272.EN)

1. Structured Information Line

MSG 002 IND 2002 0454 F EN 26-02-2003 22-11-2002 F NOTIF 26-02-2003

2. Member State

France

3. Department Responsible

Délégué interministériel aux normes - SQUALPI - 64-70, Allée de Bercy -

Télédoc 811 - 75574 PARIS Cédex 12

suzanne.piau@industrie.gouv.fr ou syrte@industrie.gouv.fr

tél : 01 53 44 97 04 - fax : 01 53 44 98 88

3. Originating Department

Ministère de l'Economie, des Finances et de l'Industrie

Direction Générale de l'Industrie, des Technologies d'Information et des Postes

Services des Technologies et Systèmes d'information

Le Bervil- 12 rue Villiot-75572 paris cedex 12

4. Notification Number

2002/0454/F - SERV



5. Title

Draft Act on the Digital Economy

6. Products Concerned

Information Society services

7. Notification Under Another Act

d) Other Directive or Regulation: 2000/31/CE: electronic commerce

8. Main Content

In 2001 an initial draft was sent to the Commission (Notification No 2001/0272/F). This new draft aims to take into account the Commission's comments regarding Articles 2, 3, 4, 6, 7, 8, 9, 10, 11, 14 and 17 of the new draft.

This Act is set to be debated in Parliament at the end of January 2003.

The adaptation of French law to the developmental needs of a solid digital economy is necessary in order to instil confidence in the use of new technologies and to support growth in this sector which, by its transversality, will be one of the economic dynamos in the coming years.

This draft Act does not aim to create a specific law for networks and digital content but rather aims to guarantee the amendment of regulations in force regarding the digital economy and to transpose Directive 2000/31/EC of 8 June 2000 on electronic commerce. It also deals with the addressing system that uses Internet domain names, which is undergoing change within the ICANN framework.

The proposed provisions revolve around four themes, set out under titles.

Title I specifies the framework within which the freedom to communicate via digital networks lies.

Title II contains the regulations applicable to electronic commerce, particularly in order to reinforce consumer protection mechanisms.

Title III concerns security in the digital economy.

Title IV of the draft deals with satellite systems.

9. Brief Statement of Grounds

Considering the present and future importance of online communication and the diversity of the services it covers, the applicable legal system must be made more specific. Network activity can therefore develop and meet the new needs of our economy.

10. Reference Documents - Basic Texts

The source texts were sent with Notification No 2001/0272/F:

- Posts and Telecommunications Code
- Civil Code



- Penal Code
- Code of Criminal Procedure
- Law No 78-753 of 17 July 1978 applying various measures to improve relations between the public administration and the public
- Law No 86-1067 of 30 September 1986 on freedom of communication
- Law No 92-546 of 20 June 1992 on legal deposit

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 impact study

16. TBT and SPS aspects

NO

The draft is not a technical regulation or a conformity assessment procedure pursuant to Annex 1 to the OTC Agreement.

David O'Sullivan
Secretary-General
European Commission

sent to :

Bundesministerium für Wirtschaft Referat VD2
Frau Christina Jäckel

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1
Frau Brigitte WIKGOLM

Departement of Trade and Industry - Standards and Technical Regulations - Dir 2



Mrs Brenda O'Grady

Délégation Interministérielle aux Normes
Mme Piau

EFTA Surveillance Authority
Mr. Gunnar Thor PETURSSON

ELOT
Mr E. Melagrakis

Erhvervs- og Boligstyrelsen
Lene Hald Nielsen

European Free Trade Association
.

Institut Belge de Normalisation
Mme F. Hombert

Instituto Português da Qualidade
Sra. Candida Pires

Kauppa-ja teollisuusministeriö
Mr Petri Kuurma

Kommerskollegium
Mme Kerstin Carlsson

Min. de Asuntos Exteriores
Esther Perez Pelaez

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

Ministerie van Financien Belastingdienst - Douane / CDIU
De Heer IJ.G. van der Heide

Ministero dell'Industria, del commercio e dell'artigianato
Signor P. Cavanna

Ministère des Affaires Economiques
Mme Descamps

NSAI
Mr Tony Losty

National Agency for Enterprise & Housing
Laila Østergren

Représentation Permanente de la Belgique auprès de l'Union européenne
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Représentation Permanente de la France

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Représentation Permanente du Luxembourg

.

SL

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SPERATI Marie

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Service de l'Energie de l'Etat
Mr J.-P. Hoffmann

sent to :

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

EC

.

EFTA Surveillance Authority
Mr. Gunnar Thor PETURSSON

ELOT
Mr E. Melagrakis

European Free Trade Association

.

Kauppa-ja teollisuusministeriö
Mr Petri Kuurma

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Mme Kerstin Carlsson

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

Ministerie van Financien Belastingdienst - Douane / CDIU
De Heer IJ.G. van der Heide

NSAI
Mr Tony Losty

Représentation Permanente de l'Irlande



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

Denis Colfer

Représentation Permanente du Royaume-Uni

.

Undersecretariat of Foreign Trade General Directorate of Standardisation
Saadettin DOGAN