

TABLE OF ELECTRONIC SIGNATURE LEGISLATION

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The list of statutes below is probably not comprehensive and, although the author has tried to check the accuracy of citations and gather as much relevant information about the legislation as possible from lawyers in the jurisdictions included in this list. For obvious reasons, it is not possible to rely on the accuracy of this list, which is provided as a first point of research.

If you are aware of any inconsistencies, inaccuracies or revisions in any of the legislation list below, please do not hesitate to get in touch with the author.

The author acknowledges the help of Luca Castellani, Legal Officer, International Trade Law Division of the Office of Legal Affairs at the United Nations Vienna International Centre, who kindly informs the author of legislation as it is notified to the United Nations. Mr Castellani and the author exchange copies of the legislation when they are able to obtain copies in electronic format. Not all of the legislation noted below includes such details as the gazette details or when it has entered into force, because such information is very difficult to obtain in some jurisdictions.

Alderney

Electronic Transactions (Alderney) Law, 2001¹

Anguilla

Electronic Transactions Act, 2006²

Antigua and Barbuda

Electronic Transactions Act 2006

Argentina

Ley De Firma Digital N^o 25.506³

Armenia

On Electronic Document and Electronic Signature⁴

Australia

Commonwealth

Electronic Transactions Act 1999 (Cth)⁵

Australian Capital Territory

Electronic Transactions Act 2001 (ACT)⁶

New South Wales

Electronic Transactions Act 2000 (NSW)⁷

Northern Territory

Electronic Transactions (Northern Territory) Act 2000 (NT)⁸

Queensland

Electronic Transactions (Queensland) Act 2001 (Qld)⁹

South Australia

Electronic Transactions Act 2000 (SA)¹⁰

Tasmania

Electronic Transactions Act 2000 (Tas)¹¹

1 Other than section 20, into force on 26 March 2002 by the Electronic Transactions (Alderney) Law 2001 (Commencement) Ordinance, 2002.

2 Published in the Gazette 29 September 2006.

3 Enacted on 12 November 2001, approved on 14 November 2001, published in the Official Bulletin on 14 December 2001 and promulgated on 11 December 2001. Decreto 2628/2002 – Reglamenta Ley 25506 de Firma Digital provides for the establishment of an Advisory Committee Infrastructure for Digital Signature. Regulations relating to certification authorities were issued in 2007: Decisión Administrativa 6/2007 Establécese el marco normativo de firma digital aplicable al otorgamiento y revocación de las licencias

a los certificadores que así lo soliciten. Bs. As., 7/2/2007. VISTO la Ley N^o 25.506, los Decretos Nros. 2628 del 19 de diciembre de 2002, 624 del 21 de agosto de 2003, 1028 del 6 de noviembre de 2003; 409 del 2 de mayo de 2005 y 724 del 8 de junio de 2006. Published in the Official Bulletin (Boletín Oficial) 12 de febrero de 2007, Año CXV Número 31.093, p 1.

4 LA-40-S, adopted 14 December 2004, in force 10 April 2004 (ARDB 2004/18(317), 31 March 2004).

5 Royal Assent on 10 December 1999, date of commencement 15 March 2000 (Gazette No 10 15 March 2000, p 549).

6 Royal Assent 15 February 2001 (Gazette No 26, 28 June 2001 p 716); ss1 and 2 in force 8 March 2001; sections 3-15 in force 1 July 2001

(Gazette No 26, 28 June 2001 p 716).

7 Royal Assent 3 May 2000 in force from 7 December 2001 (Gazette No 188, 7 December 2001 p 9581).

8 Royal Assent 14 December 2000, in force 13 June 2001 (Gazette No 23, 13 June 2001, p 3).

9 Royal Assent on 7 June 2001, ss1-2 commenced on date of assent, remaining provisions commenced on 1 November 2002 (Gazette No 48 1 November 2002, p 759 by SL 2002 No 286).

10 Royal Assent on 7 December 2000, in operation on 1 November 2002 (Gazette No 96 29 August 2002, p 3212).

11 Royal Assent 13 December 2000 (Gazette No 20190, 23 May 2002 p 624 by SR 2001, No 47).

TABLE OF ELECTRONIC SIGNATURE LEGISLATION

Victoria

Electronic Transactions (Victoria) Act 2000 (Vic)¹²

Western Australia

Electronic Transactions Act 2003 (WA)¹³

Austria

Signaturgesetz - SigG, BGBl. I Nr. 190/1999¹⁴

Azerbaijan

Law on Digital Electronic Signature 2004¹⁵

Bahamas

The Electronic Communications and Transactions Act, 2003¹⁶

Bahrain

Legislative Decree No 28 of 2002 with respect to electronic transactions

Bangladesh

The Information and Communication Technology Act, 2006

Barbados

Electronic Transactions Act, 2001

Belarus

Law on Electronic Documents No. 357-Z of 10 January 2000¹⁷

Belgium

9 Juli 2001 Wet houdende vaststelling van bepaalde regels in verband met het juridisch kader voor elektronische handtekeningen en certificatie diensten¹⁸

Koninklijk besluit van 6 december 2002 houdende organisatie van de controle en de accreditatie van de certificatie dienstverleners die gekwalificeerde certificaten afleveren (Belgisch Staatsblad, 17 januari 2003)¹⁹

Belize

Electronic Transactions Act, Chapter 290:0120

Bermuda

Electronic Transactions Act 1999²¹

Bhutan

Bhutan Information, Communications and Media Act 2006²²

Bolivia

Ley general de Telecomunicaciones, Tecnologías de Información y Comunicación Ley 164 (8 Agosto 2011)²³

Brazil

Medida Provisória Nº 2.200-2, de 24 de Agosto de 2001 Institui a Infra-Estrutura de Chaves Públicas Brasileira – ICP-Brasil, e dá outras providências²⁴

12 Royal Assent 16 May 2000 and into force on 1 September 2000, s2 (Gazette No 20, 18 May 2000, p 967).

13 Royal Assent 24 March 2003, in force 2 May 2003 (s2 and Gazette No 66, 2 May 2003 p 1491).

14 In force on 1 January 2000, and amended by GOG, BGBl. I No. 164/2005. Signaturverordnung – SigV, BGBl. II Nr. 30/2000, relates to technical matters amongst other things, in force on 3 February 2000, and amended by SigV, BGBl. II No. 527/2004.

15 Last reading on 9 March 2004 in the Mejlis (Parliament) and signed by the president on the same day. The president issued a decree implementing the law on 26 May 2004, the day it came into force.

16 Number 4 of 2003 in the Gazette. Date of Assent 11 April 2003. In force in June 2003.

17 First published in the official newspaper *Звязда* (Zwiazda) of 18 January 2000 and entered into force on the day of its official publication. On 21 January 2000, it was also published in the National Register of Legal Acts of the Republic of Belarus (Natsyonalnyi rejestr pravovych aktow Respubliki Belarus),

2000, No. 7, 2/132. The Law has been altered twice by the Law of the Republic of Belarus No. 137-Z of 29 June 2006 (National Register of Legal Acts of the Republic of Belarus, 2006, No. 107, 2/1235); and by the Law of the Republic of Belarus No. 162-Z of 20 July 2006 (National Register of Legal Acts of the Republic of Belarus, 2006, No. 122, 2/1259).

18 Publicatie: 29-09-2001 Inwerkingtreding: 09-10-2001 Dossiernummer: 2001-07-09/43; Johan Vandeddriessche, 'Introduction to the Belgian laws on e-signatures' together with an unofficial translation of the law in Digital Evidence and Electronic Signature Law Review, 1 (2004), 67 – 74.

19 French: Arrêté royal du 6 décembre 2002 organisant le contrôle et l'accréditation des prestataires de service de certification qui délivrent des certificats qualifiés (Moniteur Belge, 17 janvier 2003); English: Royal Decree of 6 December 2002 organising the supervision and accreditation of certification services providers issuing qualified certificates (Belgian State Gazette, 17 January 2003).

20 Entered into force on 26 September 2005 by Electronic Transactions Act

(Commencement) Order, 2005 (Statutory Instrument 119 of 2005).

21 Royal Assent 5 August 1999, in force on 4 October 1999.

22 Entered into force on 5 July 2006, corresponding to the 9th day of the 5th month of the Bhutanese Fire Male Dog Year (s1(b)).

23 General Law of Telecommunications, Information and Communication Technologies – this law appears to have replaced Proyecto de Ley No 080/2007 sobre Documentor, Firmas y Comercio Electrónico.

24 Provides for the legal validity of electronic documents and electronic signatures. Medidas Provisorias (MP) are normally Presidential Bills which need to be sanctioned by Parliament after 30 days of publication. If they have not been sanctioned, they cease to be enforced after this period. If sanctioned, they become law. This specific MP has become law through Constitutional Amendment no. 32 of 2001, which determined that all MP not yet sanctioned by Congress by September 2001 but which were still in force at that time, were converted into law.

Brunei Darussalam

Electronic Transactions Order, 2000²⁵

Bulgaria

Закон за Електронния Документ и Електронния Подпис (Обн., ДВ, бр. 34 от 2001 г.)²⁶

Canada

Federal

Personal Information Protection and Electronic Documents Act, S.C. 2000, c. 5²⁷

Alberta

Electronic Transactions Act 2001, S.A. 2001, C. E-5.5²⁸

British Columbia

Electronic Transactions Act, S.B.C. 2001, c. 10²⁹

Manitoba

Electronic Commerce and Information Act, C.C.S.M. 2000, C. E55³⁰

New Brunswick

Electronic Transactions Act, S.N.B. 2001, c. E-5.5³¹

Regulation 2002-24 filed 28 March 2002, by virtue of s19 of the Electronic Transactions Act 2001, excluding certain Acts from the application of the provisions of the Electronic Transactions Act 2001

Newfoundland and Labrador

Electronic Commerce Act, S.N.L. 2001, c.E-5.2³²

Nova Scotia

Electronic Commerce Act, S.N.S. 2000, c. 26³³

Ontario

Electronic Commerce Act, S.O. 2000, c. 17³⁴

Prince Edward Island

Electronic Commerce Act, R.S.P.E.I. 1988, c. E-4.1³⁵

Electronic Evidence Act, R.S.P.E.I. 1988, c. E-4.3³⁶

Quebec

An Act to establish a legal framework for information technology, R.S.Q. c. C-1.1³⁷

Saskatchewan

The Electronic Information and Documents Act, S.S. 2000, c. E-7.22³⁸

The Electronic Information and Documents Regulations Chapter E-7.22 Reg 1³⁹

Yukon

Electronic Commerce Act, R.S.Y. 2002, c. 66⁴⁰

Electronic Evidence Act, R.S.Y. 2002, c. 67⁴¹

Cape Verde

Decreto-Lei nº 33/2007 de 24 de Setembro⁴²

²⁵ Published in the Gazette on the 16 December 2000 and came into force, with the exception of Part X concerning the regulation of Certification Authorities, on the 1 May 2001 by a notification published in the Gazette on 2 June 2001.

²⁶ (Electronic Document and Electronic Signature Act 2001); promulgated, SG 34/2001.

²⁷ Part 2, Electronic Documents, in force 1 May 2000. Regulations: Secure Electronic Signature Regulations, S.O.R./2005-30; Barbara McIssac QC and Howard R. Fohr, 'Legal update, Canada: PIPEDA's Secure Electronic Signature Regulations have been published,' *Digital Evidence and Electronic Signature Law Review*, 2 (2005), 71-72. Other relevant legislation may be found in consumer protection and evidence legislation for each jurisdiction. The Northwest Territories and Nunavut have not enacted any applicable legislation. Note also the Uniform Law Conference of Canada:

Uniform Electronic Commerce Act and Uniform Electronic Evidence Act.

²⁸ In force on Proclamation, 1 April 2003. Regulations: Electronic Transactions Act Designation Regulation, Alta. Reg. 35/2003 and Electronic Transactions Act General Regulation, Alta. Reg. 34/2003.

²⁹ In force on 19 April 2001 by BC Regulation 122/01.

³⁰ Parts 1, 3-5, and 7 proclaimed in force 23 October 2000; Part 6 proclaimed in force 19 March 2001; Part 2 not yet proclaimed in force. Regulations: Common Business Identifiers Regulation, Man. Reg. 176/2002.

³¹ Royal Assent 1 June 2001, proclaimed and in force on 31 March 2002.

³² Royal Assent and in force on 13 December 2001.

³³ Royal Assent and in force on 30 November 2000.

³⁴ In force on date of Royal Assent, 16 October 2000. See also Electronic Registration Act (Ministry of Consumer and Business

Services Statutes), 1991, S.O. 1991, c. 44 and Designation of Acts, O. Reg. 759/93, applying only to those acts administered by the Ministry.

³⁵ Royal Assent and in force on 15 May 2001.

³⁶ Royal Assent and in force on 15 May 2001.

³⁷ Royal Assent and in force on 1 November 2001.

³⁸ Proclaimed in force, 1 November 2000. Regulations: Electronic Information and Documents Regulations, R.R.S. c. E-7.22 Reg. 1.

³⁹ In force on 23 November 2003.

⁴⁰ Proclaimed in force, 27 March 2001.

⁴¹ Proclaimed in force, 27 March 2001.

⁴² This decree amends Decreto-Lei n.º 49/2003 de 24 de Novembro, which in turn repealed Decreto-Lei n.º 46/2000, de 13 de Novembro, relativas a assinaturas digitais, a certificação e à fiscalização (Decree-Law No. 46/2000, of 13 November, on digital signatures, certification and inspection).

Cameroon

Loi No 2010/021 of 21 December 2010 Régissant le commerce électronique au Cameroun⁴³

Cayman Islands

Electronic Transactions Law, 2000⁴⁴

Chile

Ley Sobre Documentos Electronicos, Firma Electronica y Servicios de Certificación de Dicha Firma No 19.799, 25 de marzo 2002⁴⁵

Ley de bases sobre contratos administrativos de suministro y de prestación de servicios N^o 19.886 11 de julio de 2003⁴⁶

China

Electronic Signatures Law of the People's Republic of China of 2004⁴⁷

Colombia

Ley 527 sobre Mensajes de Datos. Comercio Electrónico y Firma Digital de 18 de agosto de 1.999⁴⁸

Ley 588 de julio 5 de 2000 Por medio de la cual se reglamenta el ejercicio de la actividad notarial⁴⁹

Costa Rica

Ley número 8454, de Certificados, Firmas Digitales y

Documentos Electrónicos⁵⁰

Croatia

Zákon o elektroničkom podpisu⁵¹

Cyprus

Law on the Legal Framework for Electronic Signatures and Associated Matters of 2004, Law No. 188(I)/2004⁵²

Czech Republic

Zákon č. 227/2000 Sb., o elektroničkom podpisu a o změně některých dalších zákonů (zákon o elektroničkom podpisu)⁵³

Denmark

Lov om elektroniske signaturer Nr. 417⁵⁴

Dominican Republic

Ley de Comercio Electrónico, Documentos y Firmas Digitales No. 126-02⁵⁵

Dubai

Law of Electronic Transactions and Commerce No. 2/2002

Ecuador

Ley de Comercio Electrónico, Firmas y Mensajes de Datos, Ley No. 2002-67⁵⁶

43 Law No 2010/021 of 21 December 2010 on electronic commerce in Cameroon. The National Assembly deliberated and adopted the law in a plenary session on 2 December 2010 Bill No. 868/PJL/AN.

44 Supplement No 2 published with Gazette No 19 dated 11 September 2000.

45 In force from the publication in the Official Gazette, 12 April 2002.

46 Chapter IV provides for the purchases in the public sector by electronic means. In force from the publication in the Official Gazette, 30 July 2003.

47 Adopted at the 11th Meeting of the Standing Committee of the Tenth National People's Congress on 28 August 2004 and in force from 1 April 2005 by Chairman Order of the People's Republic of China, No 18; Minyan Wang and Minju Wang, 'Introduction to the Electronic Signatures Law of the People's Republic of China' together with an unofficial translation, *Digital Evidence and Electronic Signature Law Review*, 2 (2005), 79–85

48 Diario Oficial No. 43.673, de 21 de agosto de 1999. The rules relating to certification entities were defined more in detail by Decreto 1747 de 2000 (September 11) se reglamenta parcialmente la ley 527

en lo relacionado con las entidades de certificación, los certificados y firmas digitales. Technical Standards relating to digital signatures were set forth by way of Resolución 26930 de 2000 de la Superintendencia de Industria y Comercio definiendo los estándares para la autorización y funcionamiento de entidades certificadoras y auditores.

49 Diario Oficial No. 44.071, de 6 de julio de 2000 provides for rules pertaining to the activities of public notaries.

50 Published in La Gaceta 197 on 13 October 2005. Regulations: Reglamento a la Ley de Certificados, Firmas Digitales y Documentos Electrónicos, Decreto Ejecutivo número 33018-MICIT was published in La Gaceta on 21 April 2006.

51 The Electronic Signature Act, published in the Official Gazette Narodne Novine No. 10 in 2002 and came into force on 1 April 2002.

52 The Act entered into force on the date of its publication in the Official Gazette of the Republic of Cyprus, 30 April 2004; Olga Georgiades, unofficial translation of Law No 188(I)/2004, *Digital Evidence and Electronic Signature Law Review*, 2 (2005), 86–94.

53 Act No. 227/2000 Coll., on Electronic Signatures and the amendment to certain

other acts (Electronic Signatures Act). Passed on 29 June 2000 and in force on 1 October 2000. The Act was amended by Act No. 440/2004 Coll., which came into force and effect on 26 July 2004. The main amendments included the addition of the 'qualified time stamp', which makes it possible to prove the existence of a digital document at a certain moment in time and before a given moment in time; the ability to use 'electronic marks' that utilize digital signature technology in the same way as advanced electronic signatures, but for larger number of data messages; the use of electronic filing by public authorities is also covered, and the amendments also lay down the operational rules for electronic public deeds, which have the same legal effect as the public deeds issued by the public authorities.

54 Dated 31 May 2000.

55 Dated 4 September 2002, published in the Official Gazette No.10172 of 29 September 2002. This law is complemented by the Ruling of Enforcement, Decree No. 335-03, issued by the Executive Branch on 8 April 2003.

56 Registro Oficial (RO) Sup 557 de 17 de Abril del 2002.

Reglamento a la Ley de Comercio Electrónico 31 de Diciembre 2002⁵⁷

Egypt

Law No 15/2004 on Regulating Electronic Signature and Establishing the Information Technology Industry Development Authority⁵⁸

Estonia

Digitaalalkkirja seadus Vastu võetud 8. märtsil 2000. a. (RT I 2000, 26, 150) jõustunud 15. detsembril 2000⁵⁹

Tsiviilseadustiku üldosa seadus Vastu võetud 27. märtsil 2002. a (RT I 2002, 35, 216) jõustunud 1. juulil 2002⁶⁰

European Union

Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures⁶¹

Fiji

Electronic Transactions Promulgation 2008⁶²

Finland

Laki vahvasta sähköisestä tunnistamisesta ja sähköisistä allekirjoituksista, 7.8.2009/617⁶³

France

Loi No 2000-230 du 13 mars 2000 portant adaptation du droit de la preuve aux technologies de l'information et relative à la signature électronique⁶⁴

Décret no 2001-272 du mars 30, 2001 pris pour l'application de l'article 1316-4 du code civil relatif à la signature électronique

Décret no 2002-535 du avril 18, 2002 relatif à l'évaluation et à la certification de la sécurité offerte par les produits et les systèmes des technologies de l'information⁶⁵

Arrêté ministériel du mai 31, 2002 relatif à la reconnaissance de la qualification des prestataires de certification électronique et à l'accréditation des organismes chargés de l'évaluation⁶⁶

Georgia

Law on Electronic Signatures and Electronic Documents, 14 March 2008⁶⁷

Germany

Gesetz über Rahmenbedingungen für elektronische Signaturen (Signaturgesetz - SigG) vom 16.5.2001 (BGBl. I S. 876)⁶⁸

VwVfG Verwaltungsverfahrensgesetz [I B 25]⁶⁹

BGB Bürgerliches Gesetzbuch (BGB)⁷⁰

57 Regulation of the law of electronic commerce, Executive Decree 3496, Official Gazette 735 of 31 December 2002.

58 Adopted by Parliament on 17 April 2004. In 2005, the Minister of Telecommunication & Information issued an Executive Regulation under the law by Ministerial decree no. 109 on May 15, 2005, providing the legal and technical details relating to the enforcement of the law.

59 Digital Signature Act, passed by Parliament on 8 March 2000 and entered into force on 15 December 2000 as published in the State Gazette (Riigi Teataja I 2000, 26, 150). The Act has been amended by the following Acts: 17.12.2003 entered into force 08.01.2004 - RT I 2003, 88, 594; 17.12.2003 entered into force 01.01.2004 - RT I 2003, 88, 591; 19.06.2002 entered into force 01.08.2002 - RT I 2002, 61, 375; 05.06.2002 entered into force 01.07.2002 - RT I 2002, 53, 336; 06.06.2001 entered into force 07.07.2001 - RT I 2001, 56, 338; 15.11.2000 entered into force 01.01.2001 - RT I 2000, 92, 597, and the current version of the Act entered into force on 8 January 2004.

60 This is a new General Part of the Civil Code Act, passed on 27 March 2002 and entered into force 1 July 2002 as published in the State Gazette (Riigi Teataja I 2002, 35, 216).

61 OJ L 13, 19.01.2000, p.12.

62 Published in the Government Gazette, 14 October 2008, Volume 8 number 86, p 979.

63 Law of strong electronic identification and electronic signatures 7.8.2009/617; this has replaced Laki sähköisistä allekirjoituksista 24.1.2003/14 (Act on Electronic Signatures 24.1.2003/2003, passed 24 January 2003 and entered into force on 1 February 2003).

64 This law amends article 1316 of the Code Civil to provide for electronic signatures; article 1317(2), that provides for an act of authentication to be made by electronic means, provided it is prepared and a record maintained in accordance with the relevant decree of the Conseil d'Etat and article 1326, which is formulated in such manner as to allow for unilateral commitments to be made electronically.

65 This decree provides for the accreditation scheme for certification service providers.

66 This Arrêté compliments the provisions of Décret no 2002-535 du avril 18, 2002.

67 Amended on 16 July 2010.

68 The German Signature Law and the Ordinance on Electronic Signatures have been amended by the Signaturänderungsgesetz (BGBl. Teil I v. 10.1.2005, p. 2-3), which entered into force on 11 January 2005. This

eases the requirements for certification-service-providers and contains clarifying modifications.

69 Section 3(a) of this law implements SigG in German administrative law. This implements the digital signature and the infrastructure for certification authorities.

70 Section 126(a) implements the provisions of SigG into German civil law and gives digital signatures parity of treatment to the manuscript form; §127 Abs 3 provides for types of electronic signature other than digital signatures to have the same standing as provided under SigG. It should be noted that sections 623 (cancellation of a contract of employment), 630 (employer's obligation to deliver certificates of employment), 766 (guarantees/bonds), 780 (promise to perform an act in which the obligation is created solely by the promise itself), 781 (acknowledgement of debt) of the BGB and Section 4 of the Consumer Loan Act (Verbraucherkreditgesetz – VerbrKrG) provide that in these specific instance, an electronic signature is not possible or invalid, which slightly mitigates the importance of section 126a BGB. These exceptions concern sections of the BGB that the legislator considered must remain as manuscript signatures.

ZPO Zivilprozessordnung⁷¹

Ghana

Electronic Transactions Act, 2008 (Act 772)

Gibraltar

Electronic Commerce Act 2001⁷²

Greece

Presidential Decree 150/2001⁷³

Grenada

Electronic Transactions Act, 2008

Guatemala

Ley para el Reconocimiento de las Comunicaciones y Firmas Electrónicas de 25 de agosto de 2008⁷⁴

Guernsey

The Electronic Transactions (Guernsey) Law, 2000⁷⁵

Hong Kong Special Administrative Region, People's Republic of China

Electronic Transactions Ordinance 2000⁷⁶

Electronic Transactions (Amendment) Ordinance 2004⁷⁷

Hungary

2001. évi XXXV. Törvény az elektronikus aláírásról⁷⁸

Iceland

Lög nr. 28/2001 um rafrænar umdirskriftir⁷⁹

India

Information Technology Act 2000⁸⁰

Indonesia

Rancangan Undang-undang Informasi dan Transaksi Elektronik 11 tahun 2008⁸¹

Iran

Electronic Commerce Act 2004

Iraq

Law on electronic signature and electronic transactions (No. 78) 2012

Ireland

Electronic Commerce Act, 2000

Isle of Man

Electronic Transactions Act 2000⁸²

71 Section 292(a) implements SigG in the German Code of Civil Procedure. This provides for the presumption that digital signatures conforming to the requirements set out in SigG are acceptable, subject to a challenge that the digital signature was misused without the authority of the subscribing party.

72 Passed by the House of Assembly on 5 March 2001 and given assent on the 8 March 2001, but this was subsequently changed to the 14 March 2001 by Legal Notice 19/01. Brought into force on 22 March 2001 by Legal Notice 13/01. The citation has been altered pursuant to the commencement of the new Gibraltar Constitution in 2007. All Gibraltar statutes, previously known as Ordinances, have, since the commencement of the new Constitution on 2 January 2007, now been re-named as Acts.

73 Passed on 13 June 2001 and in force from the date published in the Gazette (Government Gazette, Issue A', No. 125/25.06.2001).

74 Recognition Act Communications and Electronic Signatures of 25 August 2008.

75 Sections 1 to 9 came into force on 1 March 2001 by the Electronic Transactions (Guernsey) Law, 2000 (Commencement) Ordinance, 2001. Sections 15 to 18 came

into force on 1 December 2000 by the Electronic Transactions (Guernsey) Law, 2000 (Commencement) (No 2) Ordinance, 2000. Sections 10 to 14, 19, and 21 to 24 came into force on the 1 October 2000 by the Electronic Transactions (Guernsey) Law, 2000 (Commencement) Ordinance, 2000. The provisions of sections 1 to 5 and 8 of the Electronic Transactions (Guernsey) Law 2000 do not apply to a number of transactions set out in the Electronic Transactions (Exemptions) Order, 2001 (SI No 13 of 2001).

76 Section 32 and Part VII came into force on 18 February 2000 under the authority of the Electronic Transactions Ordinance (1 of 2000) (Commencement) Notice 2000 (L.N. 7 of 2000) dated 10 January 2000; sections 3, 5, 6, 7, 8 and 10 and Part IV and Part V (in relation to the matters referred to in Schedule 1) of and Schedules 1 and 2 to the Ordinance were brought into operation on 7 April 2000 by the Electronic Transactions Ordinance (1 of 2000) (Commencement) (No 2) Notice 2000 (L.N. 60 of 2000); Schedule 2 to the Electronic Transactions Ordinance was amended by the Electronic Transactions Ordinance (Amendment of Schedule 2) Order 2000 (L.N. 59 of 2000), adding 28 statutory bodies which exercise quasi-

judicial functions to the Schedule. The law was amended by the Electronic Transactions (Amendment) Ordinance 2004, Order number 14, into force on 30 June 2004. Note that Schedule 2 has been amended seven times, by L.N. 59 of 2000, L.N. 5 of 2002 5407; L.N. 7 of 2004 555; L.N. 18 of 2004 569; L.N. 20 of 2004 559; L.N. 19 of 2005 57 and L.N. 23 of 2005 528.

77 This Ordinance amends the Electronic Transactions Ordinance 2000; Order number 14 of 2004, in force on 30 June 2004.

78 Digital Signature Act 2001. Passed by Parliament in May 2001, in force on 1 September 2001. The Act was amended by Act LV of 2004, and took effect on 19 July 2004.

79 Act No 28/2001 on electronic signatures, in force on 16 May 2001, immediately it was passed by article 24.

80 In force on 17 October 2002 (S1(3) and Vide G.S.R. 788 (E)), 17 October 2000, amended by the Information Technology (Amendment) Act 2008.

81 Information and Electronic Transactions Law 11 of 2008, Supplement to the State Gazette of the Republic of Indonesia, Number 4843.

82 Supplemented by the Electronic Transactions (General) Regulations 2000.

Israel

Electronic Signature Law, 5761-2001⁸³

Italy

Legge 25 marzo 1997, n.59 *Delega al Governo per il conferimento di funzioni e compiti alle regioni ed enti locali, per la riforma della Pubblica Amministrazione e per la semplificazione amministrativa*⁸⁴

Decreto del Presidente della Repubblica 28 dicembre 2000, n. 445 *Testo unico delle disposizioni legislative e regolamentari in materia di documentazione amministrativa*⁸⁵

Decreto del Presidente della Repubblica 7 aprile 2003 n. 137 *Regolamento recante disposizioni di coordinamento in materia di firme elettroniche a norma dell' articolo 13 del decreto legislativo 23 gennaio 2002, n. 10*⁸⁶

Decreto del Presidente del Consiglio dei Ministri 13 gennaio 2004 *Regole tecniche per la formazione, la trasmissione, la conservazione, la duplicazione, la riproduzione e la validazione, anche temporale, dei documenti informatici*⁸⁷

Decreto Legislativo 7 marzo 2005, n. 82 *Codice dell' amministrazione digitale*⁸⁸

Decreto legislativo 4 aprile 2006, n. 159 *Disposizioni integrative e correttive al decreto legislativo 7 marzo 2005, n. 82, recante codice dell' amministrazione digitale*⁸⁹

Jamaica

Electronic Transactions Act, 2006⁹⁰

Japan

Law Concerning Electronic Signatures and Certification Services (Law No.102 of 2000)⁹¹

Jersey

Electronic Communications (Jersey) Law, 2000⁹²

Jordan

Electronic Transaction Law No. 85 of 2001⁹³

Kazakhstan

Law of the Republic of Kazakhstan On Electronic Document and Digital Signature, No 307-II of 7 January 2003

Kenya

Kenya Communications (Amendment) Act, 2008⁹⁴

Korea, Republic of

Digital Signature Act No. 5792/1999⁹⁵

Lao People's Democratic Republic

Law on Electronic Transactions⁹⁶

Latvia

Elektronisko dokumentu likums⁹⁷

83 Passed by the Knesset on 25 March 2001 and brought into force six months from the date of publication (527) on 4 October 2001. The Israeli Securities Law has also been amended to allow electronic certificates to be used: Securities Law (Amendment no. 22) (Electronic Report) 5763-2002; Securities Regulations (Signature Certificatory) 5763-2003 and Securities Regulations (Electronic Signature and Report) 5763-2003.

84 (Suppl. ordinario n. 56/L, alla Gazz. Uff. n. 63, del 17 marzo) delegates powers to the Council of Ministers to provide rules and regulations to reform public administration and simplify procedures.

85 (Suppl. Ordinario alla Gazz. Uff. n. 42 del 20 febbraio 2001). This decree repealed Decreto del Presidente della Repubblica 10 novembre 1997, n. 513 (Gazz. Uff. n. 60 del 13 marzo 1998), which elaborated Law No 15/1997 and implemented the Italian electronic signature legislation.

86 (in Gazz. Uff., 17 giugno, n. 138).

87 (in Gazz. Uff., 27 aprile, n. 98).

88 (in Suppl Ord.n. 93 alla Gazz. Uff.,16 maggio,

n. 112).

89 (in Suppl. ordinario n. 105 alla Gazz. Uff., 29 aprile, n. 99).

90 Passed in the House of Representatives on 4 November 2006.

91 The date of the Law is 24 May 2000. The date of implementation was 1 April 2001. See also Cabinet Order for the enforcement of the Electronic Signature and Certification Services Act (2000).

92 Sanctioned by Order of Her Majesty in Council on 11 October 2000, into force on 1 January 2001 by the Electronic Communications (Jersey) Law 2000 (Appointed day) Act 2000. The Electronic Communications (Jersey) Order 2000 was passed to establish a framework for the progressive implementation of Part 3 of the Law.

93 Passed on 31 December 2001, enforceable after three months from the date of publication.

94 Date of assent 30 December 2008, in force 2 January 2009.

95 Amended by Act No. 6360, 16 January 2001;

Act No. 6585, 31 December 2001; Act No. 7428, 31 March 2005; Act No. 7813, 30 December 2005; Act No. 8852, 29 February 2008; Act No. 9208, 26 December 2008; Act No. 10008, 4 February 2010.

96 National Assembly No 032/NA unanimously approved the law on 7 December 2012, and promulgated by the President by decree No 025/POR oin 17 January 2013, in force from the date of the decree.

97 Law on Electronic Documents Act ("LV", 169 (2744), 20.11.2002.; Rapporteur, 23, 12.12.2002.) [entered into force on 01.01.2003.] as amended: 06.05.2004. likums ("LV" 75 (3023), 13.05.2004) [in force on 27.05.2004.]; 28.10.2004. likums ("LV" 178 (3126), 10.11.2004) [in force on 24.11.2004.]; 22.06.2006. likums ("LV" 107 (3475), 07.07.2006) [in force on 21.07.2006.]; 24.05.2007. likums ("LV" 93 (3669), 12.06.2007) [in force on 26.06.2007.]; 24.09.2009 likums ("LV" 160 (4146), 08.10.2009) [in force on 22.10.2009.].

Liechtenstein

Gesetz vom 18. September 2003 über elektronische Signaturen (Signaturgesetz; SigG)⁹⁸

Lithuania

Elektroninio parašo įstatymas 2000 m. liepos 11 d. Nr. VII-1822⁹⁹

Luxembourg

Loi du 14 août 2000 relative au commerce électronique modifiant le code civil, le nouveau code de procédure civile, le code de commerce, le code pénal et transposant la directive 1999/93 du 13 décembre 1999 relative à un cadre communautaire pour les signatures électroniques, la directive 2000/31/CE du 8 juin 2000 relative à certains aspects juridiques des services de la société de l'information, certaines dispositions de la directive 97/7/CEE du 20 mai 1997 concernant la vente à distance des biens et des services autres que les services financiers¹⁰⁰

Macau Special Administrative Region, People's Republic of China

Lei n.º 5/2005 Documentos e assinaturas electrónicas¹⁰¹

Macedonia

Law on Electronic Commerce 2007¹⁰²

Malaysia

Digital Signature Act 1997¹⁰³

Malta

Electronic Commerce Act 2002¹⁰⁴

Mauritius

Electronic Transactions Act 2000¹⁰⁵

Mexico

The Commercial Code (Articles 80 and 89 – 114) and Civil Code (Articles 1803, 1805, 1811 and 1834) have been amended to provide for electronic transactions¹⁰⁶

98 The Electronic Signature Act 2003 was published in *Lichtensteinisches Landesgesetzblatt* on 11 November 2003. An ordinance laying out certain provisions in more detail has been issued: *Verordnung vom 1. Juni 2004 über elektronische Signaturen (Signaturverordnung; SigV)*, published in *Lichtensteinisches Landesgesetzblatt* Nr. 130/2004 on 8 June 2004.

99 The Law on Electronic Signature, passed on 11 July 2000, No. VIII-1822, as amended on 6 June 2002, No. IX – 934.

100 Law of 14 August 2000 on electronic commerce modifying the Civil code, the New Code of civil procedure, the Commercial code, the Criminal code and transposing Directive 1999/93/EC of the European Parliament and the Council of 13 December 1999 on a Community framework for electronic signatures, Directive 2000/31/EC of the European Parliament and the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market (Directive on electronic commerce) and certain provisions of Directive 97/7/EC of the European Parliament and the Council of 20 May 1997 on the protection of consumers in respect of distance contracts. This Law has been amended three times since it entered into force, although the amendments do not affect the provisions relating to electronic signatures. Two Grand-Ducal Decrees have been adopted. Grand-Ducal Decree on electronic signatures, electronic payments

and the creation of the Electronic Commerce Committee, adopted on 1 June 2001, and, Grand-Ducal Decree of 21 December 2004, which provides for rules on the notification of the service providers providing qualified certificates, setting up an accreditation system of service providers of certification, creating an Electronic Signature Committee and determining the accreditation procedure of external auditors.

101 (Law No. 5 / 2005 Electronic documents and signatures), approved on 20 July 2005, signed on 27 July 2005, entering into force 30 days after the date of publication, which was on 8 August 2005, Número 32 Boletim Oficial da Região Administrativa Especial de Macau – I Série 821.

102 Adopted by the Assembly of the Republic of its session held on 26 October 2007, is hereby promulgated. No. 07-4542/1 President 26 October 2007 of the Republic of Macedonia.

103 Amended by the Digital Signature (Amendment) Act 2001. The amendment is solely to transfer the role of the Controller of Certification Authorities to the Malaysian Communications and Multimedia Commission (MCMC). The MCMC is now empowered to exercise, discharge and perform the duties, powers and functions conferred on it under the Digital Signature Act 1997. The Electronic Commerce Act 2006 came into force in Malaysia on 19 October 2006, which provides for legal recognition of electronic messages used in commercial transactions, the use of electronic

messages to fulfill legal requirements and to enable, as well as facilitate, commercial transactions by electronic means. See also the Digital Signature Regulations 1998, P.U.(A.) 359/98.

104 The Minister for Transport and Communications designated the 10 May 2002 as the date when the Act entered force (Legal Notice 109 of 2002) and under the provisions of Legal Notice 110 of 2002, the Malta Communications Authority was nominated as the Competent Authority for the purposes of the Act.

105 Parts I to V, VII to IX, XI, XIII and section 41 of the Electronic Transactions Act 2000 were brought into force on 1 August 2001 by Presidential Proclamation No. 7 of 2001, 16 July 2001.

106 Decreto por el que se reforman y adicionan diversas disposiciones del Código Civil para el Distrito Federal, del Código Federal de Procedimientos Civiles, del Código de Comercio y de la Ley Federal de Protección al Consumidor. Del 23 de mayo de 2000 (D.O. 29 de mayo de 2000), published in the Official Gazette 29 May 2000 and entered into force on 7 June 2000. Amendments were made to the Federal Civil Code, Federal Commercial Code, Federal Civil Procedures Code and the Federal Consumer Protection Law. Further amendments to articles 89 – 114 were published in the *Diario Oficial de la Federación (Official Mexican Gazette)* on 29 August 2003, and these amendments will be in force in 90 days from the date of publication.

Moldova

Legea Republicii Moldova, cu privire la documentul electronic și semnătura digitală, Nr. 264-XV din 15 iulie 2004¹⁰⁷

Monaco

Loi n° 1.383 du 2 août 2011 sur l’Economie Numérique¹⁰⁸

Mongolia

Law on Electronic Signature

Montenegro

Law on Electronic Signature¹⁰⁹

Montserrat

Electronic Transactions Act 2009

Morocco

Loi n° 53-05 relative à l’échange électronique de données juridiques¹¹⁰

Myanmar

Electronic Transactions Law (The State Peace and Development Council Law No. 5/2004)¹¹¹

Nepal

Electronic Transactions Act, 2063 (2008)¹¹²

Netherlands

Wet van 8 mei 2003 tot aanpassing van Boek 3 en Boek 6 van het Burgerlijk Wetboek, de Telecommunicatiewet en de Wet op de Economische Delicten inzake elektronische handtekeningen ter uitvoering van richtlijn nr. 1999/93/EG van het Europees Parlement en de Raad van de Europese Unie van 13 december 1999 betreffende een gemeenschappelijk kader voor elektronische handtekeningen (PbEG L 13) (Wet elektronische handtekeningen), Staatsblad 2003, 199¹¹³

Netherlands Antilles

Landsverordening overeenkomsten langs elektronische weg (P.B. 2000, 186)¹¹⁴

New Zealand

Electronic Transactions Act 2002¹¹⁵

Nicaragua

Ley No 729/2010 Ley de Firma Electrónica¹¹⁶

Nigeria

Evidence Act 2011, section 92¹¹⁷

Norway

Lov om elektronisk signatur (esignaturloven) av 15. juni 2001 nr. 81¹¹⁸

107 (Monitorul Oficial al R.Moldova nr.132-137/710 din 06.08.2004, Data intrarii in vigoare: 06.11.2004); Law no. 264 of 15 July 2004 on electronic document and digital signature (Published in the Official Gazette Nr. 132-137, on 06.08.2004, Article No.: 710, date of entry into force: 06.11.2004).

108 Act No. 1383 of 2 August 2011 on the Digital Economy, Journal de Monaco, Bulletin Officiel de la Principauté No 8029 12 August 2011, sanctioned by Albert II after the National Council adopted the law at its meeting on 13 July 2011.

109 Official Gazette 55/03 and 31/05.

110 Law No. 53-05 on the electronic legal data, Dahir No. 1-07-129 of 19 kaada 1428 (30 November 2007) promulgating the Law No. 53-05 on the electronic legal data; Official Gazette No. 5584 of Thursday 6 December 2007.

111 The 12th Waxing of Kason 1366 M.E. (30th April, 2004).

112 It seems that the 2008 Act (date of publication 22 Mansir 2063, 8 December 2008) repeals the Electronic Transactions Ordinance, 2005 No. 32 of the year 2061 B.S. [2005 A.D.], Nepal Gazette, Volume

54, Kathmandu, Extraordinary Issue 60, 18 March 2005 (2061/11/28 B.S.) in force immediately it was published in the Gazette, s1(2).

113 Act of 8 May 2003 for the amendment of Book 3 and Book 6 of the Dutch Civil Code, the Telecommunications Act and Act on Economic Offences for implementation of the Directive no. 1999/93/EC of the European Parliament and of the council of December 13, 1999 on a community framework for electronic signatures (OJ L 13) (Electronic Signatures Act), Bulletin of Acts and Decrees 2003, 199. Since the Act has also been implemented in the Dutch Civil Code, it is necessary to refer to the relevant articles in the Telecommunications Act and the Act on Economic offences, when assessing the effect of an electronic signature.

114 State Ordinance Agreements By Electrical Means 2000. The Netherlands Antilles was dissolved on 10 October 2010, and the islands of Bonaire, Saba and Sint Eustatius are now special municipalities of the Netherlands, and Curaçao and Sint Maarten are now constituent countries

within the Kingdom of the Netherlands, so it is probable that the Netherlands law will apply.

115 By s2, two administrative provisions (ss14(3) and 36) of the Act came in to force the day after the date of assent, 17 October 2002. The balance of the Act came into force as from 21 November 2003 pursuant to clause 2 of the Electronic Transactions Act Commencement Order (SR 2003/289). On the same day, 21 November 2003, the Electronic Transactions Regulations 2003 (SR 2003/288) came into force.

116 Electronic Signature Law No 729/2010, published in La Geceta, Diario Oficial, No 165 on 30 August 2010.

117 See also section 84 and the definition of ‘computer’ and ‘documents’, section 258(1).

118 Law on Electronic Signature In force on 1 July 2001. The name was changed on 17 June 2005, and a new §16a was introduced. This article enables the department to set requirements for the establishment of voluntary certification systems. These changes were brought into force on 1 July 2005.

Oman

Electronic Transactions Law¹¹⁹

Pakistan

Electronic Transactions Ordinance, 2002

Panama

Ley No 43 de 31 de julio de 2001 Que define y regula los documentos y firmas electrónicas y las entidades de certificación en el comercio electrónico, y el intercambio de documentos electrónicos¹²⁰

Ley 2008 – 51 sobre Lod Documentos Electronicos Y Las Firmas Electronicas

Paraguay

Ley N^o 4.017/10 de validez juridical de la firma electrónica, la firma digital, los mensajes de datos y el expediente electrónico¹²¹

Peru

Ley No 27269 Ley de Firmas y Certificados Digitales¹²²

Philippines

Electronic Commerce Act of 2000¹²³

Poland

Ustawa z dnia 18 września 2001 r. o podpisie elektronicznym¹²⁴

Portugal

Decreto-lei no. 290-D/99, de 2 de Agosto¹²⁵

Decreto-lei no. 375/99, de 18 de Setembro¹²⁶

Decreto-lei no. 146/2000, de 18 de Julho¹²⁷

Decreto-lei no. 234/2000, de 25 de Setembro¹²⁸

Decreto-lei no. 62/2003, de 3 de Abril¹²⁹

Qatar

Decree Law No (16) of 2010 Electronic Commerce and Electronic Transactions Law¹³⁰

119 Royal Decree No. 69/2008 Promulgating the Electronic Transactions Law, Gazette Issue no (864).

120 Promulgated in the Official Gazette No. 24, 359 of 3 August 2001.

121 Law no 4.017/10 legal validity of electronic signatures, digital signatures, data messages and electronic records.

122 Approved by Congress on 26 May 2000 and implemented (reglamentada) by Supreme Decree No. 019-2002-JUS of 17 May 2002, published in the Official Gazette of 18 May 2002. Artículo 4 and Artículo 7 were later amended by Supreme Decree No. 024-2002-JUS of 11 July 2002, published in the Official Gazette of 12 July 2002. Artículo 11 was subsequently amended by Ley Que Modifica el Artículo 11 de la Ley No 27310, approved by Congress on 15 July 2000. See also Resolución Comisión de Reglamentos Técnicos Y Comerciales No 0103-2003-CRT-INDECOPI of 23 October 2003 (the Commission of Technical and Commercial Implementing Rules) makes reference to article 33 of the Implementing Regulations as appeared in Supreme Decree No. 019-2002-JUS of 17 May 2002. These new regulations are related to the accreditation of entities that are authorized to certify or verify digital signatures.

123 Republic Act No 8792.

124 (Dz.U. z 2001, Nr 130, poz. 1450) (Law of 2001.09.18 on electronic signature (Journal of Laws 2001, No. 130, item 1450)) entered into force 16 August 2002. The Act on electronic signature of 18th September, 2001 (O.J. 2001/130/1450) has been altered six times (O.J. refers to 'Dziennik

Urzedowy', the name of official journal where law is published in Poland): O.J. 2002/153/1271 – article 83 of this act altered the article 33(2) of the Act on electronic signature; O.J. 2003/124/1152 – article 158 of this act altered article 10(5) of the Act on electronic signature; O.J. 2003/217/2125 – article 6 of this act altered article 24(2) (4), and altered article 26(1)(2), and abrogated article 75 of the Act on electronic signature; O.J. 2004/96/959 – article 68 of this act added a reference to the title of the Act about the implementation of directive 1999/93/WE of the 13th December, 1999, and also added article (4)(5)(a); O.J. 2005/64/565 – article 45 of this act altered article 14(2) and article 58(3); O.J. 2006/145/1050 – article 2 of this act altered article 58(2).

125 Seen and approved in the Council of Ministers on the 22 July 1999. Enacted on the 29 July 1999. Approved on the 29 July 1999 by the President of the Republic. Published in Diário da República no. 178 (Series I-A) 1999-08-02, 4990(2). Entered into force the day after it was published. Decreto-Lei n.º 165/2004, amends article 29 in Decreto-Lei n.º 290-D/99 of 2 august.; Decreto-Lei n.º 62/2003 amends Decreto-Lei n.º 290-D/99 of 2 august, and Decreto-Lei n.º 116-A/2006, creates an Electronic Certification system for the state infrastructure.

126 This law provides for the electronic transmission of invoices or equivalent documents, and for such documents to be the equivalent to the original invoices or equivalent documents issued on

paper, provided that a digital signature is appended to it under the terms of Decree-Law nr. 290-D/99, de 2 de Agosto.

127 This law provides for the creation of the Instituto das Tecnologias de Informação na Justiça as accrediting authority of the digital signature providers (article 18-3-i.). The law was published 2000-07-18 and entered in force the day after it was published in Diário da República.

128 This law requires the consultative body Conselho Técnico de Credenciação (Accreditation Technical Committee) to support the Instituto das Tecnologias de Informação na Justiça (ITIJ – Institute of Information Technologies in Justice) in its role as the accreditation authority, with responsibilities for the accreditation and inspection of certifying entities. Published on 2000-09-25 and entered in force five days after it was published in Diário da República.

129 This decree-law amends articles 1-9, 11-22, 24-33, 37-39 of Decreto-Lei no. 290-D/99 de 2 de Agosto to bring the legal regime into line with the EU Directive for electronic signatures. This law provides for three types of electronic signature: electronic signature, advanced electronic signature and qualified electronic signature. Published in Diário da República no. 79 (Series I-A), 2003-04-03, 2170 and entered into force the day after it was published.

130 Promolgotation was enacted by Emiri Decree on 9/91431 A.H., 19 August 2010 A.D.

Romania

Lege nr. 455 din 18 iulie 2001 privind semnătura electronică¹³¹

Russian Federation

Federal Law No. 63-FZ on electronic signatures¹³²

Federal Law No. 149-FZ Information, Information Matters and Protection of Information¹³³

Rwanda

No 18/2010 ryo kuwa 12/05/2010 Itegeko ryerekeye ubutumwa koranabuhanga, umukono koranabuhanga n'iherekanya koranabuhanga¹³⁴

Saint Christopher and Nevis

Electronic Transactions Act 2011¹³⁵

Saint Lucia

Electronic Transactions Act 2011¹³⁶

Saint Vincent and the Grenadines

Electronic Transactions Act 2007

Samoa

Electronic Transactions Act 2008

San Marino

Legge 20 luglio 2005, n. 115 sul documento informatico e la firma elettronica¹³⁷

Legge 29 maggio 2013 n.58 – Legge sull'uso delle comunicazioni elettroniche e dell'e-commerce¹³⁸

Decreto 8 novembre 2005 n.156 Regole tecniche per la formazione, la trasmissione, la conservazione, la duplicazione, la riproduzione e la validazione, anche temporale, dei documenti informatici¹³⁹

Sark

Electronic Transactions (Sark) Law, 2001

Saudi Arabia

Electronic Transactions Law¹⁴⁰

Regulation for Electronic Signatures in Law¹⁴¹

Singapore

Electronic Transactions Act 2010¹⁴²

Slovak Republic

Zakon c. 215/2002 Z.z.o elektronickom podpise a o zmene a doplneni niektorých zákonov¹⁴³

¹³¹ *Publicat în Monitorul Oficial, Partea I nr. 429 din 31 iulie 2001. Relevant secondary legislation includes: Methodological and Technical Norms, adopted on 13 December 2001 and published in the Official Monitor no 847/28 December 2001; Law on time-stamping no. 451/2004 and published in the Official Monitor no 1021/5 November 2004; Law on electronic notary activities – 589/2004 – published in the Official Monitor no 1227, 20 December 2004 (this law in turn has secondary legislation: Minister of IT&C Order No. 221/16 June 2005).*

¹³² *Adopted by the State Duma on 25 March 2011 and approved by the Federation Council approved on 30 March 2011, which repealed Federal Law No. 1-FZ on Electronic Digital Signature, which was published on 12 January 2002. Article 160 Written Form of Deals of the Federal Law No. 51-FZ (first published on 5 December 1994; the latest changes and additions made on 29 December 2006) has been amended, and provides for the use of electronic signatures in contract. The third paragraph of Article 75 of Federal Law No. 95-FZ (Arbitral Code) (first published on 24 July 2002 with changes and additions made on 28 July 2004, 2 November 2004, 31 March 2005 and 27 December 2005) provides that documents, received by means of facsimile, electronic or any other communication, as well as documents signed by digital signature are considered*

acceptable as written documents in cases and in the course envisaged by the Russian Legislation.

¹³³ *Published on 27 July 2006. The third paragraph of Article 11 of this law provides that an electronic message signed by a digital signature or other means analogous to handwritten signature is declared as an electronic document equivalent to a document signed with the handwritten signature, provided that there is no request that this document shall be in a hard copy.*

¹³⁴ *Official Gazette No 20 of 17/05/2010 (No 18/2010 of 12/05/2010 Law relating to electronic messages, electronic signatures and electronic transactions; No 18/2010 du 12/05/2010 Loi relative aux messages électroniques, signatures électroniques et transactions électroniques).*

¹³⁵ *No 9 of 2011, passed by the National Assembly on 17 March 2011, published on 14 April 2011, Official Gazette No. 18 of 2011.*

¹³⁶ *No 16 of 2011, passed in the Senate on 24 March 2011; assent by the Governor-General on 6 April 2011; in force on a day to be fixed by the Minister by order in the Gazette (article 1(2)).*

¹³⁷ *Law of 20 July 2005, no 115 on the electronic document and electronic signature – this law applies to exchanges with and within the public service.*

¹³⁸ *Law 29 May 2013 no. 58 – Law on the use of electronic communications and of e-commerce, gazetted on 29 May 2013,*

entry into force 3 June 2013 – this law applies to communications exchanged between private parties (article 30 repeats article 2(1) of Legge 20 luglio 2005, n. 115 sul documento informatico e la firma elettronica.

¹³⁹ *Decree of 8 November 2005 n.156, Technical rules for the creation, transmission, storage, duplication, reproduction, and validation, even temporarily, of electronic documents.*

¹⁴⁰ *Royal Decree No. M/8, 8 Rabi' I- 1428H – 26 March 2007.*

¹⁴¹ *The Saudi Government through the Ministry of Councils issued this regulation in mandate on 26 March 2007.*

¹⁴² *The new act repeals and reenacts the Electronic Transactions Act 1998 (Cap 88 of 1999) passed by the Singapore Parliament on 29 June 1998, received the Presidential assent on 3 July 1998 and brought into force on 10 July 1998 under S 369/98, and as amended by the Electronic Transactions (Amendment) Act 2004 (No 54 of 2004), which was passed by Parliament on 16 November 2004 and assented to by the President on 29 November 2004.*

¹⁴³ *Electronic Signature Law, as amended, adopted on 15 March 2002 and in force from 1 May 2002, with some provisions effective as of 1 September 2002, as subsequently amended by Act No. 679/2004 Z.z., Act No. 25/2006 Z.z. and Act No. 275/2006 Z.z.*

Slovenia

Zakon o elektronskem poslovanju in elektronskem podpisu (uradno prečiščeno besedilo), Uradni list Republike Slovenije št. 98/2004¹⁴⁴

Zakon o elektronskem poslovanju na trgu, Uradni list Republike Slovenije št. 61/2006¹⁴⁵

South Africa

Electronic Communications and Transactions Act, 2002¹⁴⁶

Spain

Ley 59/2003, de 19 de diciembre, de firma electrónica¹⁴⁷

Sri Lanka

Electronic Transactions Act, No 19 of 2006

Sudan

Electronic Transactions Act, 2007

Sweden

Lag (2000:832) om kvalificerade elektroniska signaturer¹⁴⁸

Switzerland

Bundesgesetz vom 24. März 2000 über den Gerichtsstand in Zivilsachen (GestG)

Bundesgesetz vom 19. Dezember 2003 über Zertifizierungsdienste im Bereich der elektronischen Signatur (ZertEs)¹⁴⁹

Verordnung vom 3. Dezember 2004 über Zertifizierungsdienste im Bereich der elektronischen Signatur (VZertEs)

Taiwan

Electronic Signatures Law 2001¹⁵⁰

Tajikistan

Law on Electronic Document¹⁵¹

Thailand

Electronic Transaction Act (No.2) BE 2551 (2008)¹⁵²

Trinidad and Tobago

Electronic Transactions Act, 2011¹⁵³

¹⁴⁴ *Electronic Commerce and Electronic Signature Act (Official consolidated text), published in Official Gazette of the Republic of Slovenia, Nr. 98/2004, on 9 September 2004, and in force since 24 September 2004. This consolidated Act replaces Zakon o elektronskem poslovanju un elektronskem podpisu (Uradni list Republike Slovenije, št. 57-2615/2000), published in the Official Gazette of the Republic of Slovenia (Uradni list Republike Slovenije) on 23 June 2000 and in force since 22 August 2000 (Electronic Commerce and Electronic Signature Act (Official Gazette of the Republic of Slovenia, Nr. 57 –2615/2000)). The legislation has been amended as follows: Ur.l. RS, št. 30/2001, 25/2004, 73/2004-ZN-C, 98/2004-UPB1 and 61/2006-ZEPT.*

¹⁴⁵ *Electronic Commerce Market Act, published in Official Gazette of the Republic of Slovenia, Nr. 61/2006, on 13 June 2006, and in force since 28 June 2006.*

¹⁴⁶ *Into force on 30 August 2002 Government Gazette, 30 August 2002 No 23809, 2.*

¹⁴⁷ *Boletín Oficial del Estado (Official State Gazette) of 20 December 2003, No. 304. This law acts to strengthen the existing legal framework by incorporating modifications to and repealing the Real Decreto-Ley 14/1999, de 17 de septiembre, sobre firma electrónica.*

¹⁴⁸ *Qualified Electronic Signatures Act (SFS 2000:832) was issued on 2 November 2000 and became effective on 1 January 2001.*

¹⁴⁹ *The Zertifizierungsdiensteverordnung,*

ZertDV vom 12. April 2000 (Stand am 23. May 2000) is a Federal Decree, not a law, and the ZertES replaces the ZertDV. The Federal Act on Certification Services Concerning the Electronic Signature (ZertEs) came into force on 1 January 2005. It replaces ZertDV, which was annulated when the ZertEs was brought into force (cf. Article 14 VZertEs). The ZertDV was designed as an experimental decree only and limited in time. It was aimed at supporting a broad offer of secure services in connection with electronic certification, favouring the use and the legal recognition of digital signatures and enabling the international recognition of the provider of certification services. The ZertDV did not achieve the aim. As a consequence, the Swiss government elaborated the new ZertEs. It contains provisions about the security infrastructure, which corresponds, in the main, to that set out in ZertDV, as well as the necessary rules regarding substantive recognition, registration law and liability. The ZertEs is complemented by a Federal Decree (VZertEs) and a Decree from the OFCOM (Federal Office of Communication) with further regulations. The latter contains a reference to an Appendix, which refers to other (mainly international) rules. Generally speaking, a digital signature in conformity with the ZertEs is equivalent to a manuscript signature for the purposes of statutory formal regulations (cf. Article 14 (2) of the Swiss Code of Obligations [OR] and Article 59a OR). On 1 January 2007 the

BGG (' Bundesgerichtsgesetz' ; Federal Act of the Swiss Supreme Court of 17 June 2005) came into force. By Article 42 (4) electronic filing of briefs is possible with the Swiss Supreme Court if a certified digital signature is used. However, it should be noted that the electronic filing process as provided by the new Act is still quite complicated.

¹⁵⁰ *The Law was promulgated on 14 November 2001 under Presidential Order No. Hua-Tsung-I-Yi-9000223510, and became effective on 1 April 2002 under Executive Yuan Order No. Yuan-Yi-Jing-0910080314.*

¹⁵¹ *Only available in the Russian language.*

¹⁵² *Published in the Government Gazette on 13 February 2008, taking effect on 14 February 2008, amending the Electronic Transactions Act B.E. 2544 (2001), Government Gazette, Decree Issue, Volume 118, Part 112 Kor., 4 December 2001, in force on 3 April 2002, 120 days after publication.*

¹⁵³ *Act No. 6 of 2011, passed in the House of Representatives on 11 February 2011, passed in the Senate on 5 April 2011 and the amendments by the Senate agreed to by the House of Representatives on 18 April 2011, assented to on the 28 April 2011, (Gazette, Volume 50, Number 61, 3 May 2011. Parts I, II, III and IV entered into force on 6 January 2012 (Proclamation of the President No 1 of 2012, Legal Notice No 1 dated 5 January 2012); Part VII entered into force on 18 January 2012 (Proclamation of the President No 3 of 2012, Legal Notice No 8 dated 18 January 2012).*

Tunisia

Loi n° 2000-83 du 9 août 2000 relative aux échanges et au commerce électroniques¹⁵⁴

Turkey

Elektronik İmza Kanunu No 5070¹⁵⁵

Turkmenistan

Law on Electronic Document¹⁵⁶

Turks and Caicos Islands

Electronic Transactions Ordinance 2000¹⁵⁷

Ukraine

On the electronic digital signature No. 852-IV of 22 May 2003¹⁵⁸

On Electronic Documents and Electronic Document Circulation No. 851-IV of 22 May 2003¹⁵⁹

United Arab Emirates

Electronic Transactions and Commerce Law No. 2 of 2002

Federal Law 1/2006 Concerning Electronic Transactions and Commerce Law¹⁶⁰

United Kingdom¹⁶¹

Electronic Communications Act 2000

154 Law No 83/2000 dated 9 august 2000 Concerning Electronic Trade and Commerce, JORT n° 64 du 11 août 2000 p. 1887. Corresponding amendments have been made to the Penal Code on 2 August 1999 (Loi n° 99-89 du 02 août 1999 modifiant et complétant certaines dispositions du code pénal, JORT n° 63 du 06 août 1999, p. 1283), the Civil Code on 13 June 2000 (Loi n° 2000-57 du 13 juin 2000 modifiant et complétant certains articles du code des obligations et des contrats, JORT n° 48 du 16 juin 2000, p. 1456-1457) and the Commercial Code on 20 June 2000; also see Décrets issued: Décret n° 2000-2331 du 10 octobre 2000, fixant l'organisation administrative et financière et les modalités de fonctionnement de l'Agence Nationale de Certification Electronique (J.O.R.T n°85 du 24 octobre 2000) (Decree no. 2000-2331 of 10 October 2000, setting out the administrative and financial organization and operating methods of the National Digital Certification Agency (JORT no. 85 of 24 October 2000)); Décret n° 2001-1667 du 17/07/2001, portant approbation du cahier des charges relatif à l'exercice de l'activité de fournisseur de services de certification électronique, JORT n° 60, 27 juillet 2001, pp. 1846-1847 (Decree no. 2001-1667 of 17 July 2001, approving the specifications book on the practice of the activity of Digital Certification Service Provider (JORT no. 60 of 27 July 2001)); Décret n° 2001-1668 du 17/07/2001, fixant les procédures d'obtention de l'autorisation d'exercice de l'activité de fournisseur de services de certification électronique, JORT n° 60, 27 juillet 2001, pp. 1849-1850 (Decree no. 2001-1668 of 17 July 2001, setting out procedures for obtaining a permit to practice the activity of Digital Certification Service Provider (JORT no. 60 of 27 July 2001)); Décret n° 2001-2727 du 20 novembre 2001, fixant les conditions et les procédures d'utilisation des moyens

ou des services de cryptage à travers les réseaux des télécommunications, ainsi que l'exercice des activités y afférentes (J.O.R.T n° 95 du 27 novembre 2001) (Decree no. 2000-2727 of 20 November 2001, setting out the conditions and procedures of use of encryption means or services through the telecommunications networks, as well as the practice of activities relating to this (JORT no. 95 of 27 November 2001) Arrêtés issued: Arrêté du ministre des technologies de la communication du 19 juillet 2001, fixant les caractéristiques techniques du dispositif de création de la signature électronique, JORT N° 60 du 27 juillet 2001 p. 1851 (Order 1 of the Minister of Communication Technologies of July 19, 2001, fixing the design features of the device of creation of electronic signature (JORT no. 60, 27 July 2001)); Arrêté du ministre des technologies de la communication du 19 juillet 2001, fixant les données techniques relatives aux certificats électroniques et leur fiabilité, JORT N° 60 du 27 juillet 2001 p. 1851 (Order 2 of the Minister for Technologies of the Communication of 19 July 2001, fixing the technical data relating to the electronic certificates and their reliabilities (J.O.R.T. no 60 27 July 2001)); Arrêté du 26 décembre 2003 (JORT n°2 du 6 Janvier 2004, p48): fixant les listes des produits soumis contrôle technique à l'importation et à l'exportation (Journal Officiel de la République Tunisienne, 6 janvier 2004) (Order of 26 December 2003 Defining the list of products subject to technical control (JORT no. 2 of 6 November 2004)).

155 Published in the Official Gazette on 23 January 2004 and entered into force on 22 July 2004. Regulation Elektronik İmza Kanununun Uygulanmasına İlişkin Usul ve Esaslar Hakkında Yönetmelik (Regulation regarding the Procedures and Principles on the Implementation of the Electronic

Signature Law) published in the Official Gazette dated 6 January 2005, number 25692 aims to regulate the legal and technical aspects of digital signatures and their implementation in practice. Communiqué Elektronik İmza ile İlgili Süreçlere ve Teknik Kriterlere İlişkin Tebliğ (Processes and Technical Criteria relating to Electronic Signatures) published in the Official Gazette dated 6 January 2005, number 25692 aims to determine the procedures and technical criteria that need to be fulfilled with respect to digital signatures.

156 Only available in the Russian language.

157 In force on 31 August 2001 by Legal Notice 42 of 2001 Legal Notice 42 of 2001 in Gazette Volume 152 Number 41.

158 Adopted by the Verkhovna Rada of Ukraine on 23 May 2003 first published in Uryadovy Kurier (Governmental Courier) Newspaper No. 119 on 2 July 2003 and in force from 1 January 2004.

159 Both laws are complimentary to each other and form the legal framework for transactions involving electronic signatures. Federal Law No 36 of 2006 Amending the Law of Proof in Civil & Commercial Transactions, (promulgated by Federal Law No 10 of 1992) deals with proof of electronic signatures.

160 Federal Law No. 36 of 2006 amends the law of Proof in Civil and Commercial Transactions (promulgated by Federal Law No 10 of 1992) and also reviews Federal Law No. 1 of 2006.

161 Comprises three separate jurisdictions: England and Wales, Scotland and Northern Ireland. The Act received the Royal Assent on 25 May 2000, and extends to Northern Ireland by s16(5). Sections 7, 11 and 12 came into force on 25 July 2000 in accordance with the provisions of the Electronic Communications Act 2000 (Commencement No 1) Order 2000 (SI 2000 No 1798).

United States of America**Federal**

Electronic Signatures in Global and National Commerce Act (E-SIGN), 15 U.S.C. §§ 7001-7003¹⁶²

State**Alabama**

Alabama Uniform Electronic Transactions Code, Ala. Rev. Code Ann. §§ 8-1A-1 to 8-1A-20

Alaska

Electronic Records and Signatures Act, Al. Stat. §§ 09.25.510

Arizona

Uniform Electronic Transactions Act, Ariz. Rev. Stat. Ann. §§ 44-7001 to 44-7051

Arkansas

Uniform Electronic Transactions Act, Ark. Code Ann. §§ 25-31-101 to 25-32-121

California

Uniform Electronic Transactions Act, Cal. Civ. Code § 1624.5, §§ 1633.1 to 1633.17

Colorado

Government Electronic Transactions Act, Colo. Rev. Stat. Ann. §§ 24-71-101 to 71.3-121

Connecticut

Connecticut Uniform Electronic Transactions Act, Conn. Gen. Stat. Ann. §§ 1-266 to 1-286

Delaware

Uniform Electronic Transactions Act, Del. Cod Ann. Tit. 6, §§ 12A-101 to 12A-117

District of Columbia

Uniform Electronic Transactions Act, D.C. Code Ann. §§

28-4901 to 4918

Florida

Uniform Electronic Transactions Act, Fla. Stat. Ann. §§ 668.50 to 668.50

Georgia

Georgia Electronic Records and Signatures Act, Ga. Code Ann. §§ 10-12-1 to 10-12-5

Hawaii

Uniform Electronic Transactions Act, Haw. Rev. Stat. §§ 489E-1 to HRS § 489E-18

Idaho

Uniform Electronic Transactions Code, Idaho Code ann. §§ 28-50-101 to 28-50-120

Illinois

Electronic Commerce Security Act, 5 Ill. Comp. Stat. §§ 175/5-101 to 175/99-1

Indiana

Uniform Electronic Transactions Act, Ind. Code Ann. §§ 26-2-8-101 to 26-2-8

Iowa

Uniform Electronic Transactions Act, Iowa Code Ann. §§ 554D.101 to 554D.123

Kansas

Uniform Electronic Transactions Act, Kan. Stat. Ann. §§ 16-1601 to 16-1620

Kentucky

Uniform Electronic Transactions Act, Ky. Rev. Stat. Ann. §§ 369.101 to 369.120

Louisiana

Uniform Electronic Transactions Act, La. Rev. Stat. Ann. §§ 9:2601 to 9:2620

¹⁶² E-SIGN will govern many, but not all, transactions in which electronic signatures are used. It pre-empts state laws to the extent that if there is any conflict between the federal and state law, unless (1) the state has enacted the Uniform Electronic Transactions Act or (2) the state has adopted law which is congruent with E-SIGN. The Uniform Electronic Transactions Act is not itself law, except as adopted by individual states. At the time of writing, at least 43 states have adopted UETA.

President Clinton signed Senate Bill 761 on 30 June 2000 with the private key of a digital signature, stored on a smart card. It does not appear that there was any enabling legislation to enable the President to sign the Bill other than with a manuscript signature. Section 7 of the United States Constitution provides that for a Bill to become a law, it must be presented to the President of the United States, and 'If he approve he shall sign it'. Given that the Constitution was written some

time before electricity, the implication is that the President must sign a Bill with a manuscript signature. This means either (a) the Electronic Signatures in Global and National Commerce Act is not valid for lack of form, or (b) it is valid, but superfluous, because both the case law before the Bill was enacted and the signing of the Bill by the President with the private key of a digital signature demonstrated that no law was required.

Maine

Uniform Electronic Transactions Act, Me. Rev. Stat. Ann. Tit. 10, §§ 9401 to 9507

Maryland

Uniform Electronic Transactions Act, Md. Code Ann., Com. Law II §§ 21-101 to 21-120

Massachusetts

Uniform Electronic Transactions Act, ALM GL ch. 110G, § 1 to § 18

Michigan

Uniform Electronic Transactions Act, Mich. Comp. Laws Ann. §§ 450.831 to 450.849

Minnesota

Uniform Electronic Transactions Act, Minn. Stat. Ann. §§ 325L.01 to 325L.19

Mississippi

Mississippi Electronic Transactions Act, Miss. Code Ann. §§ 75-12-1 to 75-12-39

Missouri

Uniform Electronic Transactions Act, Mo. Rev. Stat. Ann. 432.200 to 432.295

Montana

Uniform Electronic Transactions Act, Mont. Code Ann. §§ 30-18-101 to 30-18-118

Nebraska

Uniform Electronic Transactions Act, Neb. Rev. Stat. §§ 86-611 to 86-643

Nevada

Uniform Electronic Transactions Act, Nev. Rev. Stat. Ann. §§ 719.010 to 719.350

New Hampshire

Uniform Electronic Transactions Act, N.H. Rev. Stat. Ann. §§ 294-E:1 to 294-E:20

New Jersey

New Jersey Electronic Transactions Act, N.J. Stat. Ann. §§ 12A:12-1 to 12A:12-26

New Mexico

Electronic Authentication of Documents Act, N.M. Stat. Ann. §§ 14-16-1 to 14-16-19

New York

Electronic Signatures and Records Act, N.Y. State Technology Law §§ 301 to 309

North Carolina

Uniform Electronic Transactions Act, N.C. Gen. Stat. Ann. §§ 66-308 to 66.328

North Dakota

Uniform Electronic Transactions Act, N.D. Cent. Code §§ 9-16-01 9-16-18

Ohio

Uniform Electronic Transactions Act, Ohio Rev. Code Ann. §§ 11306.01 to 1306.23

Oklahoma

Uniform Electronic Transactions Act, Okla. Stat. Ann. Tit. 12A §§ 15-101 to 15-121

Oregon

Uniform Electronic Transactions Act, Or. Rev. Stat. §§ 84.001 to 84.064

Pennsylvania

Uniform Electronic Transactions Act, Pa. Stat. Ann. Tit. 73, §§ 2260.101 to 2260.903

Puerto Rico

Ley de Firmas Electrónicas de Puerto Rico, Ley número 359 de 16 de Septiembre 2004; 3 L.P.R.A. § 8701, et seq.¹⁶³

Rhode Island

Uniform Electronic Transactions Act, R.I. Code R. §§ 42-127.1-1 to 42-127.1-20

¹⁶³ *Electronic Signature Act 359/2004. The new Act was approved in 2004: Puerto Rico Electronic Signature Act, Law No. 359 of 16 September 2004, 3 L.P.R.A. § 8701, et seq. (Codified version of the law in Laws of Puerto Rico Annotated (L.P.R.A.), Title 3, Chapter 98; Effective 16 September 2004).*

The old Act is no longer in effect: Capítulo 41A Firmas Digitales Agosto 7, 1998, Num. 188 3 L.P.R.A. § 1031 (2003) (The Digital Signatures Law of Puerto Rico, Law 188 of 7 August 1998, as amended, 3 L.P.R.A. §1031, et seq.) This was the codified version of the old law, codified in the Laws of Puerto Rico

Annotated, Title 3, Chapter 41A. Passed by the Puerto Rico Legislature and signed by the Governor. Effective on 7 August 1998.

TABLE OF ELECTRONIC SIGNATURE LEGISLATION

South Carolina

Electronic Commerce Act, S.C. Code Ann. §§ 26-5-10 to 26-6-190

South Dakota

Uniform Electronic Transactions Act, S.D. Codified Laws §§ 53-12-1 to 53-12-05

Tennessee

Uniform Electronic Transactions Act, Tenn. Code Ann. §§ 47-10-101 to 47-10-123

Texas

Uniform Electronic Transactions Act, Texas Bus. & Com. Code Ann. §§ 43-001 to 43-021

Utah

Uniform Electronic Transactions Act, Utah Code Ann. §§ 46-4-101 to 46-4-503¹⁶⁴

Vermont

Vermont Electronic Transactions Act, Vt. Stat. Ann. 9 §§ 270 to 290

Virgin Islands

Uniform Electronic Transactions Act, Virgin Islands Code, §§ 101 to 120

Virginia

Uniform Electronic Transactions Act, Va. Code Ann. §§ 59.1-479 to 59.1-497

Washington

Electronic Authentication Act, Rev. Code of Wash. Ann. §§ 19.34.010 to 19.34.903

West Virginia

West Virginia Electronic Transactions Act, W.V. Code §§ 39A-1-1 to 39A-1-17; 39A-2-1 to 39A-2-12

Wisconsin

Wisconsin Electronic Transactions Act, Wis. Stat. Ann. §§ 137.01, 137.04 to 137.06 Wyoming [Heading type B]

Uniform Electronic Transactions Act, Wyo. Stat. Ann. §§ 40-21-101 to 40-21-119

Uganda

Electronic Transactions Act, 2008¹⁶⁵

Uruguay

Ley N° 18.600 de 21.09.009 Documento Y Firma Electrónica¹⁶⁶

Vanuatu

Electronic Transactions Act No 24 of 2000¹⁶⁷

Venezuela

Decreto con Fuerza de Ley No.1.204 Sobre Mensajes de Datos y Firmas Electrónicas¹⁶⁸

Vietnam

Law on E-Transactions (No. 51/2005/QH11)¹⁶⁹

Yemen

Law No 40 of 2006 concerning payment systems, financial operations, electronic banking

Zambia

Electronic Communications and Transactions Act, 2009¹⁷⁰

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¹⁶⁴ The Utah Digital Signature Act, Utah Code §§ 46-3-101, was repealed by the Repeal of Utah Digital Signature Act S.B. 20. The governor signed the Act on 10 March 2006.

¹⁶⁵ The Bill passed the third reading on 6 October 2010: Parliament of Uganda eNewsletter Vol. 4 Issue No. 13 Monday October 4, 2010 – Friday October 8, 2010.

¹⁶⁶ Published OJ 5 nov/009 – No. 27850. This law amplifies previous changes as noted in Ley No 16.002, published in the Official Gazette on 13 dic/988 – No 22764, articles 129 and 130 provide for the acceptance of documents sent electronically, taking into account the fact that the original document came into existence electronically; Ley No

16.736, published in the Official Gazette on 12 jan/996 – N° 24457, articles 694 to 697 provide for electronic signatures to be used in matters relating to the government. Regulated by Decree N° 65/998; Ley No 17.243, published in the Official Gazette on 6 jul/000 – No 25554, articles 24 and 25 refer to the State Computer Information System. Regulated by Decree No 382/003.

¹⁶⁷ Assent on 12 September 2000, commencement on 6 November 2000.

¹⁶⁸ Order with force of law No 1204 dated 10 February 2001 Data Message and Electronic Signature, Official Gazette No 37.148 of 28 February 2001 Decreto N° 1.204 10 February 2001.

¹⁶⁹ Passed on 29 November 2005 by the XIth National Assembly of the Socialist Republic of Vietnam during its 8th session. Under the provisions of article 53, the law entered into force on 1 March 2006. The Government of Vietnam issued Decree 57/2006/ND-CP of the Government dated 9 June 2006 (Decree 57) implementing the Law on E-Transactions in respect of e-commerce, which entered into force on 7 July 2006. Additional guidance is provided by Decree 26/2007/ND-CP dated 15 February 2007 and Decree 35/2007/ND-CP on electronic transactions in banking operations dated 8 March 2007.

¹⁷⁰ Date of assent, 28 August 2009.