

Electronic publication of the Official Journal of the EU: authentication by electronic seal

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PURPOSE: to accelerate the procedure for publications on EUR-Lex by using an electronic seal to authenticate the Official Journal.

PROPOSED ACT: Council Regulation.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: [Council Regulation \(EU\) No 216/2013](#) provides that the electronic edition of the Official Journal shall bear an advanced electronic signature based on a qualified certificate and created with a secure-signature-creation device, in accordance with Directive 1999/93/EC.

In addition to the electronic signature and the advanced electronic signature already provided for in Directive 1999/93 (repealed with effect from 1 July 2016), [Regulation \(EU\) No 910/2014](#) introduced the possibility of authenticating a document with an electronic seal or an advanced electronic seal based on an electronic seal certificate.

Since authentication by an electronic seal rather than an electronic signature is not merely a different electronic system but makes an actual difference in legal terms (in the case of a signature, the authentication method is based on the involvement of a specific natural person; where a seal is used, it is created by the legal person with no indication of who, within the legal person, was responsible for authenticating the document), Regulation No 216/2013 should be amended accordingly.

CONTENT: the Commission is proposing to amend Regulation No 216/2013 to allow the **Official Journal to be authenticated by an advanced electronic seal** based on a qualified certificate in accordance with Regulation 910/2014.

The Commission considers that the use of the advanced electronic seal will make it possible to automate electronic signatures and accelerate the procedure for publication on EUR-Lex.

The signature will no longer be that of a named official but a recognised body of the European Union, i.e. the Publications Office.

BUDGETARY IMPLICATIONS: the human resources required will be met by staff from the DG who are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.