

Electronic communication, open networks safety: electronic signatures, common regulatory framework

1998/0191(COD) - 28/06/1999 - Council position

The Council's common position reflects the approach put forward by the Commission and takes up, either wholly or partially, 18 of the 22 European Parliament amendments accepted by the Commission in its amended proposal. The main changes made to the Commission's proposal relate to: - the explicit coverage of electronic signatures used within closed systems with respect to their legal recognition; - the distinction between electronic signatures and advanced electronic signatures; - the extension of the Internal Market provisions of the Directive to all electronic signature products and services; - the addition of a third annex containing requirements for signature-creation devices and; - the modification of the liability provisions related to the issuing of qualified certificates to the public. The common position also includes a number of recommendations which seek to ensure that the verification process for the advanced electronic signature is as secure as possible. It invites the Member States and the Commission to work together to promote the development and use of signature verification devices on the basis of those recommendations. As far as comitology is concerned, the common position opts for a regulatory procedure of type IIb. It should be noted that the common position did not take up the amendments relating to: - easier access for citizens to the administrative services of Member States other than that in which they reside, - the recognition of accreditation schemes administered by non-governmental bodies, - the transmission to public authorities of information concerning the identity of persons using pseudonyms, - the reference to 'recognised' national bodies as regards notification of the bodies responsible for accreditation and supervision.