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

1998/0191(COD) - 26/11/1999 - Commission opinion on Parliament's position at 2nd reading

The Commission fully accepts all the amendments laid down by the European Parliament in its second reading and subsequently amended its proposal. The main amendments aims to: - specify that the Directive does not aim to regulate systems governed by private law agreements. The proposal provides, firstly, that the systems resulting from voluntary agreements under private law between a specified number of participants does not call for a regulated framework and, secondly, that electronic signatures used in the framework of such systems should not refuse the legal validity and the eligibility as means of evidence in the judicial procedures, - underline the fact that the conclusion of multilateral agreements with third countries on mutual recognition of certification services will be able to contribute to guarantee the interoperability at global level. Other amendments aim to: - ensure that the body supplying a certification service is not responsible for the accuracy of all information contained in a qualified certificate, but also the exhaustive information required in order for the certificate to be considered as qualified, - provide that certification-service-providers may be held responsible for damages caused to an entity or legal or natural person who reasonably relies on that certificate and which result from the use of a qualified certificate above the authorised limits on the value of transactions, - underline that national legislation which determines the fields in which the Member States authorise the use of these documents and electronic signatures.