[IE] E-Commerce Bill 2000 Published

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New draft legislation on e-commerce has just been published. The Electronic Commerce Bill 2000 is designed to make Ireland one of the first jurisdictions to have a formal set of laws regulating e-commerce. It is intended to transpose into Irish law the European Community's Electronic Signatures Directive 1999/93/EC, as well as certain articles of the draft Electronic Commerce Directive, which is expected to be adopted in the near future. Many sections of the new Bill are based on the Model Law on Electronic Commerce published by the United Nations Commission on International Trade Law in 1996.The new Bill gives legal recognition to electronic signatures and electronic forms of writing. It also protects the right of business and individuals to use encryption.

The main provisions of the new Bill include: an electronic signature can be used to meet the requirement of a written signature, procedures are set out for witnessing such a signature; creation of new offences for the fraudulent use of electronic signatures, as well as penalties of up to 500,000 Irish Pounds and/or 5 years imprisonment; regulation of "certification service providers" i.e., bodies that will issue and verify certificates of authenticity of electronic signatures; strong protection for users of encryption, which forbids the requiring of disclosure of unique data (eg codes, passwords, encryption keys or mathematical formula) that may be necessary to render information or an electronic communication intelligible.

Electronic Commerce Bill 2000.

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