

Implementation of qualified electronic signatures in the process of creating project and technical documentation

The experiences of member countries of the ECEC
MONTENEGRO



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Agenda



- Legal background on electronic signatures
- Electronic signatures in Montenegro (certification bodies, revoking, usage etc)
- How it all relates to engineers in Montenegro

Legal background - EU



EU Directive on Electronic signatures - 1999/93/EC.

To be repealed and superseded by a [Regulation on electronic identification and trust services](#) from July 2014, which has wider scope than the current directive.

New Directive shall apply from 1 July 2016, with some exceptions.

The new Directive Introduces:

- e-ID (no clear obligation to be introduced by member states...yet)
- e-Seals (for legal persons)
- more prescription on mutual recognition of qualified electronic signatures and cross border usage
- Qualification authority (QA) issuing qualified certificates shall submit a conformity assessment report to the supervisory body by 1 July 2017 in order to stay as QA

Most important things stay the same...



The EU Directives (old and new) guarantee that:

Advanced electronic signatures which are based on a qualified certificate:

- (a) satisfy the legal requirements in the same manner as a handwritten signature and
- (b) are admissible as evidence in legal proceedings

Electronic signature can not be denied legal effectiveness and admissibility as evidence in legal proceedings solely on the grounds that it is in electronic form

Legal background – EU and Montenegro



Montenegrin law from 2008 – full transposition of EU Directive 1999/93

In Montenegro there is only one Qualification authority (QA) licensed to issue digital signatures – The Post of Montenegro.

The price is 127 euro per the first year. Additional payment (less than 127 euro) is necessary for each next year.

The Chamber organised four training workshops for engineers, in cooperation with the Post of MNE and the Ministry for Sustainable Development.

The Chamber does not revoke the digital signatures for any reason – Ministry and QA do that (misuse etc).

How it all relates to engineers



Digital signature has been applied in Montenegro since 2015. Electronic documentaion, signed by digital signature, is necessary for electronic application for building permits. At the moment, building permits are not issued electronically. It is planned in new Law, currently under construction.

All active engineers in Montenegro need to have qualified electronic signature (digital signature). It is an imperative for them to do their daily work.



Biljana Šćepanović

Representative of the Engineer Chamber of Montenegro

biljazzs@t-com.me

+382-69-068-960

www.ingkomora.me

Thank you