

The legal acts on digital signature and the experiences of the profession in **SERBIA**



**Serbian Chamber of Engineers
Belgrade, 28th January 2016**



Agenda



- **Legal background on electronic signatures**
- **Electronic signatures in Serbia (certification bodies, revoking, usage etc)**
- **How it all relates to engineers in Serbia**
- **Future Chamber plans in this direction**

Legal background - EU



- EU Directive on Electronic signatures - 1999/93/EC.
- Repealed and superseded by EU Directive 910/2014 - [Regulation on electronic identification and trust services](#) from July 2014, which has wider scope than the current directive.
- New Directive shall apply from July 1st, 2016, with some exceptions.

Legal acts in Serbia



➤ Law on Planning and Construction

"Official Gazette of the Republic of Serbia", No. 72/09, 81/09, 64/10, 24/11, 121/12, 42/13, 50/13, 98/13, 132/14 i 145/14

➤ Law on Electronic signatures

"Official Gazette of the Republic of Serbia", No. 135/2004

➤ Regulations on evidence of Qualification authorities

"Official Gazette of the Republic of Serbia", No. 48/2005

➤ Regulations on implementing the electronic unified procedure

"Official Gazette of the Republic of Serbia", No. 113/2015

➤ Regulations on electronic exchange of documents and submissions and the form of submitting acts of unified procedure

"Official Gazette of the Republic of Serbia", No. 113/2015

Qualification authorities (QA) in Serbia



In Serbia there are 5 Qualification authorities (QA) licensed to issue digital certificates:

- ❖ QA Pošta
- ❖ QA Ministry of Interior of Republic of Serbia
- ❖ QA Ministry of Army and Defense of Serbia
- ❖ QA Chamber of Commerce and Industry of Serbia
- ❖ QA Halcom
- ❖ QA E-Smart Systems

The Chamber of Engineers issues digital certificates for its members in the name of QA Chamber of Commerce and Industry of Serbia

How it all relates to engineers

Since January 1st 2016, all building permits in Serbia have to be issued electronically, based on the full electronic procedure.



Serbian e-permit for building licenses



All these are compulsory steps (no options):

- Digitally signed design/project documents by engineers in pdf form; there is no obligation to digitally sign dwg and dwf files
- Digital application - uploaded in centralized system
- Fully digital administrative/workflow management
- Fully digital Inter-institutional communication with electronic notification on all remarks/issue

Serbian e-permit in numbers



- **Municipalities: 150 + 25 cities**
- **16 different types of procedures** (Permit for new construction, extending of existing construction, reconstruction, adaptation, request connection to infrastructure networks,)
- **Many institutions involved in the system** (ministries, municipalities, power companies, water management, cultural heritage agency, cadaster etc)

Experiences of the Profession



- Since 2004 digital signature has been used in signing documents by legal persons in the field of economy and utilities
- Since 1st of January 2016 digital signature has started to be used in the field of construction
- The Chamber of Engineers has started to issue digital certificates for its members in the name of QA Chamber of Commerce and Industry of Serbia in December 2015

Experiences of the Profession – Good side in using e-permit procedure and digital signature during the first month



- With beginning of use The Central Informational System starts realization of better efficiency, transparency and fight with corruption
- Software of e-permit procedure is easy-to-use and easy-to-learn
- Designers of software for e-permit procedure are open for cooperation and suggestions and customizing software to the real situation and needs
- Easy and fast getting digital certificate for public or legal persons

Experiences of the Profession

- Problems during the first month of using e-permit procedure



- Not enough clear explanations about digital signature – Where? Why? Who?
- Regulations do not explain how to sign documents, should scanned seals be there if the project document is digitally signed by the responsible engineer
- Training of authority and public department staff is in process, it is not yet finished
- Computer systems and infrastructure of competent authorities and public departments are mostly out of date

Experiences of the Profession

- Reactions of professionals and public



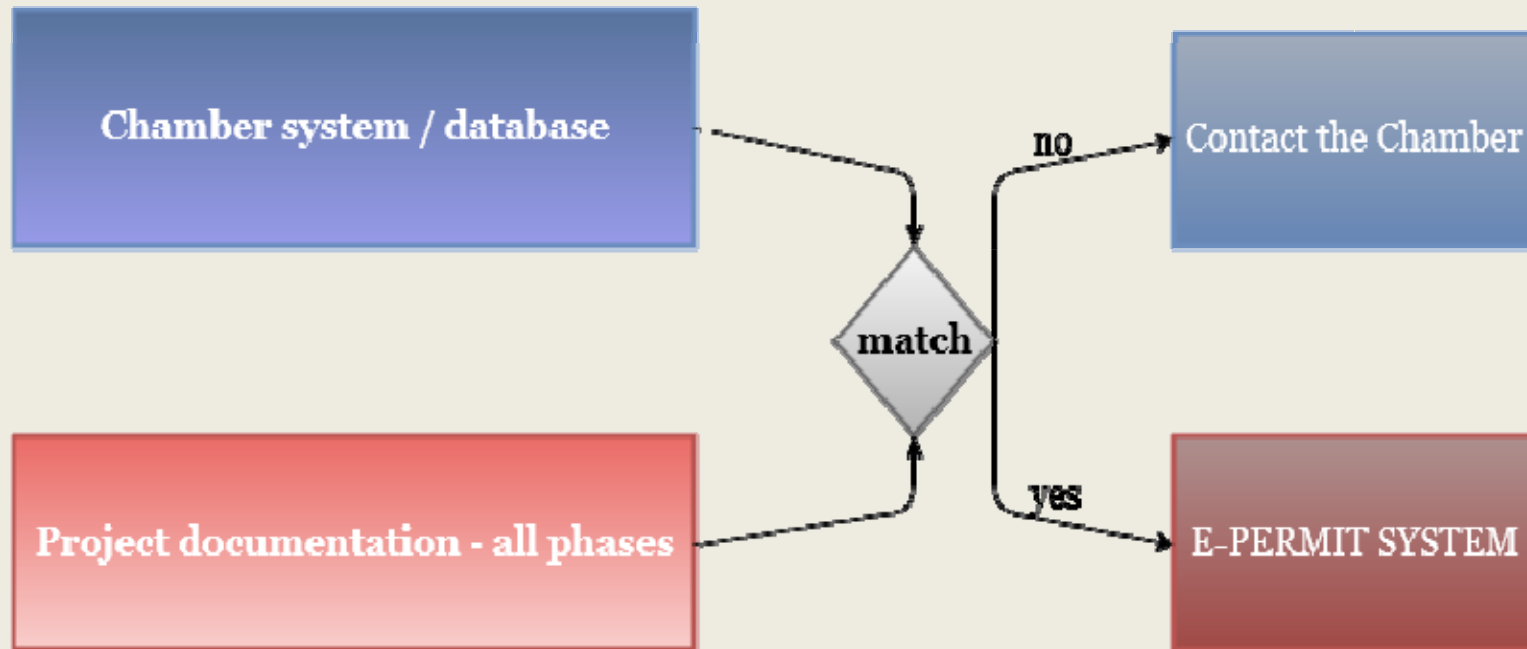
- Resistance to change and doubt in positive realization of e-permit procedure – especially from older engineers but not compulsory
- Incomprehension, misunderstanding and unknowing
- Required transition period
- Curiosity and looking forward to further realization and using of e-permit procedure and digital signing

Issues with implementing the system

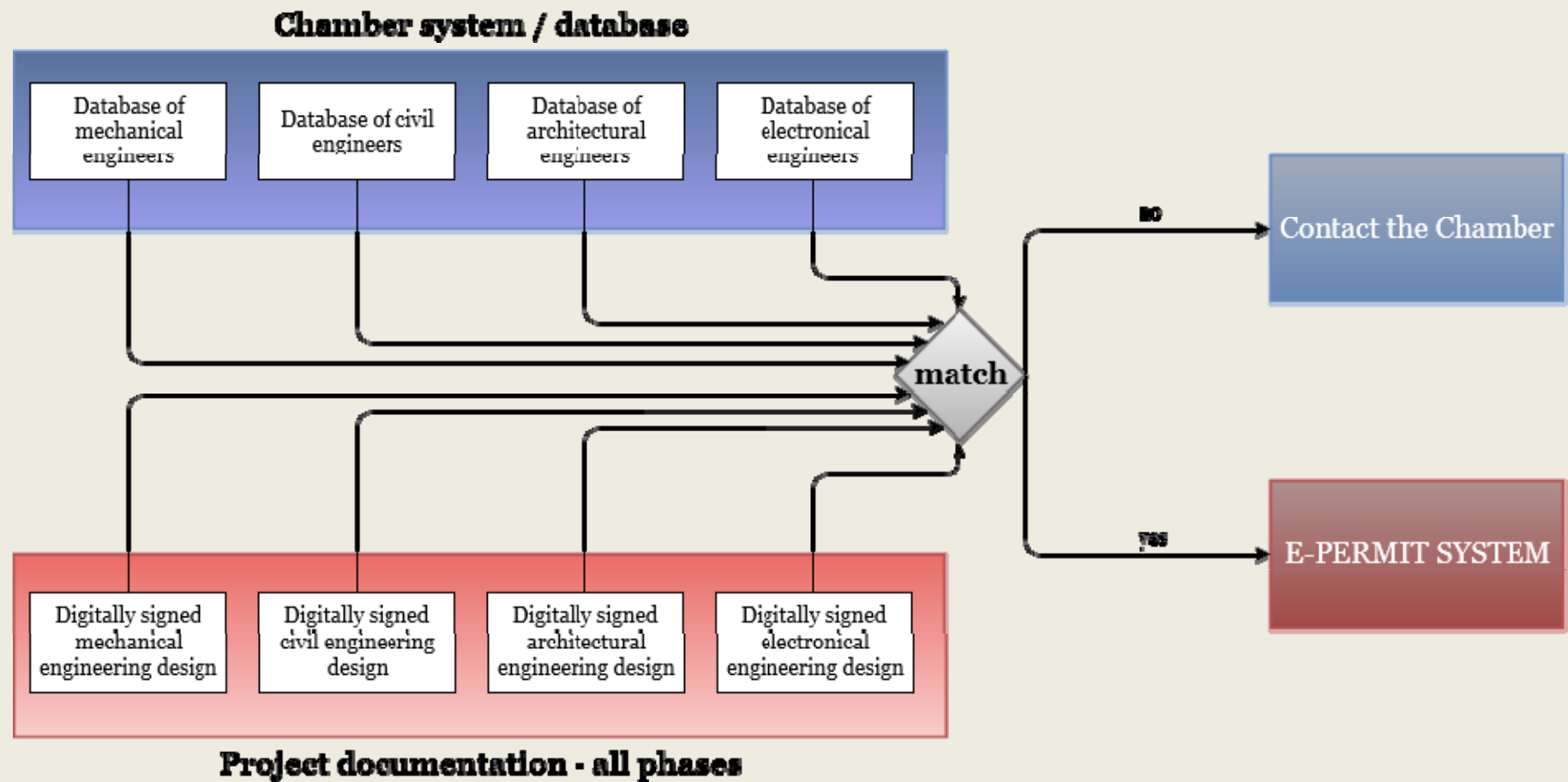


- **Digital signature is a form of electronic authentication of an individual, not the type of engineering license the engineer holds...**
- **Digital signature that refers to the companies (company & investor registration papers, that can be digitally signed as well) – firms could appear only by names of authorized persons**

Future Chamber plans: system integration with e-permit system



Future Chamber plans: system integration with e-permit system





Thank you

Dragoslav Sumarac, Ph.D.Civ.Eng.

President of the Assembly of Serbian Chamber of Engineers