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## Law on E-Documents

(*Zakon o elektronskom dokumentu, SlužbeniGlasnik RS no. 51/2009*)

The new Law on Electronic Documents, in force as of 21 July 2009, represents an important step towards a more precise regulation of the fast-expanding and largely unregulated area of electronic activities.

The Law defines *electronic document (E-document)* as a collection of letters, numbers, symbols, graphics, sound, or video recordings, contained in a letter, written memorandum, resolution, official document, or any other type of act to be used in legal transactions or in extra-judicial, judicial or other proceedings before official authorities, if such document has been electronically created, digitalized, sent, received, stored, or archived on an electronic, magnetic, optical, or other medium.

The Law distinguishes between “original E-documents”, i.e. those originally drafted in electronic form, and documents which have been digitalized or otherwise put into electronic form after being drafted in paper form. An E-document may not be copied in electronic form, whereas a paper copy is permitted if certified (by handwritten signature and stamp) by an authorised representative of the issuer. Paper copy must contain an indication that it is a copy of an E-document. Electronic copy of a document originally issued in paper form is deemed to have equal weight as the original if it has been digitalized by the issuer and affixed with a qualified electronic signature.

Documents required by law to bear a personal signature or be notarized cannot be issued in E-form.

The Law envisages the issuance of time stamps for E-documents, containing information on the time of document formation, serial number etc. Time stamps are to be issued by entities which will have to be registered for that purpose with the Ministry for Telecommunications. The issuer must keep all data related to a time stamp for a period of 5 years from the stamp’s issuance.

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