

## Lista țărilor din Uniunea Europeană care recunosc certificatele emise de furnizori de servicii de certificare acreditați din România și legile aferente

Nr. crt.	Stat membru UE	Lege/nr./data	Extras din lege	Traducere extras
1.	Cehia	<b>227/2000 Coll. ACT of 29 June 2000 on electronic signatures and on the amendment to certain other acts</b>	Section 16 -Recognition of foreign qualified certificates  (1) A certificate that is issued as qualified by a certification service provider established in a Member State of the European Union shall be a qualified certificate under the present act.	Sectiunea 16 – Recunoasterea certificatelor calificate straine  Un certificat calificat eliberat de un furnizor de servicii de certificare stabilit intr-un stat membru UE va fi considerat certificat calificat in conditiile prezentului act.
2.	Danemarca	<b>Bill229 del2</b>  <a href="http://www.itst.dk/wimpdoc.asp?page=tema&amp;objno=9502">http://www.itst.dk/wimpdoc.asp?page=tema&amp;objno=9502</a>  5061	Section 2: (...) In accordance with the requirement in Article 4, paragraph 1, of the principles of the Treaty on European Union on freedom to provide services, the Bill does not impose limitations on certification authorities established in another country within the European Economic Area (EEA) with respect to marketing and issuing certificates on the Danish market. Certification authorities established in EEA countries may, in	Sectiunea 2: (...) In conformitate cu prevederile Art. 4, paragraf 1 din principiile Tratatului Uniunii Europene asupra libertatii prestarii serviciilor, prezentul act nu impune limitari autoritatilor de certificare stabilite in alt stat din Spatiul Economic European (EEA) cu privire la promovarea si furnizarea certificatelor pe piata din



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			<p>so far as they comply with the requirements of the Directive, also market and issue certificates termed qualified certificates in Denmark.</p> <p>Qualified certificates issued by a certification authority established in these countries may be used to meet formal requirements in the legislation, see section 13 of the Bill, in the same way as a qualified certificate issued by a certification authority established in Denmark.</p>	<p>Danemarca. Autoritatile de certificare stabilite in statele EEA pot, atat timp cat indeplinesc cerintele Directivei, sa promoveze si sa furnizeze certificate calificate in Danemarca.</p> <p>Certificatele calificate furnizate de autoritati de certificare stabilite in aceste state pot fi folosite pentru a indeplini cerintele legale (a se vedea sectiunea 13 din prezentul act), in aceeasi masura ca si certificatele calificate furnizate de catre o autoritate de certificare stabilita in Danemarca.</p>
3.	Finlanda	<p><b>Act on Electronic Signatures</b> (14/2003)</p>	<p>Section 8: A certificate provided as a qualified certificate by a certification-service-provider not established in Finland shall be deemed to meet the requirements concerning qualified certificates laid down in this Act if</p> <p>1) the certification-service-provider is established in a State belonging to the European Economic Area and the certificate meets the requirements laid down for a qualified certificate in the State of establishment; or if</p> <p>2) the certification-service-provider belongs to a voluntary accreditation scheme in a State</p>	<p>Sectiunea 8: Un certificat furnizat ca fiind calificat de catre un furnizor de servicii de certificare care nu este stabilit in Finlanda este considerat ca indeplineste cerintele prezentului act privind certificatele calificate daca:</p> <p>1) furnizorul de servicii de certificare este stabilit intr-un stat apartinand Spatiului Economic European si certificatul indeplineste cerintele stabilite pentru certificatele calificate in statul de origine; sau daca</p>



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			belonging to the European Economic Area and meets the national requirements laid down in that State for the implementation of Directive 1999/93/EC;	2) furnizorul de servicii de certificare a fost acreditat intr-un stat apatinand Spatiului Economic European si indeplineste cerintele stabilite in statul de origine pentru implementarea Directivei 1999/93/EC.
4.	Germania	<b>Law Governing Framework Conditions for Electronic Signatures and Amending Other Regulations (Bundesgesetzblatt – BGBl. Teil I S. 876 vom 21. Mai 2001)</b>	Section 23: Foreign Electronic Signatures and Products for Electronic Signatures (1) Electronic signatures for which a foreign qualified certificate has been issued by another member state of the European Union or signatory to the Treaty on the European Economic Area shall be the equivalent of qualified electronic signatures if they correspond to Article 5(1) of Directive 1999/93 EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures (OJ EC 2000 No. L 13, p. 2) in the current version.	Sectiunea 23: Semnatura electronica dintr-un alt stat si produse pentru semnatura electronica (1) Semnatura electronica generata cu un certificat calificat strain eliberat de un alt stat membru al Uniunii Europene sau semnatar al Tratatului privind Spatiul Economic European va fi echivalenta cu o semnatura electronica calificata daca corespunde art. 5 (1) al Directivei 1999/93 EC a Parlamentului European si a Consiliului din 13 Dec 1999 cu privire la semntura electronica (OJ EC 2000 No. L 13, p.2) in versiunea curenta.
5.	Letonia	<b>Electronic Documents Law</b> (adopted by the Saeima on 31 October 2002)	Section 26. Recognition of Qualified Certificates Issued in Foreign States - Qualified certificates issued in foreign states shall have the legal status and legal effect specified in this Law if the status of the certificate and the electronic signature-	Sectiunea 26. Recunoasterea certificatelor calificate furnizate in alte state - Certificatele calificate eliberate in alte state vor avea statutul legal si efectele stabilite prin aceasta lege daca



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6.	Lituania	<p><b>REPUBLIC OF LITHUANIA</b> <b>LAW ON ELECTRONIC SIGNATURE</b> July 11, 2000. No. VIII – 1822 (amended as of June 6, 2002. No. IX – 934)</p>	<p>ARTICLE 5. Validity of Foreign State Certificates</p> <p>1. Qualified-certificates, issued by foreign state certification-service-providers shall be considered legally equivalent to the qualified-certificates issued by the Republic of Lithuania certification-service providers, if: (...) 2) they are issued by a certification-service-provider who is accredited in the European Union;</p>	<p>Articolul 5. Valabilitatea certificatelor furnizate in alte state</p> <p>1. Certificatele calificate eliberate de furnizori de servicii de certificare straini sunt considerate din punct de vedere legal ca fiind echivalente certificatelor eliberate de furnizorii de servicii de certificare din Republica Lituania daca: (...)</p> <p>2) sunt eliberate de un furnizor de servicii de certificare acreditat in UE;</p>
7.	Polonia	<p><b>Act on Electronic Signature (Poland)</b> <b>of 18th September 2001</b></p>	<p>A certificate issued by a certification-service-provider not established in the Republic of Poland</p>	<p>Un certificat furnizat de un furnizor de servicii de certificare stabilit in afara</p>



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		(Journal of Laws - Dziennik Ustaw of 2001, No. 130, item 1450)	and which does not provide services within her territory, shall be legally equivalent to qualified certificates issued by a certification-service-provider established or providing services within the territory of the Republic of Poland, if one of the following prerequisites is satisfied: 1) the certification-service-provider which issued the certificate is accredited, (...)	Poloniei si care nu furnizeaza servicii pe teritoriul ei va fi echivalent, din punct de vedere legal, cu un certificat calificat furnizat de un furnizor de servicii de certificare care furnizeaza aceste servicii pe teritoriul Poloniei, daca una din urmatoarele cerinte este indeplinita: 1) furnizorul de servicii de certificare care furnizeaza certificatul este acreditat, (...)
8.	Portugalia	<b>Decree-Law no. 62/2003</b> , of 3 of April ( <a href="http://www.anacom.pt/template20.jsp?c_at_goryld=98100&amp;contentId=164789">http://www.anacom.pt/template20.jsp?c_at_goryld=98100&amp;contentId=164789</a> )	Article 38 - Certificates issued in other States. Qualified electronic signatures certified by a certifying entity accredited in another Member State of the European Union shall be recognized as legally equivalent to qualified electronic signatures certified by a certifying entity accredited pursuant to this statutory instrument.	Art. 38 – Certificatele furnizate in alte state Semnatura electronica calificata furnizata de o autoritate de certificare acreditata in alt stat membru al UE va fi recunoscuta ca fiind echivalenta, din punct de vedere legal, cu semnatura electronica calificata furnizata de catre o autoritate de certificare acreditata in conformitate cu prezentul act.
9.	Slovacia	<b>ACT of 15 March 2002 on electronic signature and on amendment of some acts as amended by Act No. 679/2004 Coll., Act No. 25/2006 Coll. and Act No. 275/2006 Coll.</b>	Article 17 - Recognition of external certificates (2) Through the date of the Slovak Republic joining the European Union, any certificate, issued by the certification authority with its registered office in any Member State of the European Union, whose validity can be authenticated in the	Articolul 17 - Recunoasterea certificatelor furnizate in alte state De la data la care Slovacia adera la UE, orice certificat eliberat de o autoritate de certificare cu sediul in orice stat membru UE, a carui valabilitate poate fi



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			Slovak Republic, shall become equal to any certificate issued in the Slovak Republic. The qualified certificate issued by the given certification authority shall have the equal legal force and effect as the qualified certificate issued in the Slovak Republic.	“autenticata” in Slovacia, va fi echivalent oricarui certificat eliberat in Slovacia. Certificatul calificat eliberat de o autoritate de certificare mentionata mai sus va avea aceeasi valoare legala si aceleasi efecte cu certificatele calificate eliberate in Slovacia.
10.	Slovenia	<b>Electronic Commerce and Electronic Signature act No. 043-03/00-2/3,</b> Ljubljana, the 21. of May 2004	Section 8 - Validity of foreign certificates Article 46 (1) Qualified certificates of certification authorities with registered offices in the European Union shall be equivalent to domestic qualified certificates.	Sectiunea 8 – Valabilitate certificatelor furnizate in alte state  (1) Certificatele calificate ale autoritatilor de certificare cu sediul in UE sunt echivalente certificatelor calificate ale autoritatilor cu sediul in Slovenia.
11.	Suedia	<b>Qualified Electronic Signatures Act</b> (SFS 2000:832)	<b>§ 7</b> If a certificate satisfying the requirements of points 1-9 of the first clause of § 6 has been issued by a certificate provider not established in Sweden, the certificate shall be deemed to be qualified provided that:  1. The certificate provider is established in another state within the European Economic Area, and is permitted to issue qualified certificates there, (...)	Daca un certificat care indeplineaste cerintele cap. 6, pct. 1-9 a fost eliberat de un furnizor de servicii de certificare care nu este stabilit in Suedia, certificatul va fi considerat calificat daca:  1. furnizorul certificatului este stabilit in alt stat si Spatiul Economic European si este autorizat sa elibereze certificate in acel stat;
12.	Ungaria	<b>Act XXXV of 2001 on Electronic Signatures</b>	Section 5.	Sectiunea 5



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			<p>(1) Certificates issued by foreign-registered certification-service-providers or whose domicile is located abroad (hereinafter referred to as "foreign") shall be subject to the provisions of this Act and to the legal ramifications defined in Subsection (7) of Section 4, if: (...)</p> <p>c) the registered or home address of the certification-service-provider is in a Member State of the European Union.</p>	<p>(1) Certificatelor furnizate de un furnizor de servicii de certificare inregistrat sau al carui domiciliu este stabilit in strainatate (de aici inainte numit „strain”) le vor fi aplicabile prevederile prezentului Act si implicatiile legele prevazute in Subsectiunea (7) din Sectiunea 4, daca (...)</p> <p>c) sediu sau adresa furnizorului de servicii de certificare este intr-un stat membru al UE.</p>
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