

# Act No 28/2001 on electronic signatures

## Chapter I

### Objectives and Scope

#### Article 1

##### Objectives

The objective of this Act is to provide for the legal effect of electronic signatures and to contribute to their secure and effective use by defining the requirements for qualified electronic signatures, qualified certificates and the activities of certification-service-providers.

#### Article 2

##### Scope

This Act applies to electronic signatures and the activities of certification-service-providers established in Iceland.

The Minister for Industry and Commerce shall be the responsible authority pursuant to this Act.

## Chapter II

## Definitions, Legal Effect and the Protection of Personal Data

### Article 3

#### Definitions

For the purpose of this Act:

1. Electronic signature means data in electronic form which are attached to or logically associated with other electronic data and which are used to authenticate the origin of the latter data.

2. Advanced electronic signature means an electronic signature which

a. is uniquely linked to the signatory,

b. is capable of identifying the signatory,

c. is created using means that the signatory can maintain under his sole control, and

d. is linked to data in such a manner that any change of the data subsequent to signature is detectable;

3. Qualified electronic signature means an advanced electronic signature which is supported by a qualified certificate and created using a secure signature-creation

device;

4. Signatory means a person who holds a signature-creation device and acts either on his own behalf or on behalf of another natural or legal person;

5. Signature-creation data means unique data, such as codes or private cryptographic keys, which are used by the signatory to create an electronic signature;

6. Signature-creation device means software or hardware used to create an electronic signature with the help of signature-creation data;

7. Secure signature-creation device means a signature-creation device which meets the requirements laid down in Articles 8 and 9 hereof;

8. Signature-verification-data means data, such as codes or public cryptographic keys, which are used for the purpose of verifying an electronic signature;

9. Signature-verification device means configured software or hardware used to verify the electronic signature with the help of the signature-verification data;

10. Certificate: means an electronic attestation which links

signature-verification data to a person and confirms the identity of that person;

11. Qualified certificate means a certificate containing the data provided for in Article 7 and issued by a certification-service-provider who fulfils the requirements laid down in Chapter V hereof;

12. Certification-service-provider means an entity or a legal or natural person who issues certificates or provides other services related to electronic signatures

#### Article 4

##### Legal Effect of Electronic Signatures

In the event of a signature being a condition for legal effect pursuant to legislation, administrative requirements or for other reasons, a qualified electronic signature shall in all cases fulfil such requirements.

The provisions of Paragraph 1 do not preclude electronic signatures other than those stipulated therein from meeting the conditions for signatures pursuant to law, administrative instructions or other reasons.

## Article 5

### Protection of Personal Data

Certification-service-providers who issue certificates to the public may collect personal data only directly from the data subject, or with the explicit consent of the data subject. The data may only be collected or used insofar as it is necessary for the purposes of issuing and maintaining the certificate, except with the explicit consent of the data subject.

The processing of personal data by the certification-service-providers and surveillance of such processing shall be subject to legislation on personal privacy and processing of personal data. Certification-service-providers are subject to notification requirements pursuant to the said legislation.

## Chapter III

### Qualified Certificates

## Article 6

### Qualified certificate

The term "qualified certificate" or any other terms implying that the certificate is qualified may not be used unless the