

Electronic Transactions (Certification Authority) Regulations 1999

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No. S 60

**ELECTRONIC TRANSACTIONS ACT 1998
(ACT 25 OF 1998)**

**ELECTRONIC TRANSACTIONS (CERTIFICATION AUTHORITY) REGULATIONS
1999**

In exercise of the powers conferred by sections 42 and 61 of the Electronic Transactions Act 1998, the Minister for Trade and Industry hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Electronic Transactions (Certification Authority) Regulations 1999 and shall come into operation on 10th February 1999.

Definitions

2. In these Regulations, unless the context otherwise requires —

“licence” means a licence granted under these Regulations;

“subscriber identity verification method” means the method used to verify and authenticate the identity of a subscriber;

“trusted person” means any person who has —

(a) direct responsibilities for the day-to-day operations, security and performance of those business activities that are regulated under the Act or these Regulations in respect of a certification authority; or

(b) duties directly involving the issuance, renewal, suspension, revocation of certificates (including the identification of any person requesting a certificate from a licensed certification authority), creation of private keys or administration of a certification authority’s computing facilities.

PART II

LICENSING OF CERTIFICATION AUTHORITIES

Application to be licensed certification authority

3.—(1) Every application to be a licensed certification authority shall be made in such form and manner as the Controller may, from time to time, determine and shall be supported by such information as the Controller may require.

(2) The Controller may require the applicant to furnish such additional information as are necessary in support of the application.

(3) The Controller may allow applications for renewal of licences to be submitted in the form of electronic records subject to such requirements as the Controller may impose.

(4) A licence shall be subject to such conditions, restrictions and limitations as the Controller may, from time to time, determine.

Period of validity of licence

4. A licence shall be valid for a period of one year or such other longer period as the Controller may allow.

Renewal of licence

5.—(1) Regulation 3 shall apply to an application for renewal of a licence as it applies to a fresh application for a licence.

(2) A certification authority shall submit an application for the renewal of its licence no later than 3 months before the expiry of its licence.

(3) If the certification authority has no intention to renew its licence, the certification authority shall —

- (a) inform the Controller in writing no later than 3 months before the expiry of the licence;
- (b) inform all its subscribers in writing no later than 2 months before the expiry of the licence; and
- (c) advertise such intention in such daily newspaper and in such manner as the Controller may determine, no later than 2 months before the expiry of the licence.

Licence fees

6.—(1) An application fee of \$5,000 shall be payable to the Controller on every application for the grant or renewal of a licence to be a licensed certification authority.

(2) If the application referred to in paragraph (1) is approved, there shall be payable to the Controller a fee of \$1,000 for each year the licence is granted.

(3) There shall be payable to the Controller on every grant of the renewal of a licence a fee of \$1,000 for each year the licence is renewed.

(4) The Controller shall not refund any fee paid if the application is not approved, withdrawn or discontinued or if the licence is suspended or revoked.

PART III

LICENSING CRITERIA

Financial criteria, etc.

7.—(1) An applicant for a licence shall comply with the following criteria: