

LAW ON DATA IN ELECTRONIC FORM AND ELECTRONIC SIGNATURE

I. General provisions

Article 1

This Law shall settle and regulate the electronic operations that include the use of the information and telecommunications technology as well as the application of data in electronic form and electronic signature in the judicial, administrative procedures as well as in the payment operations, unless otherwise provided by law.

Article 2

Separate terms applied to this law shall have the following meaning:

- 1.Data in electronic form and those data that is formed or retained in electronic form.
- 2.Electronic message is data array that is sent or received in electronic forms and includes an electronic exchange of records and electronic mail.
- 3.Electronic signature means data array in electronic form that is contained or is logically connected with other data in electronic form and is intended for the establishment of authenticity of the data as well as confirmation of the identity of the signatory.
- 4.The generally accepted electronic signature is an electronic signature if:
 - a)It is exclusively and solely connected with the signatory;
 - b)The signatory can be positively confirmed;
 - c)It is created by the application of data and instruments for generally accepted electronic signature which is under complete control of the signatory, and
 - d)It is connected with the relevant data, which enables confirmation of every further change of those data to which the signature refers to or the change of the logical connection of the data itself.
- 5."Time stamp" is electronically signed certificate by the person who issues the certificate, for a specific contents of data in the exactly determined time and date.
- 6."Sender" of the electronic mail is a person who sends or the electronic mail is sent on his behalf.
- 7."Address" of the electronic message is the location or a person where the sender wants to send the message.
- 8."Addressee" of the electronic message is a person that has received the message.
- 9."Intermediary" of the electronic message is a person who sends, receives or keeps the electronic messages, on behalf of other individual and provides other services related to the electronic messages.
- 10."Signatory" is a person who on his behalf or on behalf of other legal entity or physical person he represents, creates the electronic signature, i.e. he puts his signature.

11. "Information system" is a system that is used for creating, sending, receiving, keeping/storing or other electronic data processing.
12. Data that has to be signed with electronic signature is the sole data used during the creation of the electronic signature such as the codes or personal cryptographic keys.
13. "Resource" for the electronic signature is a configured software or hardware used for the formation of the electronic signature.
14. Resource for the universally accepted electronic signature is "a resource that provides unique, secure and classified data for electronic signature; that is not able in reasonable time and reasonable resources to obtain data signed with an electronic signature from the data for validation of the electronic signature; the electronic signature to be secured from counterfeiting by the application of the currently available technology and that the signatory might securely store the data signed with electronic signature by an unauthorized access.
15. The data for validation of the electronic signature is unique data used during the validation of the electronic signature such as codes or public cryptographic keys.
16. The resource for validation of the electronic signature is configured software or hardware that are used for validation of the electronic signature.
17. "Certificate" is a receipt in electronic form that confirms the link between the data for validation of the electronic signature with certain person, the certificate holder as well as the identity of such person.
18. "Authorized certificate" is a certificate that has a name or a title and a state of residence, or the location of the person who issues the certificate. The name or title or a pseudonym of the holder or title or pseudonym of the information system with an indication of the holder; data for validation of the electronic signature that is linked with data for electronic signature; the beginning and the end of the validity of the certificate; identification number of the certificate; generally accepted electronic signature of the person who issues the certificate, and possible limitations for the application of the certificate, and
19. "Issuer" is a physical person or legal entity that issues certificates or provides other services related to the certificates, or electronic signatures.

Article 3

1. Unless otherwise stated, the provisions from this law excluding the provisions from Article 4 and 12, shall not be valid for the closed (internal) systems that are completely arranged (organized) with a written agreement between the known number of contracting parties.
2. Legal entities or physical persons may organize their relations (data in electronic form, electronic messages and electronic signature) in a fashion which is different from the one established in the law, unless in certain provision of this law or its context otherwise stated.

Article 4

The data in electronic form cannot be rejected or accepted as evidence only because it is presented in electronic form.

II. DATA AND MESSAGES IN ELECTRONIC FORM

Article 5

The recipient considers every received electronic message as a different one, except in case when the electronic message is duplicated or multiplied and the recipient knows or may know that it is the same message.

Article 6

Unless otherwise agreed, the moment when the electronic message enters the information system which is not controlled by the sender, i.e. the person who sent the message on behalf of the sender, shall be deemed sending time.

Article 7

1. Unless otherwise agreed, the time when the electronic message enters the information system of the recipient shall be deemed receiving time.
2. If the recipient has determined information system for receiving of electronic messages, notwithstanding the provision referred to in paragraph 1 of this Article, the time when the electronic message enters in the information system determined for it shall be deemed receiving time, or if the electronic message is sent to another information system, the time when the electronic message is taken-over by the recipient shall be deemed receiving time.

Article 8

Unless otherwise agreed, the location where the sender has its head office or place of residence, i.e. dwelling at the time of sending the message shall be deemed agreed location for sending the electronic message.

Article 9

Unless otherwise agreed, the location where the receiver has its head office or place of residence, i.e. dwelling at the time of receiving the message shall be deemed agreed location for receiving the electronic message.

Article 10

1. If Law or other legal provisions stipulate that certain documents, records or data should be kept, it can be done in an electronic manner as well, on the following conditions:
 - a) data contained in the electronic documents or records to be available for later application;
 - b) data to be stored in a form in which they were created, sent or received or in a form which exactly represents the created sent or received information;
 - c) data to be stored in a fashion that enables identification of the place and time from where the electronic message has been sent or received, and

d)usage of technology and procedures that cannot permit modification or deletion of the data, and to be easily visible if it happens.

- 2.The obligation to keep documents, records or data referred to in paragraph 1 of this Article shall not apply to data the sole purpose of which is to enable receiving or sending the electronic message (communication data).
- 3.If there is a law or other legal provision which require keeping or collecting data in their original form, this requirement is met by the data that is in electronic form, when it meets the conditions referred to in paragraph 1 of this Article.

Article 11

- 1.If a law or other legal provision require for the information to be in written form, this condition is met when data contained in the electronic document or record is available and on disposal for later usage.
- 2.The provisions referred to in paragraph 1 of this Article shall not apply to acts that are obligatorily verified by court or notary public.

III. ELECTRONIC SIGNATURE

Article 12

The electronic signature cannot be disputed or rejected as an evidence only because:

- 1)it is in electronic form or
- 2)if there is no authorized certificate for it, or
- 3)if the certificate is not issued by an accredited issuer or
- 4)it is not formed by method for universally acceptable form of electronic signature.

Article 13

- 1.The generally accepted electronic signature with an authorized certificate related to the electronic data is equal to personal signature, and therefore shall be equally valid evidence with the personal signature which is related to the paper documents.
- 2.The electronic signature shall not be valid when a personal signature is required in writing in front of a notary public or a court.

Article 14

Persons who keep electronically signed by usage of data and instrument for electronic signing shall be obliged to keep the integral data and resources for verification of the electronic signature during the period of time when the electronically signed documents are kept.

Article 15

The usage without consent of the signatory or the holder of the certificate data of and instruments for electronic signing related to the given data and instruments shall be forbidden.

Article 16

- 1.The issuer is obliged to register its activity with the Ministry of Finance at least 30 days prior its beginning.
- 2.The issuer is obliged to submit regulations and procedures that have to be harmonized with law and all by-laws.
- 3.At the registration with the Ministry of Finance the issuer shall submit the rules as well as each modification thereof.
- 4.The issuer is obliged to implement the procedures appropriately.
- 5.The Minister of Finance shall prescribe the method and the procedure for registration of the issuers, as well as the contents of the procedures of the issuer.

Article 17

- 1.The issuer is obliged to inform the Ministry of Finance within one day if he is not able to act according to the law, by-laws and its rules due to some circumstances.
- 2.The issuer is obliged to inform the Ministry of Finance within one day for possible bankruptcy or liquidation.

Article 18

- 1.The issuer is obliged within two days to nullify all certificates prior to the expiry of their validity according to his rules which provide nullification of the certificate, but always in the cases of:
 - a)if it is required by the holder of the certificate, or
 - b)if the issuer confirms that the certificate holder has passed away or has lost his business abilities or ceased to exist or if circumstances which have a significant effect on the complete validity of the certificate have been modified, or
 - c)data in the certificate are not correct or the certificate is issued according to the false data, or
 - d)data for checking electronic signature or the information system of the issuer is at risk in a way which effect the safety of the electronic signature, or
 - e)data of electronic signature or the information system of the certificate holder is at risk in a way which effect the safety of the electronic signature, or
 - f)the issuer ceased with its activity or it was forbidden to him and his activity was not taken-over by other issuer, or
 - g)the certificate has to be nullified by decision of court or other regulatory authority.

The issuer shall envisage the method for notification for issuance or nullification of the certificate in his regulations.

The issuer is obliged to notify the certificate holder about nullification of the certificate regardless the fact that it is specified in the regulations. The issuer is obliged to submit the

data on the nullification of the certificate to a third party, if it is required by the third party or to announce it if he keeps the register of nullified certificates.

Article 19

The Ministry of Finance is obliged to provide the nullification of the certificates of the issuers who have terminated their activity or which were prohibited to operate if they have not already done it themselves or if the activity of issuer has not been taken-over by other issuer.

Article 20

1. The certificate holder is obliged to do his best in keeping the data and instruments for the electronic signature. He is also obliged to use them in accordance with this Law and by-laws to prevent any unauthorized access to these data and instruments.
2. The certificate holder is obliged to request a nullification of the certificate only if the data for the electronic signature or the information system are lost or endangered in a manner that effect the security of the formation of electronic signature, or if there is a possibility for misuse or if there is a modification of the data stated in the certificate.

Article 21

If the certificate contains data for the third party that is not a certificate holder, the third party may ask for nullification of the certificate based on the reasons stated in paragraph 2 of the Article 20 of this Law.

Article 22

1. The nullification of the certificate between the certificate holder and the issuer shall have a legal act from the moment of its nullification.
2. The nullification of the certificate between the third party and the issuer shall have a legal act from the moment when the issuer announces the nullification or if the nullification is not announced from the moment when the third party learns about the nullification.
3. The exact time and date of the nullification has to be stated when the certificate is nullified.
4. The nullification shall always be valid from the moment of this act onwards. A retroactive nullification of the certificate shall not be not allowed.

Article 23

The issuer has to keep the following documents for minimum 5 years:

- a) documentation for security measures undertaken according to this Law and by-laws, and
- b) documentation for all issued and nullified certificates, in a manner that will provide for the data of this documentation to be always accessible and authentic and to be always possible to check the modifications thereof.

Article 24

1. The issuer is obliged prior to the termination of the activity, to notify the Ministry of Finance as well as the holders of the issued certificates and to provide all the rights and obligations related to the issued certificates to be taken-over from other issuer, or to nullify all valid certificates.
2. The issuer is obliged to transfer all the documentation to other issuer who will take over all the rights and obligations related to the issued certificates, and if there is not any, then he is obliged to transfer the documentation to the Ministry of Finance.

Article 25

1. The authorized certificate must provide the following information:
 - a) that it is an authorized certificate;
 - b) name or a title and the state of residence, i.e. head office of the issuer;
 - c) name, title or a pseudonym of the holder or name or pseudonym of the information system with a designation of the holder under whose control it is, with a obligatory note that it is a pseudonym;
 - d) additional data for the certificate holder required for the purpose for which the certificate will be used;
 - e) data for checking the electronic signature related to the data for the electronic signature, which are under the supervision of the certificate holder;
 - f) date of commencement and expiry of the validity of the certificate;
 - g) identification number of the certificate;
 - h) generally accepted electronic signature of the issuer;
 - i) possible limitations for the utilization of the certificate; and
 - j) possible limitations on the amount of the transactions which may be completed with the certificate.
2. If not otherwise stated, there must not be any other data in the authorized certificates.

Article 26

The issuer who issues the authorized certificates is obliged to give professional and honest services.

Article 27

1. The issuer who issues the authorized certificates is obliged to keep register of the nullified certificates. The register has to include at least identification number of the nullified certificate in order to be possible to definitely determine which is the nullified certificate.
2. The register must not include data about the reasons of the nullification or any other data that are not included in the certificate except for the date and time of the nullification.

- 3.The issuer is obliged to sign the register with his generally accepted electronic signature which signature is verified with an authorized certificate, which is at least equally credible as well as the certificates that are maintained in the register.
- 4.The issuer is obliged to provide a possibility for an immediate and secure nullification of the authorized certificate, as well as a possibility for an exact determination of the period of issuance and nullification of the authorized certificate.
- 5.The issuer, who issues the authorized certificate and terminates the activity according to this Law, is obliged to find other issuer who issues authorized certificates. The new issuer will take over the keeping of the nullified authorized certificates in his register.
- 6.If the issuer does not provide keeping of the nullified authorized certificates it will be executed by the Ministry of Finance at the expense of the issuer.

Article 28

The issuer who issues the authorized certificates is obliged to determine the identity and other required data of the certificate holder with an identification card, passport and other required documents. For the legal entity a registration of the company is required.

Article 29

- 1.The issuer who issues the authorized certificates is obliged to employ personnel with a necessary professional knowledge and experience who are capable to perform the activity and to work and apply procedures which are in accordance with the generally accepted world standards.
- 2.The Ministry of Finance shall state in details the conditions from paragraph 1 of this Article.

Article 30

- 1.The issuer is obliged to use systems and equipment that provide technical and cryptographic protection, which will guarantee maximum safety and confidentiality of the data according to the EU and world standards.
- 2.The issuer must not keep data for electronic signature.
- 3.The issuer is obliged to have secure systems for keeping of the authorized certificates, with which:
 - a) Enable to verify the authenticity of the certificate;
 - b) Accessibility to the certificate only with prior permission of the holder is enabled;
 - c) Enable only authorized persons to enter new data or to modify the existing ones, and
 - d) Enable the user to register the modification in a simple manner, which may endanger the completion of the above listed conditions.
- 4.The Minister of Finance shall define in details the required equipment and the system for keeping the authorized certificate.

Article 31

1. The issuer who issues authorized certificates is obliged to have an insurance against possible damage caused by him.
2. The Minister of Finance shall define the lowest amount of the insurance.

Article 32

1. The issuer who issues authorized certificates is obliged to keep all the relevant data for all issued authorized certificates, so that they can be used in possible legal, administrative and other procedures.
2. The issuer who issues authorized certificates is obliged to keep all relevant data, as long as the data that were signed with electronic signature to which the authorized certificate refers are kept, but at least five years from the issuance of the authorized certificate.
3. Relevant data in the authorized certificate shall be considered especially:
 - a) data for checking the identity of the certificate holder;
 - b) time, date and manner of issuing of the certificate;
 - c) reasons, time, date and manner of the nullification of the certificate;
 - d) period of the validity of the certificate, and
 - e) all messages related to the validity of the certificate exchanged between the issuer and the certificate holder.
4. The data referred to in paragraph 3 of this Article may be kept in electronic form.

Article 33

1. The issuer must, prior to issuing a certificate and signing a contract, advise the person to whom he will issue a certificate about all circumstances for issuing the certificate.
2. The notification must contain the following information:
 - a) a precise excerpt from the legal provisions and his regulations and other conditions related to the application of the certificate;
 - b) possible restrictions on the application of the certificate;
 - c) possibility for accreditation;
 - d) procedures for agreed settlement of disputes and a procedure for complaint;
 - e) precaution measures which owner of the certificate must take, and
 - f) forewarning that after the expiry of certain period, data that are once signed should be signed again.
3. All information have to be written clearly and legibly and are obligatory given in writing to a medium that provides durability and invariability of the data.
4. The issuer is obliged to provide access to these information to third parties.

Article 34

1. The Ministry of Finance shall keep a Register of the issuers of certificates in the Republic of Macedonia.
2. The issuers from foreign countries can be registered in the Ministry of Finance if their certificates are accepted in the Republic of Macedonia.
3. The register shall be signed with generally accepted electronic signature the authorized certificate of which shall be published in the “Official Gazette of the Republic of Macedonia”.

Article 35

1. The instruments for generally accepted electronic signature should provide the following:
 - a) data for the electronic signature to be unique, secure and credible;
 - b) not to be possible to obtain, in a reasonable time and with reasonable instruments, from the data for checking the electronic signature, the data for the electronic signature;
 - c) protection of the electronic signature from the counterfeit with the currently available technology, and
 - d) the signatory to be able to protect the data for the electronic signature from unauthorized access.
2. These instruments must not modify the data that are to be signed or prevent the signatory from seeing the data he signs.
3. The Minister of Finance shall prescribe in details the conditions that should be met by the instruments for electronic signature, in accordance with this Article.

Article 36

1. During the process of verifying the generally accepted electronic signature, the following must be provided:
 - a) data used for checking the electronic signature to be equal with which the user sees;
 - b) examination of the signature with a secure method, and the result of this examination together with the identity of the certificate holder to be presented in a correct manner to the user;
 - c) examination of the content of the signed data by the user in a secure way;
 - d) examination of the authenticity and validation of the certificate during time of examination of the electronic signature;
 - e) clear forewarning, if the certificate is issued under a pseudonym; and
 - f) all modifications, which effect the security of the electronic signature, should be identified and presented.
3. The Minister of Finance shall prescribe in details the conditions that should be met by the instruments for checking electronic signature, in accordance with this Article.

Article 37

1. Upon the issuing of the authorized certificate the issuer has a responsibility for every individual who refers to qualified certificate for:
 - a) the accuracy of all data in the certificate;
 - b) that the certificate contains all prescribed and agreed data;
 - c) that the certificate holder in the period of the issuing of the certificate has the data for the electronic signature that match the data for checking the electronic signature included in the certificate;
 - d) for the complementarity of the data for the electronic signature and checking of the electronic signature, if the issuer of the certificate provides the holder with those data;
 - e) the immediate nullification of the certificate if there is a reason for it and announcement of the nullification; and
 - f) realization of all legal obligations.
2. The issuer may restrict the application of the certificate or the amount of the transaction and then is responsible only within these limitations, if third parties could recognize these limitations.
3. The issuer shall bear the responsibility for the damage, unless he proves that the damage occurred without his fault.

Article 38

Provisions of this Law related to the certificate and authorized certificates shall also appropriately apply to the “time stamp”.

Article 39

1. The Ministry of Finance shall supervise the implementation of this Law and provisions that are passed according to this law.
2. The operations of inspection supervision shall be carried out by inspectors.

Article 40

With the supervision the Ministry of Finance shall check the following:

- a) whether conditions of this Law and all by-laws are contained in the rulebooks of the issuer;
- b) whether the issuer meets all the time all conditions of this Law and all by-laws as well as the rulebooks;
- c) whether the procedure for issuing the authorized certificate is adhered to;
- d) whether the procedure for legality, keeping and nullification of the certificate is adhered to;
- e) whether the procedure for legality in providing other services by the issuer is adhered to.

Article 41

1. The authorized inspector for supervision has the right to:
 - a) examine the entire documentation related to the activity of the issuer;
 - b) examine the premises, information system, network, other equipment, technical documentation etc. as well as the security measures undertaken by the issuer.
2. The inspector is entitled to perform an insight in the entire documentation in order to provide evidences or to exactly confirm a possible irregularity. In some exceptional cases the inspector is entitled to temporarily confiscate the documentation for which he must give confirmation.
3. The inspector is obliged to keep all personal data of the certificate holder as a business secret.
4. The inspector, with a decision, shall:
 - a) prohibit the usage of inadequate procedures and infrastructure and give a deadline to the issuer in which he is obliged to provide adequate procedures and infrastructure, or
 - b) partly or completely, temporarily prohibit the activity of the issuer until the elimination of the inadequacy of procedures and infrastructure; or
 - c) temporarily prohibit the activity of the issuer, due to the non-fulfilment of the conditions of this Law and by-laws, if with the previous measures it is not possible or it cannot be expected that the irregularities will be eliminated, or
 - d) order a nullification of some or all certificates issued by the issuer if there is a grounded suspicion that it is counterfeit.
5. A complaint against the inspector's decision can be lodged within 15 days from the date of the submission of the decision;
6. The complaint referred to in paragraph 5 of this Article shall be submitted to the authorized commission of the Government of the Republic of Macedonia for solving the administrative affairs in second instance.
7. The complaint shall not postpone the execution of the decision.

Article 42

In case of temporary prohibition of the activity, the issued certificates shall be valid until the day of prohibition.

Article 43

1. An issuer, who will prove that he meets the conditions of this Law and all by-laws, may request a registration in the Register of the accredited issuers.
2. The issuers from foreign countries may ask to be registered in the Register of the accredited issuers if their certificates are valid in the Republic of Macedonia.
3. The issuers registered in the Register of the accredited issuers may perform their activity by using the title "Accredited issuer" which can be put in their certificates.

Article 44

1. The Ministry of Finance shall execute the function of the accreditation agency.
2. The Minister of Finance shall prescribe the manner and the procedure for the accreditation of the issuers, as well as the form and shape of the sign for the accredited issuer.

Article 45

The accreditation agency shall keep public electronic register of the accredited issuers and shall sign it with the generally accepted electronic signature, the authorized certificate of which shall be published in the "Official Gazette of the Republic of Macedonia".

Article 46

1. The accreditation agency shall issue recommendations and standards for the activity of the accredited issuers.
2. The accreditation agency shall supervise and undertake measures with respect to the accredited issuers to verify whether:
 - a) the conditions prescribed in this Law and all by-laws are included in the rulebooks of the accredited issuers;
 - b) the accredited issuer all the time meets all conditions of this Law and all by-laws, as well as the regulations of the accredited issuers;
 - c) the procedure for issuing of the authorized certificates is met ;
 - d) the legality of the issuing, keeping and nullification of the certificate is met; and
 - e) the legality of the procedure of performing other services by the accredited issuer is met;
3. The accreditation agency may recommend:
 - a) modification of the regulations of the accredited issuer, and
 - b) termination of the application of inadequate procedures and infrastructure.
4. If the accredited issuer does not proceed according to the recommendations and measures of the accreditation agency, the issuer shall be nullified from the Register of accredited bodies with a decision.
5. A complaint against the accreditation agency's decision can be lodged within 15 days from the date of the submission of the decision;
6. The complaint referred to in paragraph 5 of this Article shall be submitted to the authorized commission of the Government of the Republic of Macedonia for solving the administrative affairs in second instance.
7. The decision of the authorized commission referred to in paragraph 6 of this Article passed pursuant to the complaint, is final.

Article 47

1. The authorized certificates issued by the issuers with a head office at the European Union shall be equal with the domestic authorized certificates.

2. The authorized certificates issued by the issuers with a head office in third countries shall be equal with the domestic authorized certificates on the following conditions:

- a) the issuer meets the conditions in this Law about an authorized certificate and is voluntarily accredited in the Republic of Macedonia or in the European Union, or
- b) the domestic issuer who meets the conditions in this Law for issuance of authorized certificate can guarantee for the foreign certificate as the one issued by himself, or
- c) to be agreed so in a bilateral or multilateral international agreement between the Republic of Macedonia and other countries or international organization

V. PENALTY PROVISIONS

Article 48

A legal entity will be fined with 200.000,00 to 300.000,00 denars for an offence, if:

- 1) it is not registered in the Ministry of Finance within the legally stated period, fails to submit its regulations or fails to harmonize them in accordance with this Law and by-laws (Article 16);
- 2) fails to notify the Ministry of Finance about the circumstances because of which he was prevented to act according to this Law (Article 17);
- 3) the nullification is not executed in a manner, procedure or in cases prescribed in this Law or its regulations (articles 18 and 21);
- 4) if it retroactively nullifies the certificate (Article 22 paragraph 4)
- 5) it fails to keep the required documentation in accordance with this Law (Article 23);
- 6) it fails to undertake the necessary activities in accordance with this Law prior to the termination of the performance of its activity as an issuer (Article 24);
- 7) issues authorized certificate with contents contrary to the provisions in this Law (Article 25)
- 8) it fails to keep register for the nullified authorized certificates in a manner according to this Law (Article 27);
- 9) it fails to proceed according to the provisions of this Law in the process of issuing the authorized certificates (Article 28)
- 10) it fails to provide the conditions determined in the provisions of this Law in the process of issuing the authorized certificates (articles 29, 30 and 31);
- 11) it fails to proceed in a manner determined with this Law in keeping the data for the authorized certificate (Article 32);
- 12) it fails to notify the future holder of the authorized certificate or third party about the information determined pursuant to this Law (Article 33);
- 13) it continues with the activity of issuing the certificates after the prohibition for carrying out an activity (Article 41);
- 14) it prevents the inspector from carrying out the supervision and control pursuant to this Law (article 41); and

- 15) it uses the title “Accredited issuer” although he is not accredited in accordance with this Law. (article 43 paragraph 3);

Article 49

A legal entity shall be fined with 200.000,00 to 300.000,00 denars if:

- 1) it fails to keep or use data and instruments for electronic signature in accordance with this Law (Article 20, paragraph 1);
- 2) it fails to ask for nullification of its certificate in cases determined by this Law (Article 20, paragraph 2); and
- 3) it applies instruments for electronic signature and verification of the electronic signature which are not in compliance with the conditions determined in the provisions of the articles 35 and 36 of this Law.

Article 50

The responsible person within the legal entity shall be fined with 40.000,00 to 50.000,00 denars (according to the articles 48 and 49) of this Law.

Article 51

A physical person – issuer shall be fined with 40.000,00 to 50.000,00 denars if:

- 1) it fails to keep the complementary data and instruments for checking the electronic signature for the same period of time it keeps the document electronically signed with data and instruments for electronic signature (Article 14)
- 2) it fails to register in the Ministry of Finance in the stated period of time and it fails to submit its regulations, or it fails to harmonize them pursuant to this Law and by-laws (Article 16);
- 3) it fails to notify the Ministry of Finance about the circumstances that prevent its activity according to this Law (Article 17);
- 4) it fails to execute the nullification in a manner, procedure or in cases prescribed with this Law or its rules. (articles 18 and 21);
- 5) it retroactively nullifies the certificate (Article 22 paragraph 4);
- 6) it fails to keep the prescribed documentation according to this Law (Article 23);
- 7) it fails to take necessary measures according to this Law prior to execution of its activity as an issuer (Article 24);
- 8) it issues an authorized certificate with contents contrary to the provisions of this Law (Article 25);
- 9) it fails to keep records for nullified authorized certificates in a manner in accordance with this Law (Article 27);
- 10) it fails to proceed according to the provisions of this Law at the issuance of the authorized certificate (Article 28);

- 11) it fails to provide conditions stated in the provisions of this Law at the issuance of the authorized certificates (articles 29, 30 and 31);
- 12) it fails to proceed according to this Law with respect to keeping the data for the authorized certificates (Article 32);
- 13) it fails to notify the future holder of the authorized certificate or the third party about the information determined pursuant to this Law (Article 33);
- 14) it continues with the activity of the issuing certificates even after prohibition of this activity (Article 41);
- 15) it prevents the inspector from carrying out the supervision and control in accordance with this Law (Article 41); and
- 16) it uses the title “Accredited issuer” although he is not accredited in accordance with this Law (Article 43 paragraph 3).

Article 52

A physical person shall be fined with 40.000,00 to 50.000,00 denars if:

- 1) data and instruments for the electronic signature are not kept or used in accordance with this Law (Article 20, paragraph 1);
- 2) it fails to ask for nullification of its certificate in cases determined with this Law (Article 20, paragraph 2);
- 3) it applies instruments for electronic signature and checking the electronic signature which are not in compliance with the provisions of the articles 35 and 36 of this Law, and
- 4) it applies data or instruments for electronic signature, contrary to the Article 15 of this Law.

VI. FINAL PROVISION

Article 53

This Law shall come into force on the eighth day from the date of its publication in the “Official Gazette of the Republic of Macedonia”.