

1) Can you name the key legislation(s) on electronic signatures in your jurisdiction?

***In Slovenia, the key legislation on e-signature consist of:***

- ***Regulation (EU) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market (eIDAS Regulation), recently amended by Regulation (EU) 2024/1183***
- ***Electronic Identification and Trust Services Act.--***

2) Are there various categories of electronic signature in your legal system?

***According to the eIDAS Regulation there are several types of electronic signatures:***

- ***(basic) electronic signature***
- ***advanced electronic signature***
- ***advanced electronic signatures based on a qualified certificate for electronic signatures***
- ***qualified electronic signature.***

3) Is the electronic signature used in your legal system?

a. Generally?

b. For civil status documents in particular?

c. For ICCS forms?

***In Slovenia, electronic signature is quite widely used in public services (e.g. in the state e-government portals for citizens and businesses) as well as in private sector services. At the e-government portal for citizens applicants can file electronically signed application forms for a variety of civil status documents; however, electronic signature is not used when applying for official personal documents since it is always required that the applicant appears in person before an official.***

4) Can you describe what an electronic signature is in your legal system?

a. How does it work from a technical point of view?

***In Slovenia, two types of electronic signatures are used as they are considered trustworthy:***

- ***advanced electronic signatures based on a qualified certificate for electronic signatures***
- ***qualified electronic signature.***

***Usually e-signatures are applied to PDF documents (as PAdES) and sometimes also on XML documents (as XAdES). Technically, these e-signatures are created in three different ways:***

- ***using a PDF document viewer e.g. Adobe Acrobat***
- ***using an e-signature client application***
- ***using the remote e-signature solution.***

b. What safeguards are provided in terms of the authentication of documents by this technique?

***Since e-signatures used in Slovenia are always based on a qualified certificate, the authenticity of the signer is trusted by default. Nevertheless, the receiver of an electronically signed document (e.g. a public sector body) has to validate the electronic signature of the document prior to performing any action triggered by the document received.***

5) If electronic signatures are used or are in the process of being introduced in your legal system, is this accompanied by the dematerialisation of civil status?

a. Totally

***b. Partially***

***The electronization in our legal system enables faster obtaining of extracts and certificates of civil status and also a reduction in usage, while at the same time the flow of data that was captured on traditional extracts is increased.***

6) In your opinion, is the use of electronic signatures

a. Is likely to increase the risk of fraud

***b. Is likely to reduce the risk of fraud***

c. Is neutral and has no impact on the risk of fraud

***In our opinion, the use of electronic signatures reduces the risk of fraud since the authenticity of electronically signed documents can be easily checked.***

7) Are there any reservations in your country about using electronic signatures? If so, can you describe the reasons for this?

***In accordance with national legislation, electronic documents cannot be used in testamentary and real estate matters and neither can electronic signatures.***

8) Have there been any practical difficulties in implementing electronic signatures?

***There have been no major legal and technical difficulties; however, the main challenge is to equip users with the tools required for electronic signature, i.e. with qualified certificates for e-signatures. According to the legal bases, personal identification is required at some point in the process of issuing a qualified certificates, which is often seen as a burden for users. However, that changed with the introduction of the national e-ID card in 2022 since it also is equipped with a qualified certificate for e-signature (besides the two certificates for authentication).***

9) Have electronic signature techniques been or are they being introduced in your State spontaneously or by adopting foreign models?

***Slovenia has quite a long tradition of using electronic signatures, as we begin issuing qualified certificates 25 years ago. We have been implementing techniques that are reasonable and suitable according to current practices. We have also looked at certain solutions in other countries but have not directly applied them in Slovenia.***

10) What is the impact of using electronic signatures in financial terms?

***The Financial Administration of the Republic of Slovenia (FURS) prepares, signs and issues most documents in electronic form, and banks also streamline their operation with electronic signatures; however, no analysis of the financial impact of using electronic signatures has been carried out at the national level.***

11) Are foreign electronic signatures recognised in your legal system?

a. If so, under what conditions?

b. If not, why not?

***Slovenia is an EU Member State and as such is obliged to follow EU legislation, in the case of e-signatures the eIDAS Regulation. It requires a Member State to recognise advanced electronic signatures, advanced electronic signatures based on a qualified certificate for electronic signatures, and qualified electronic signatures issued in any other EU Member State. In addition, Member States must recognize electronic signatures originating from a third country or from an international organisation if they are recognised by implementing acts or an agreement concluded between the EU and the third country or international organisation.***

12) If an international convention requires a handwritten signature, do you nevertheless accept an electronic signature?

***According to the eIDAS Regulation, a qualified electronic signature has the equivalent legal effect of a handwritten signature and can therefore always be used instead of a handwritten signature. The only exceptions in Slovenia are mentioned in the answer to question no. 7.***

13) Has the resolution adopted by the ICCS General Assembly on 22 September 2022 assimilating electronic signatures to handwritten signatures had an impact on your positive law?

***See the answer to question no. 9.***

14) Has the development of the use of electronic signatures had the effect of strengthening the procedures for checking foreign documents?

***See the answer to question no. 11.***

15) Is your State in favour of the ICCS taking action on electronic signatures? If so, in what form?

a. Informal exchanges within the framework of an annual working group

***b. The introduction of a practical guide to the solutions provided in foreign systems, available on the ICCS website***

c. The adoption of a recommendation

***d. The adoption of an international convention***

***Slovenia is in favour of the ICCS taking action on electronic signatures in two ways: The introduction of a practical guide to the solutions provided in foreign systems, which would be available on the ICCS website, and the adoption of an international convention, since both forms are suitable for large-scale use among EU and other citizens.***