



FS Club



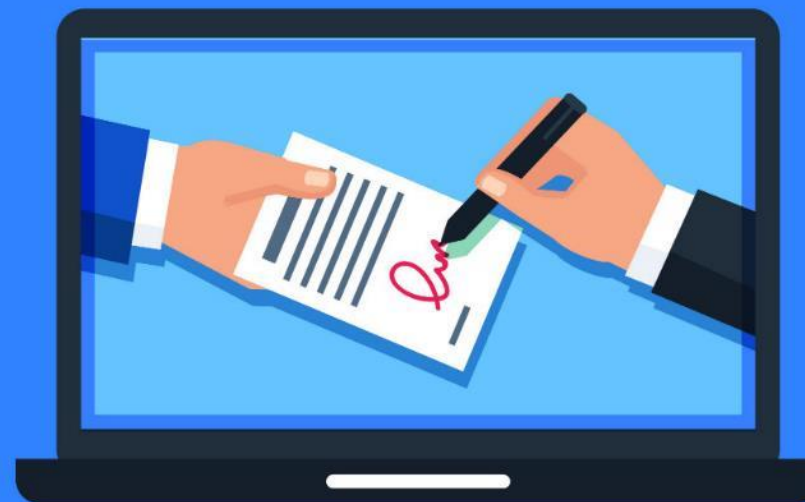
FS Club

News Events Partnerships

# Going Paperless: E-Signatures In CEE

Webinar

Monday 23 November 2020





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# A Word From Today's Chairman



**Professor Michael  
Mainelli**

Executive Chairman

Z/Yen Group

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# Agenda



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- |               |   |
|---------------|---|
| 11:00 – 11:05 | Chairman's Introduction                         |
| 11:05 – 11:30 | Keynote Address - Dóra Petrányi & Marek Oleksyn |
| 11:30 – 11:45 | Questions & Answers                             |



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## Going Paperless: E-Signatures In CEE



Dóra Petrányi

Partner & CEE  
Managing Director

CMS



Marek Oleksyn

Partner

CMS





## Going Paperless: E-Signatures in CEE

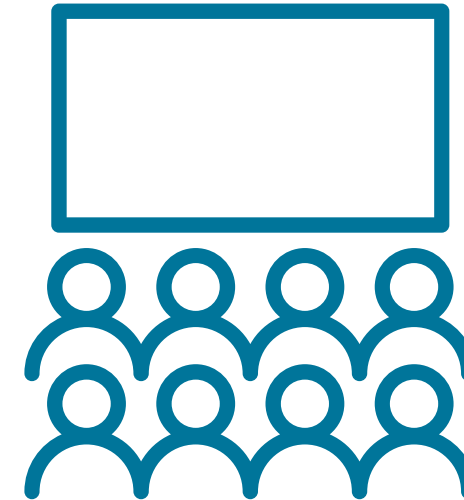
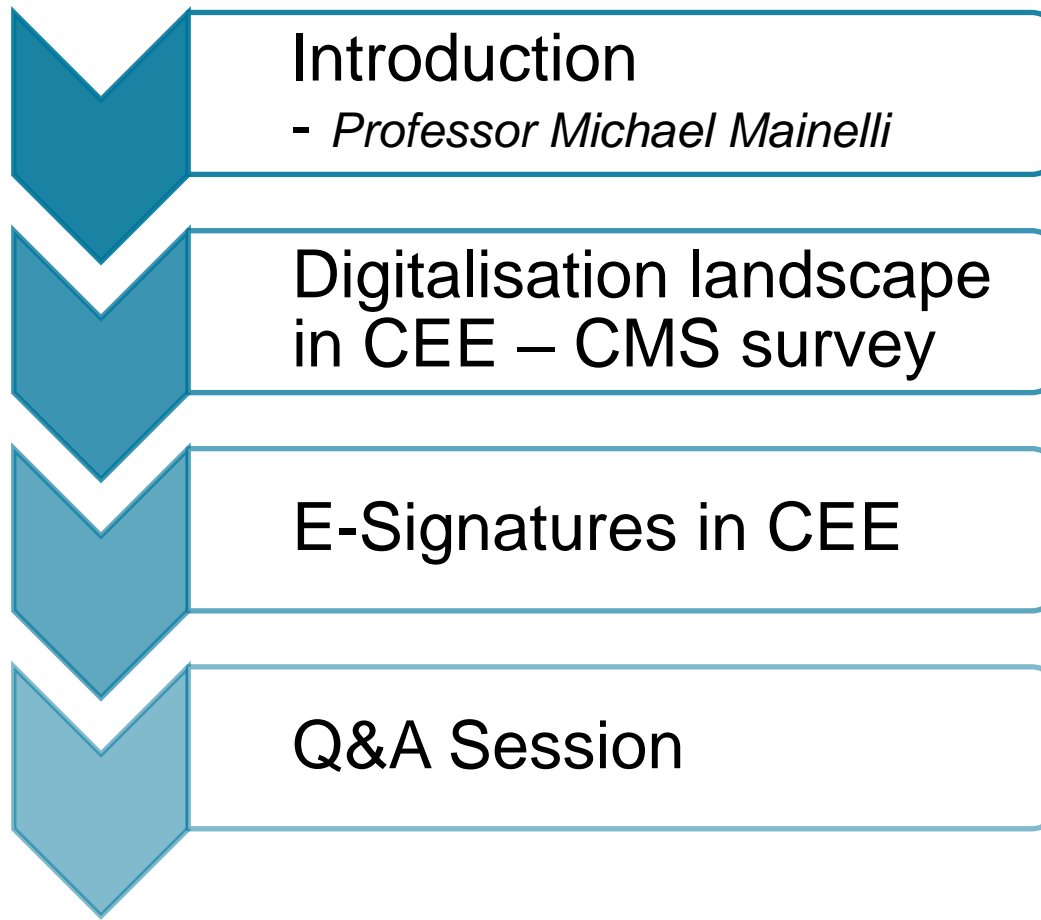
### Speakers:

- Dóra Petrányi, Partner & CEE Managing Director, CMS Budapest
- Marek Oleksyn, Partner, CMS Warsaw

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# Agenda

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## Introduction

- *Professor Michael Mainelli*

## Digitalisation landscape in CEE – CMS survey

## E-Signatures in CEE

## Q&A Session



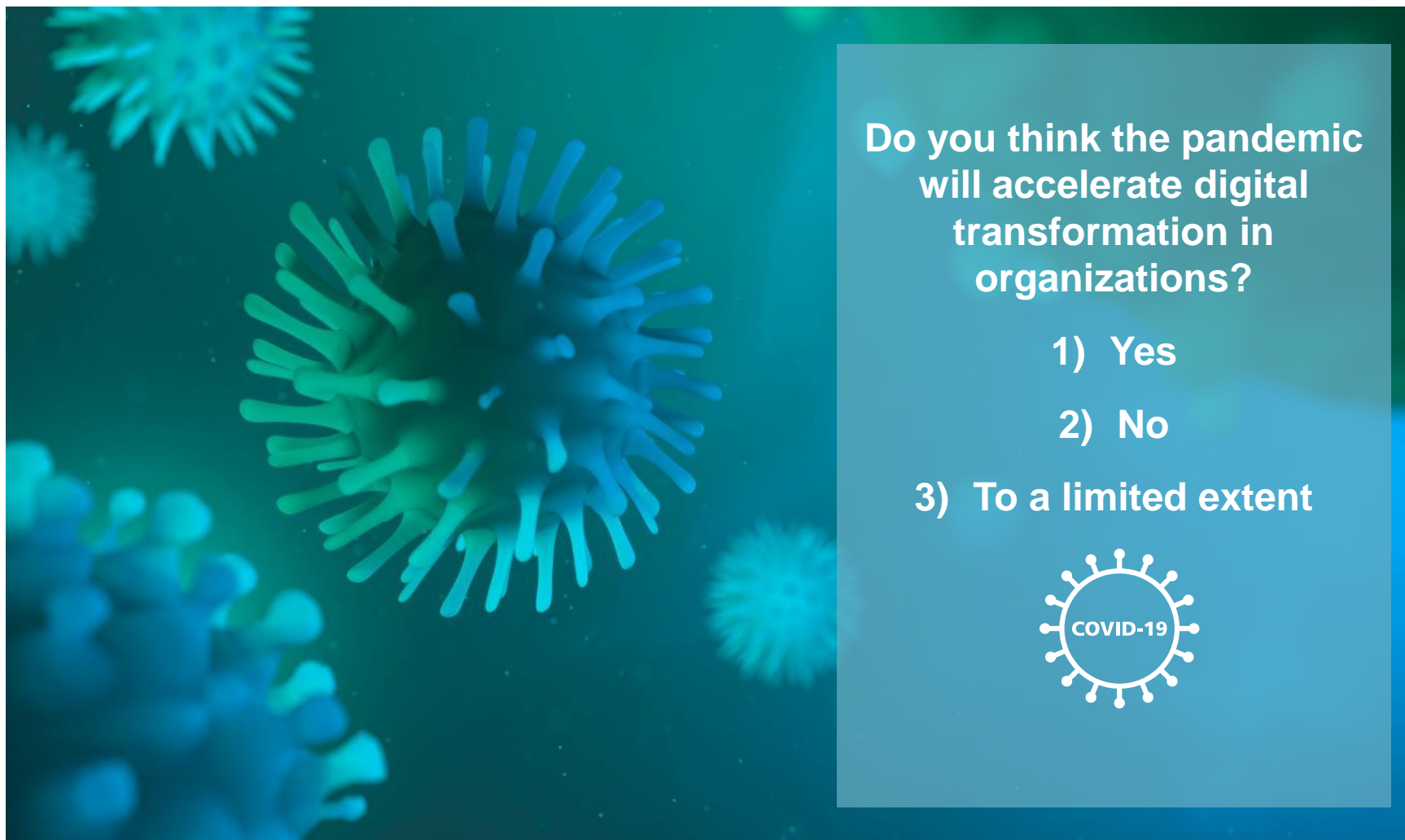


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## Poll


# Digital landscape in CEE: Pandemic vs. Digital Transformation

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Do you think the pandemic will accelerate digital transformation in organizations?

- 1) Yes
- 2) No
- 3) To a limited extent



A white icon of a coronavirus particle with the text "COVID-19" inside a circle, set against a blue background with other virus particles.

# Digital landscape in CEE – Introducing Digital Horizons

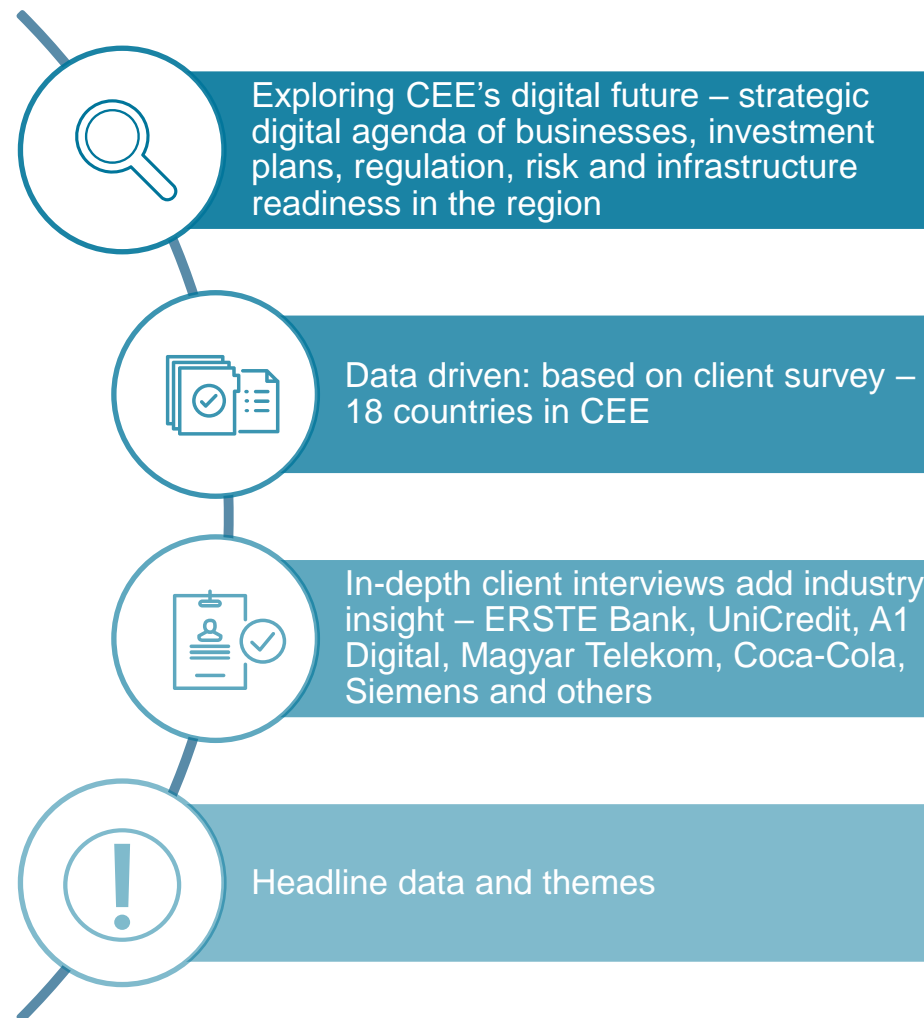
**100** participants

**18** countries in CEE

 Digitalisation strategies

 Investment plans

 Regulation and risk

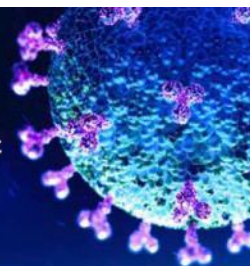


# Data Highlights

**92%**

**believe that the pandemic will accelerate future digital change in their business**

Response to the pandemic is radically shifting the pace of digitalisation



**56%**

**see the public sector making some progress in digitalisation**

Governments need to embrace digitalisation more to ease the bureaucratic burden



**86%**

**are worried about AI legal liability issues**

Response to the pandemic is radically shifting the pace of digitalisation

**CAUTION  
WET FLOOR**



**58%**

**already use AI solutions**

The benefits of cost and efficiency are driving businesses to use AI



**65%**

**plan to increase their IT budget next year to invest in digitalisation**

Most companies anticipate the need to commit greater resources to digital



**98%**

**consider ethics as part of their current guidelines and policies**

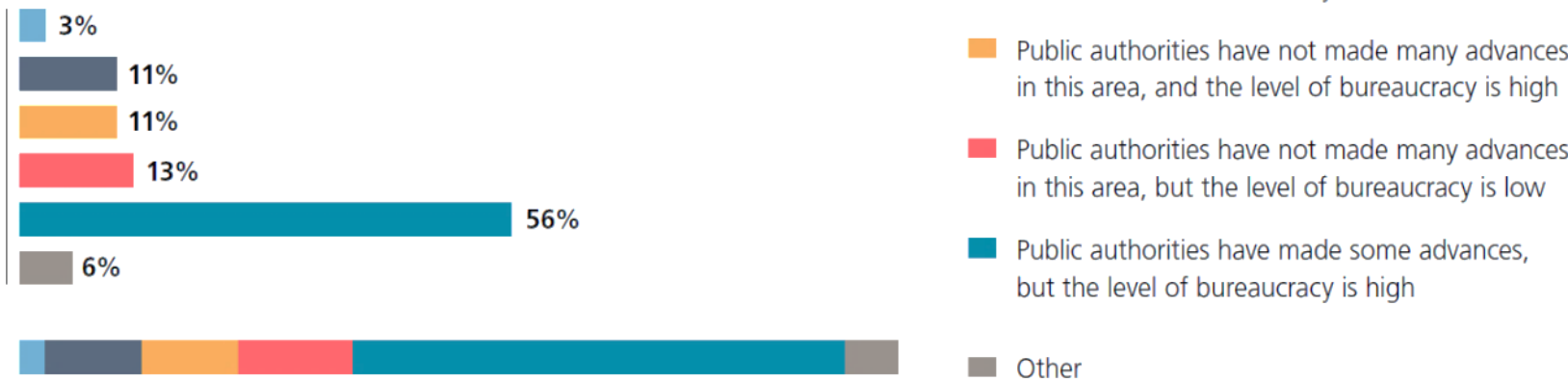
Safeguarding data, considering the human cost and making decisions based on brand values are key



# Digital agenda vs. bureaucracy

## Is public bureaucracy an impediment to your company's digital agenda?

To what extent do you feel that public authorities in the CEE jurisdictions in which you operate support your company's digital agenda?



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# Survey - Key takeaways

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Bureaucracy slows down the transition



Regulatory compliance and the ethical use of data put the burden on the businesses

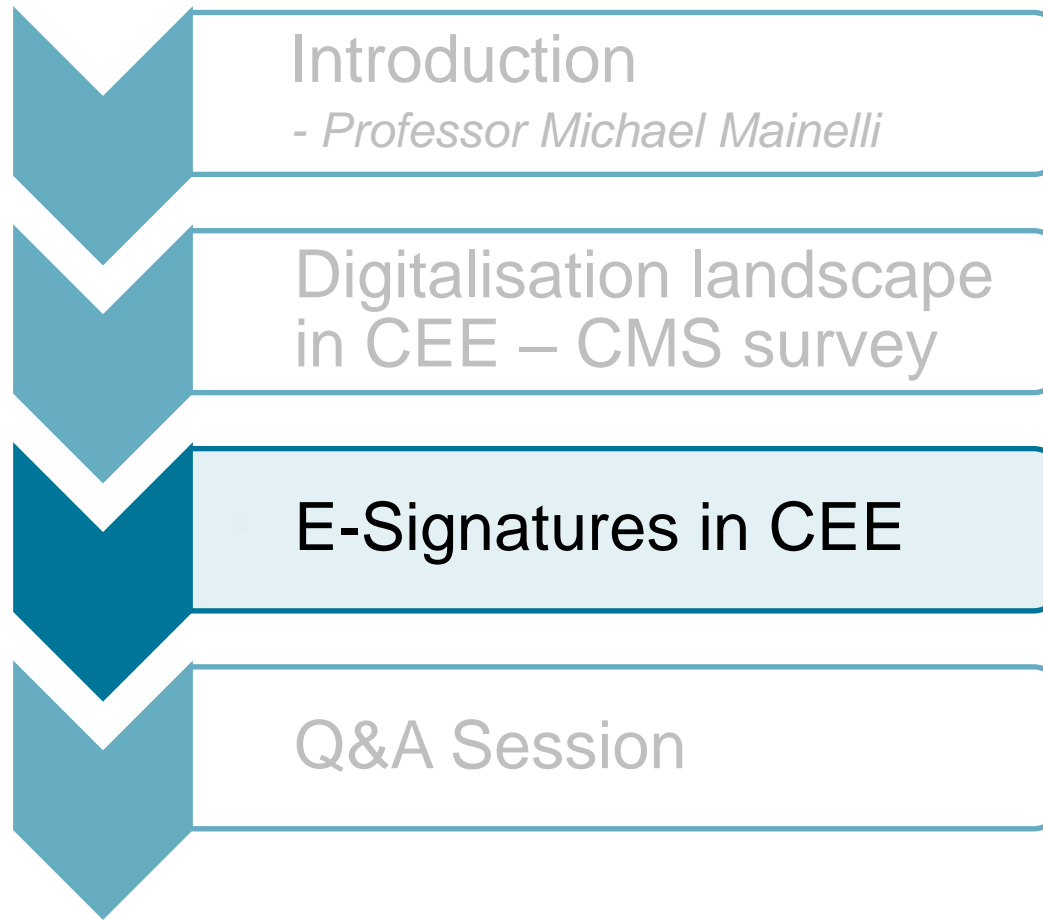


Pandemic has significantly accelerated the shift to digital



Having the right local advice at hand is critical







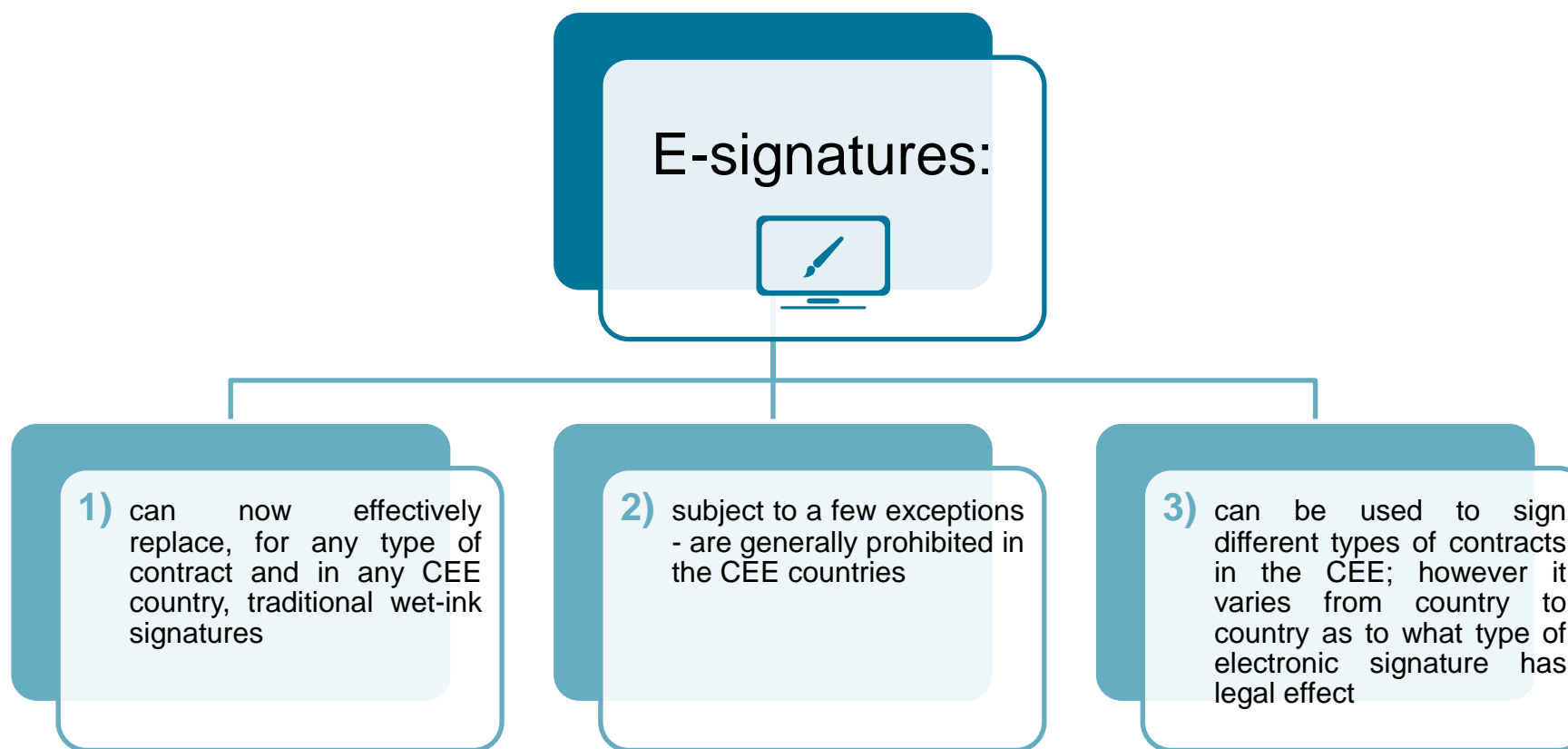
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# Poll

## E-Signatures in CEE

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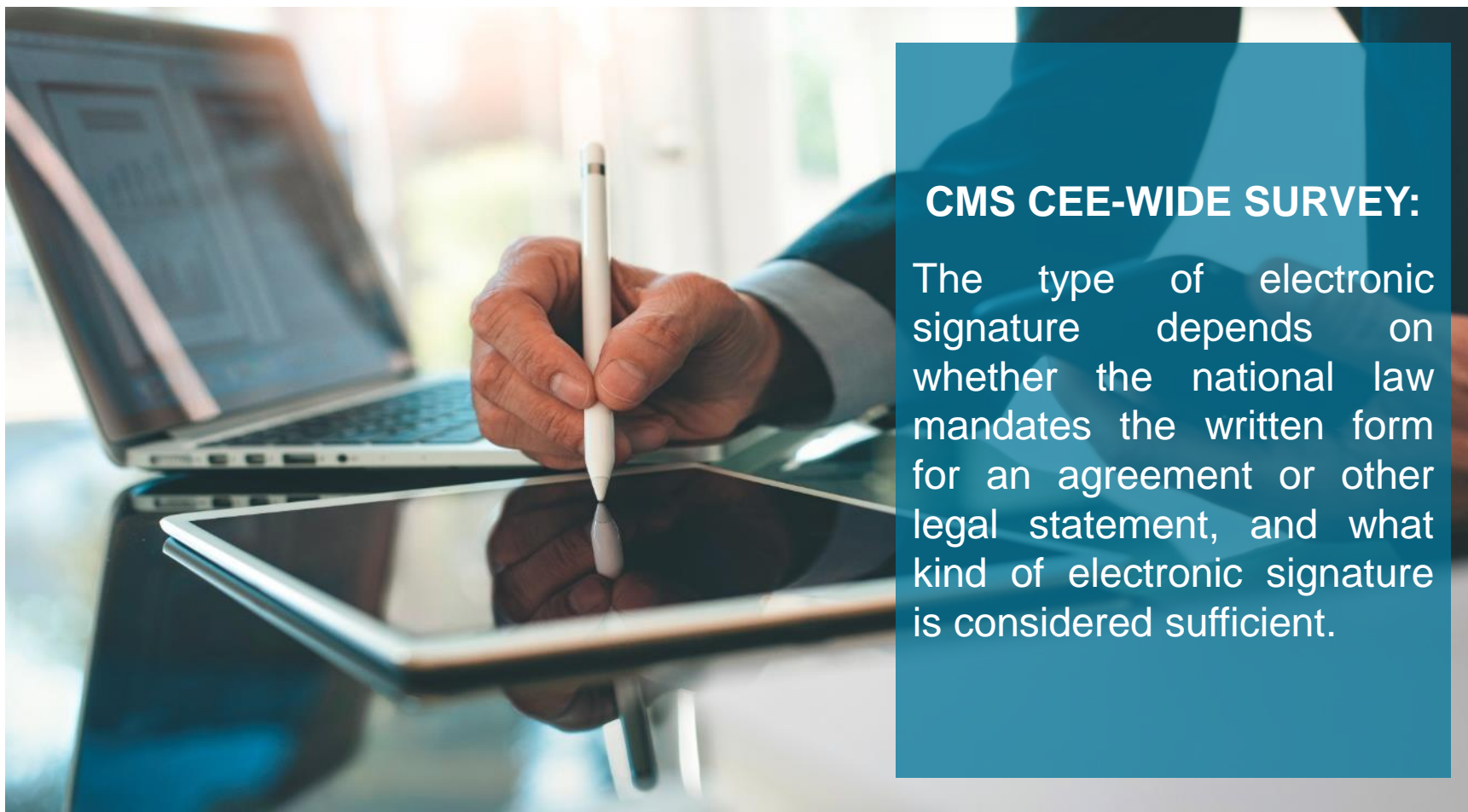
*Please choose the correct answer*



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# E-Signatures in CEE

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## **CMS CEE-WIDE SURVEY:**

The type of electronic signature depends on whether the national law mandates the written form for an agreement or other legal statement, and what kind of electronic signature is considered sufficient.

# E-Signatures in CEE



Key prerequisite  
– what constitutes  
a written statement?



Types of e-signatures  
accepted by each  
national law



Cases where only wet ink  
signatures are acceptable  
(no e-signatures allowed)



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# E-Signatures in CEE

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# Consciously navigate the concepts of e-signatures

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Electronic signature or e-signature

Digital signature

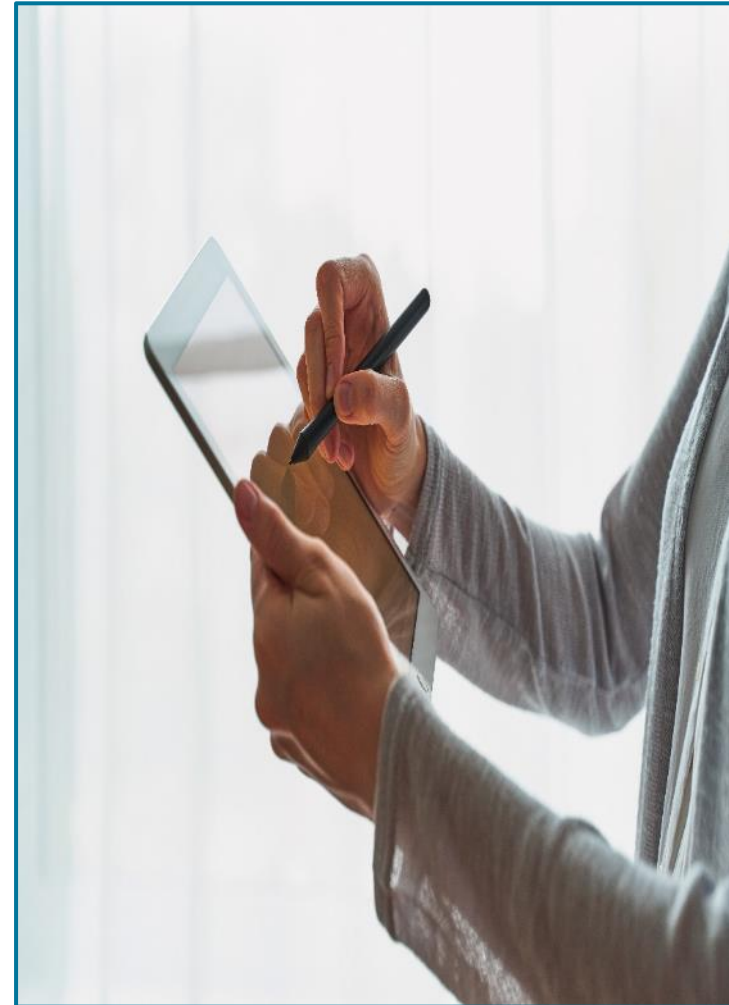
Simple/standard electronic signature (SES)

Advanced electronic signature (AES)

Qualified electronic signature (QES)

Electronic time stamp

The eIDAS Regulation






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## Common findings for the use of e-signatures

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A photograph of three people (two women and one man) sitting around a white table, looking at a tablet. One woman is pointing at the screen, while the others look on. There are some papers and a blue folder on the table. The background is a blurred indoor setting.

Businesses can use e-signatures to sign different types of contracts.

However, it varies from country to country as to what type of electronic signature has legal effect, whether documents signed with different types of e-signatures qualify as written statements, and which type of contracts must be concluded in a written form.



# E-signatures on examples - commercial contracts in comparison

This chart shows a comparison between nine CEE countries on the issue of whether the following types of electronic signatures are acceptable in commercial contracts where the law requires a written form.

	Bulgaria	Czech Republic <sup>1</sup>	Hungary	Poland	Romania	Serbia	Slovakia	Slovenia <sup>2</sup>	Ukraine <sup>3</sup>
QES with time stamp	✓	✓	✓	✓	✓	✓	✓	✓	✓
QES without time stamp	✓	✓	✗	✓	✓	✓	✓	✓	✓
AES with time stamp	✓ (with conditions)	✓	✓	✗	✗	✗	✓	✗	✓
AES without time stamp	✓ (with conditions)	✓	✗	✗	✗	✗	✓	✗	✓
SES	✓ (with conditions)	✓	✗	✗	✗	✗	✓	✗	✓

The below chart shows an exemplary comparison.

1 Czech Republic: if “only a wet-ink signature is accepted”, it is not currently possible to use this electronic signature.

2 Slovenia: only in commercial agreements where no special form, e.g. notarial deed or certification of signature, is required by the law.

3 Ukraine: if commercial contracts are not subject to notarisation.

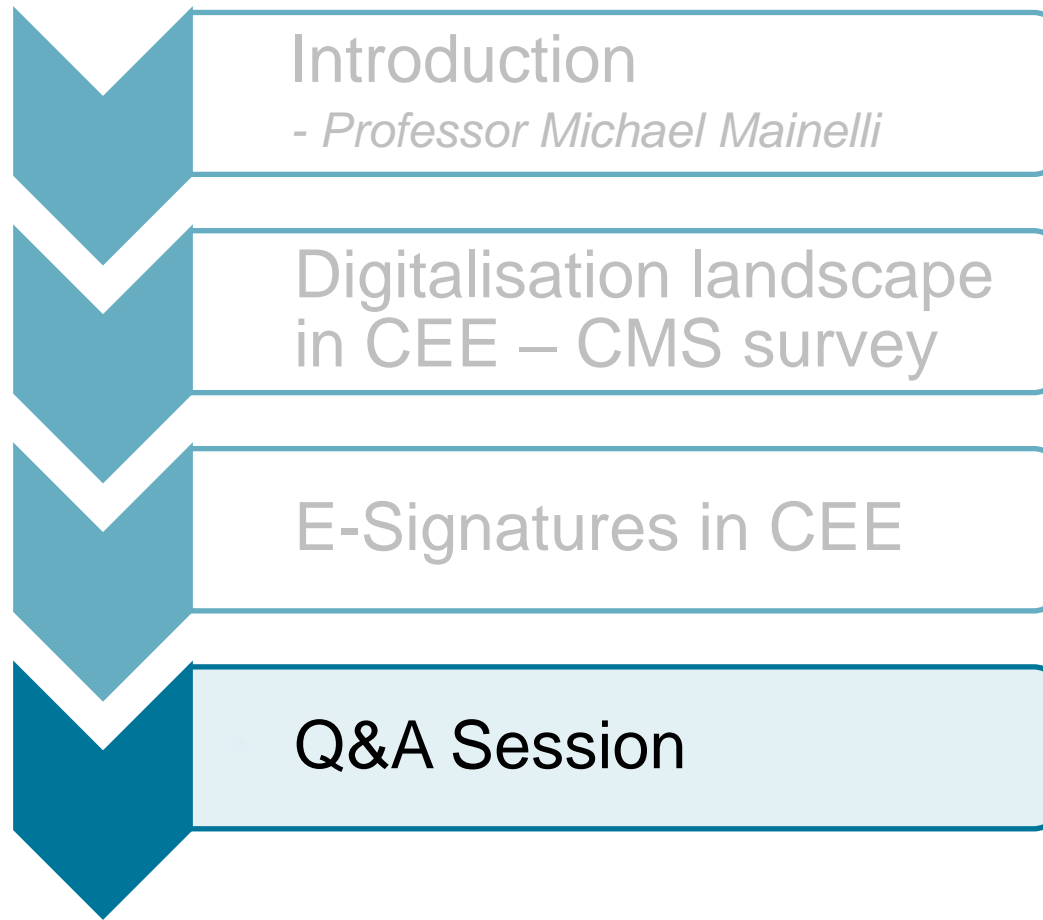
# Commercial contracts in comparison

	Bulgaria	Czech Republic <sup>1</sup>	Hungary	Poland	Romania	Serbia	Slovakia	Slovenia <sup>2</sup>	Ukraine <sup>3</sup>
Scanned electronic version of the original paper-based document with handwritten signature sent as an attachment to an ordinary email without electronic signature but with a standard email signature panel	✓ (with conditions)	✓	X	X	✓ (only in long term commercial agreements)	X	✓	X	✓
Sent as text in an ordinary email, without electronic signature but with a standard email signature panel	✓ (with conditions)	✓	X	X	X	X	✓	X	X
Agreements accepted online, by ticking a checkbox or by clicking on a button (“click-on agreements”)	X	✓	X	X	✓ (only for certain contracts concluded with consumers)	X	X	X	✓
Agreement accepted through an online platform provided by the other party	X	X	X	X	X	X	✓	X	✓

1 Czech Republic: if “only a wet-ink signature is accepted”, it is not currently possible to use this electronic signature.

2 Slovenia: only in commercial agreements where no special form, e.g. notarial deed or certification of signature, is required by the law.

3 Ukraine: if commercial contracts are not subject to notarisation.



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# Thank you very much for your attention!

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Head of Commercial, Competition,  
Technology, Media, Telecommunications  
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# QUESTIONS & DISCUSSION, ANSWERS?





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- Monday 01 Dec (15:00) [Four Ways Investing In Technology Can Improve The Employee Experience](#)

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