Pursuant to Article 58 paragraph (5) of the Law on Electronic Documents, Electronic Identification and Trust Services (\*) (“Official Gazette of Republic of North Macedonia” no. 101/19 and 275/19), the Government of the Republic of North Macedonia, on the session held on 17 March 2020, adopted the following

**REGULATION ON THE DETAILED CONDITIONS FOR PREPARATION OF THE DOCUMENTS FOR ELECTRONIC PRESERVATION AND QUALIFIED ELECTRONIC PRESERVATION AND DOCUMENT FORMATS SUITABLE FOR PRESERVATION**

**Article 1**

The Regulation herein shall regulate the detailed conditions for preparation of the documents for electronic preservation and qualified electronic preservation, as well as document formats suitable for preservation.

**Article 2**

The legal entity preparing documents suitable for electronic preservation should adopt internal rules for the preparation of documents for secure electronic preservation in accordance with the Law on Electronic Documents, Electronic Identification and Trust Services, whereby this Regulation shall further specify:

1) The method of organization of the documents for secure electronic preservation, including determination of the work and the tasks of the persons responsible for preparation of the documents for secure electronic preservation,

2) The method of:

a) Takeover of documents subject to preparation for secure electronic preservation;

b) Original document identification;

c) Identification of other data attributed to or deriving from the document;

d) Accuracy and quality control of the format of the electronic document and digitalization of the document;

e) Determination of the authenticity of the digitalized or converted document with the original document and accuracy of the metadata;

3) The method of returning the documents subject to secure electronic preservation;

4) The method of keeping records on the conducted procedures for secure electronic preservation of documents;

5) The method of checking the fulfilment of the technical-technological requirements referring to the information systems for conversion or digitalization of the documents;

6) The measures for protection of the security of the information systems where the documents are preserved; and

7) The control of the application of the internal rules.

**Article 3**

Preparation of documents for secure electronic preservation at the legal entity shall be made by persons authorized to handle documents containing signatures, manuscripts or minutes, in accordance with the regulations from the area of archive and office operations.

The persons referred to in paragraph 1 of this Article, throughout the entire process of preparation of the documents for electronic preservation and after the completion of the secure preservation process, shall prepare report containing the following:

1)  Description of the measures taken for keeping the integrity of the content of the document;

2)  Records of documents which were primarily created in electronic form, subject to secure electronic preservation;

3)  Records of converted documents;

4)  Records of digitalized documents subject to secure electronic preservation;

5)  Description of the measures taken for keeping the use of the original document and its additional elements and annexes;

6)  Records on the used electronic signature or seal and electronic timestamp of the preserved document;

7)  Description of the systems where the documents deriving from the secure electronic preservation process are being saved; and

8)  Logs on all taken activities throughout the process of secure electronic preservation of documents.

In the course of preparation of the document for secure electronic preservation, the person referred to in paragraph 1 of this Article should identify all parts of the original document, regardless of the format, how the document was created and other technical features of the document.

The report referred to in paragraph 2 of this Article shall be confirmed with electronic seal of the person who conducted the procedure for secure electronic preservation of documents and with electronic timestamp.

The documents which were subject to secure electronic preservation shall be returned in the manner determined with the internal rules in accordance with Article 2 item 3) of this Regulation.

**Article 4**

The person preparing the documents for secure electronic preservation shall digitalize the document which was not originally in electronic form, in a format suitable for electronic preservation, whereby the following should be done:

1) Ensure that the external form of the document prepared for secure electronic preservation is identical with the form of the original document;

2) Display of metadata of the digitalized document if such document includes metadata, as follows:

а) Additional information relevant for determination of the document authenticity;

b) Document digitalization date;

c) Information on the person who conducted the digitalization procedure;

d) Fata on the format of the saved document;

e) Technical data on the means used for document digitalization;

f) Information on the damage caused to the document content, form or format.

3) Preserved document, entries and taken activities for preservation thereof separately from the original document.

**Article 5**

In the course of preparation of electronic document which was originally in electronic form, and which is suitable for secure electronic preservation, the person preparing the documents for secure preservation should:

1) Check the document and take measures for securing the completeness of the document in the process of secure electronic preservation without conversion;

2) Display the metadata of the electronic document if such document includes metadata, as follows:

a) Data on the electronic document format or parts of the electronic document;

b) Additional data relevant for authentication.

c) Date of document creation; and

d) Data indicating the validity of the certificate for the used electronic signature, electronic seal and timestamp at the time of their placement in the electronic document; and

3) Preserved document, entries and taken activities for preservation thereof separately from the original document.

**Article 6**

In the event when the digitalized document or electronic document subject to secure electronic preservation of documents is in unsuitable format or in a format which may affect the further secure electronic preservation, the document should be converted.

**Article 7**

The information system allowing the process of preparation of the document for secure electronic preservation should provide preservation of logs for the preserved document.

The information system allowing the process of preparation of the document for secure electronic preservation should meet ISO 14641 Standard.

**Article 8**

Keeping the validity of the electronic signatures and the accompanying data in the documents, as well as preserving the integrity of the digital subjects, regardless of whether the subjects were signed or not, shall be done in accordance with ETSI SR 019 510 Standard. The documents subject to electronic preservation shall be preserved in PDF/A-2 format with the application of ISO 32000 Standard.

The documents subject to qualified electronic preservation shall be preserved in PDF/A-3 format with the application of ISO 32000 Standard.

**Article 9**

The Regulation herein shall enter into force on the next day after the publishing thereof in the “Official Gazette of the Republic of North Macedonia”.

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| No. 44-1869/1 | Deputy President of  |
|  17 March 2020  | the Government of Republic of North Macedonia |
| Skopje |  |

**Radmila Sekerinska-Jankovska,** MSc.