

FEDERAL COUNCIL HAS IMPLEMENTED NEW MEASURES TO FACILITATE USE OF ELECTRONIC SIGNATURES

Posted on 9 April 2020



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After Covid-19 outbreak and measure taken to prevent the spread and protect public health, electronic signatures have been gaining traction and interest as it was difficult for contracting parties to sign agreements with wet ink, in the traditional manner. On 1 April 2020, the Federal Council adopted a temporary modification of the Ordinance on Certification Services in the Field of Electronic Signatures and Other Applications of Digital Certificates (OCSES).

As [Walder Wyss underlines](#), Swiss law provides for certain categories of electronic signatures. In details, «a qualified electronic signature legally equates to the traditional wet ink signature and thereby fulfils the requirements for the written form. Such electronic signatures rely on a certificate, which only a few recognized certification service providers can establish (for instance, Swisscom, QuoVadis and SwissSign)». The modification by the government aims «to allow businesses and individuals to obtain an electronic signature, and thus be able to continue entering into contracts that require the written form, without necessitating any person to person contacts».