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PRESS RELEASE

DECREE ON COMPUTERIZED DEEDS APPROVED

Rome, 24 June 2010 – The Cabinet today gave its definitive approval to the legislative decree proposed by the Ministry of Justice regarding computerized deeds, thus implementing the proxy given to the Government by Law no. 69 of 2009 on the question of deeds drawn up in electronic form, in compliance with the provisions of the Digital Administrative Code.

It will now be possible to stipulate a notarial deed in electronic form and sign it digitally, still in the presence of the notary and with all the up-front checks on legality that characterise a paper-based deed, for the purchase of a home, the taking out of a mortgage or the setting up of a company. The notarial system will guarantee the drawing up and conservation of the documents for an unlimited length of time, using secure technology which will ensure the total reliability of the records. The same goes for authenticated private contracts.

Specifically, the new law stipulates that the choice of a paper or electronic deed is to be made by the parties involved. For the purpose, a citizen need not necessarily have a digital signature; it will be sufficient to use an unauthenticated electronic signature (e.g. by scanning a handwritten signature).

The computerized deed will then be conserved by the notary using a special centralized IT facility managed by the National Council of Notaries and whose costs are to be borne entirely by the notarial system. When a notary ceases his activity, his computerized deeds will be deposited in the notarial archives managed by the Ministry of Justice.

Under this law, furthermore, it will be possible to draw up a deed involving parties in two different cities with the same level of security and guarantee.

“The introduction of computerized deeds meets the country's needs: a guarantee of safety, authentication and conservation of public deeds in computerized form as well,” declares **Giancarlo Laurini, President of the National Council of Notaries**. “Thanks to our collaboration with the Ministry of Justice and the profession's investment in technology (Euro 14 million over 10 years), this move puts the Italian notarial system in the forefront as regards the use of IT in the exercise of public functions and the total abolition of paper for public deeds. Moreover, the National Council of Notaries will provide the digital archive – at its own expense – as a service to the country.”

Once the decree has been published in the Official Gazette, the new rules will become immediately applicable regarding the **issuing of copies** (Article 68-ter); the **certification of conformity of copies and documents produced on any medium** (Article 73); the **correction of errors** by way of a notary's certification (Article 59-bis). The other provisions (having to do with public deeds and their conservation) will come into effect subsequently by way of decrees that will set out the technical rules.

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