

تطور موقف المشرع العراقي في قانون التوقيع الإلكتروني والمعاملات الإلكترونية

رقم ٧٨ لسنة ٢٠١٢

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Summery

We discussed in this research topic for the evolution of the position of the Iraqi legislature in relation to electronic transactions a subject talk, the longer this topic fertile ground for research especially in light of the rapid development and continuous that you know e-commerce and Qdugdna there developed practical in this law the most field proof electronic and facilitated of contract action process via the Internet without the need for the presence of the two parties in one place and also has reduced the duration of which may be of such contracts or transactions has reached a number of results including:

- 1- The Iraqi legislature equated between signature and electronic signature written signature in authentic proof and in Article IV of the Hmaaleghanon.

- 2-compromise health conditions in electronic trading is the same as in the general rules, must be free from defects and to be issued fully competent.
- 3- that the exchange of consent between the parties is for after any separating distance spatial between the parties over the Internet through the offer and acceptance Valaija (W) e does not differ from the offer traditional content that that which differs in the way by which, and so the case for acceptance.
- 4- gave the authoritative legal electronic documents, as is the case than that paper documents, but stipulated several conditions to be considered the first authoritative stipulated in Article 13 of the this Alqnon.
- 5-and winning the copied image for electronic document described the original version if conditions are stipulated by Article 14 of this Law.

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http://www.parliament.iq/Iraqi_Council_of_Representatives.php?name=articles_ajsdyaawqwqjdjasdba46s7a98das6dasda7das4da6sd8asdsawewqeqw465e4qweq4wq6e4qw8eqwe4qw6eqwe4sadj&file=showdetails&sid=7905

CODE NAPOLEON,A BARRISTER OF THE INNER TEMPL LITERALLY TRANSLATED- 23 ORIGINAL AND OFFICIAL EDITION E PUBLISHED AT PARIS, IN 1904.

Art. 1322.-An instrument under private signature, acknowledged by the person against whom it is set up, or statutorily held as acknowledged, is, between those who have signed it and between their heirs and assigns, as conclusive as an authentic instrument

http://www.legislation.gov.uk/uksi/2000/1798/pdfs/uksi_20001798_en.pdf

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