The **Digital Evidence and Electronic Signature Law Review** incorporates the *Digital Evidence Journal* and the *e-Signature Law Journal*. This issue of the Review comprises Volume 3, Number 1 and Number 2 of the *Digital Evidence Journal*. It may be cited as **Digital Evidence and Electronic Signature Law Review (2006), Volume 3.** 

### **Editorial Board:**

#### Brian W. Esler

Partner at Miller Nash LLP, United States of America

#### Dr Michael Geist

Canada Research Chair in Internet and E-commerce Law, University of Ottawa, Faculty of Law, Canada

#### Dr Simone van der Hof

Associate professor at TILT - Tilburg Institute for Law, Technology, and Society, Tilburg University, The Netherlands

### Cristina de Hollanda

Partner of de Hollanda & Advogados Associados, Rio de Janeiro, Brazil

## Mr Tejas Karia, BSL, LLM (India), LLM (London School of Economics)

Advocate (India), Solicitor (England & Wales), Associate at Amarchand & Mangaldas and Suresh A Shroff & Co (Advocates & Solicitors), New Delhi, India

#### Sylvia Mercado-Kierkegaard

Executive Director of MCM-IMF Org and a legal-management consultant, Denmark

#### **Nick Pope**

IT security consultant, United Kingdom

# **Dr Paul Schapper**

Professorial Fellow for Governance at the Curtin University of Technology, Perth, Western Australia

#### Daniel Seng

Associate Professor at the Faculty of Law, National University of Singapore

#### **Bryan Tan**

Advocate & Solicitor; Director, Keystone Law Corporation, Singapore

### General Editor:

Stephen Mason, Barrister (www.stephenmason.eu), Visiting Research Fellow and Director of the Digital Evidence Research Programme at the British Institute of International and Comparative Law; Associate Senior Research Fellow, Institute of Advanced Legal Studies for the academic year 2005 – 2006. Interests in electronic signatures, cryptography, authentication, security, retention of electronic documents and evidential admissibility; e-mail and internet use; interception and monitoring of communications. Author of *Electronic Signatures in Law* (LexisNexis Butterworths, 2003) and *E-mail, networks and the internet: A concise guide to compliance with the law* (xpl publications, 6th edn, 2006).

The editor will consider contributions, correspondence, reports and news, which should be sent to Stephen Mason by e-mail to: stephenmason@pariocommunications.co.uk

Books for review should be sent to the publishers.

© Pario Communications Limited, 2006

### Publishers:

Pario Communications Limited 19a Church Street Langford BIGGLESWADE Bedfordshire SG18 9QT United Kingdom

Telephone 44 (0)1462 701036

E-mail: information@pariocommunications.co.uk

Subscription price for one year (one issue), including delivery by first class or air mail £60.

Digital Evidence and Electronic Signature Law Review, Volume 3 © Pario Communications Limited, 2006 All rights reserved.

ISSN 1756-4611 ISBN 0-9543245-6-0

Printed in the United Kingdom by Lightning Source UK Limited, 6 Precedent Drive, Rooksley, MILTON KEYNES, Buckinghamshire, MK13 8PR

# Correspondents

The aim of a correspondent is to:

- Keep the Journal up-to-date with developments in their jurisdiction (or greater geographical area, if they have the resources) including news, certification authorities, laws and cases as and when they occur.
- Bring the Journal to the attention of other lawyers and universities.
- Advise of any conferences and industry events in their jurisdiction.
- Write articles when appropriate.

If you wish to offer to be a correspondent, please get in touch with the editor.

## Belgium

Katia Bodard, lawyer and Associate Researcher Department of Economic Law (ECOR), Faculty of Law, Vrije Universiteit Brussel, Pleinlaan 2, 1050 Brussels, Belgium, http://www.vub.ac.be

Johan Vandendriessche, lawyer at Bird & Bird, Wetstraat 15, 1040 Brussels, Belgium http://www.twobirds.com and Researcher at the Institute for European Studies, Vrije Universiteit Brussel, Pleinlaan 2, 1050 Brussels, Belgium

### Brazil

Cristina de Hollanda, Universidade do Estado do Rio de Janeiro (BA), FGV/RJ (MBA honours), London School of Economics (LLM)

### China

Minyan Wang LLB (The East China University of Politics & Law), LLM (University of Manchester), PhD student, Centre for Commercial Law Studies, Queen Mary, University of London. Research topic: The regulation of electronic signatures.

## Cyprus

Olga Georgiades Van der Pol, LLB, LLM, Advocate at Lellos P Demetriades Law Office, The Chanteclair House, 2 Sophoulis Street, 9th Floor, Nicosia 1096, Cyprus, http://www.ldlaw.com.cy

### Denmark

Jan Hvarre, attorney-at-law at the IT-law department of Kromann Reumert, Sundkrogsgade 5, DK-2100 Købehhavn Ø,

http://www.kromannreumert.com

### **Egypt**

His Honour Judge Ehab Elsonbaty, BA, LLM (Ainshams), LLM (Bologna), Judge of South Sinai

Court, Egypt and Visiting Scholar at the Institute of Computer and Communications Law, Centre for Commercial Law Studies, Queen Mary University of London

### **European Union**

Dr Patrick Van Eecke, Lawyer of Counsel, head of internet law, DLA LLP, Avenue Louise 106, 1050 Brussels, Belgium, **http://www.dla.be** and Interdisciplinary Centre for Law and IT, K.U.Leuven

#### **France**

Philippe Bazin Avocat at Emo Hébert & Associés, Société d'Avocats aux Barreaux de Rouen et du Havre, France, http://www.emo-hebert.com

### Greece

Michael G Rachavelias, Lawyer, LLM, at Rachavelias & Partners Law Office, 15, Aristeidou Street 41222, Larissa, Greece

#### Ireland

Hugh Hannigan, Solicitor at Mc Aleese & Co, 3 Fitzwilliam Court, Upper Pembroke Street, Dublin 2, Ireland, http://www.mcaleeseandco.com

### Italy

Dr Luigi Martin, Research Manager at Infogiur, the Law Firm Company, Infogiur - Studio di Consulenza legale e-business, Borgo del Parmigianino, 8 43100 Parma,

http://www.infogiur.com

### **Poland**

Tomasz Kozlowski, Radca Prawny (legal advisor), Poland, at KRPiA Gluchowski Jedlinski Rodziewicz Zwara & Partners, ul. Armii Krajowej 116, 81-824 Sopot, http://www.avrio.net/pl/avrioPL.html

# Singapore

Bryan Tan, technology partner at Tan & Tan Partnership, 20 Cecil Street, Equity Plaza, #06-07, Singapore 049705,

http://www.tanandtan.com.sg

# **Switzerland**

Dr Marc Bernheim at Staiger, Schwald & Roesle, Genferstrasse 24, Postfach 677, CH-8027 Zürich, http://www.ssrzh.ch

# **United States of America**

Brian W Esler at Miller Nash LLP, 4400 2 Union Square, 601 Union Street, Seattle, WA 98101, http://www.millernash.com