LAW ON ELECTRONIC MANAGEMENT AND ELECTRONIC SERVICES

Chapter one
GENERAL PROVISIONS

Article 1
Subject of the law

(1) This law shall regulate the operations of the state administration bodies and local self-government units (hereinafter: bodies) during electronic exchange of data and documents, when stipulated by law.

(2) This law shall also regulate the operations of the courts, the Public Prosecutor's Offices and the State Attorney's Office, legal entities authorized to perform public competences, legal entities that deliver and provide public interest services, i.e., entities within the area of education, health, social protection, finances, banking, insurance, energetics, water supply, electronic communications, postal services and utility services during electronic exchange of data and documents, i.e., delivery of e-services, when stipulated by law (hereinafter: other entities).

(3) This law shall also regulate issues related to the establishment and functioning of the National E-Services Portal, the Service Catalogue and the Single Point for Services.

Article 2
Law Application

(1) The provisions of this law shall also apply to the operations of natural persons and legal entities during electronic provision of administrative services.

(2) The provisions of this law shall not apply during working with documents in electronic format that contain classified information, as well as documents related to protection of the interests of the security and defense of the Republic of North Macedonia, when stipulated by law.

(3) The provisions of this law shall not apply to the rules of working with hard-copy documents when the law prescribes special procedure or format for execution of certain actions.

(4) The procedures prescribed by this law shall be conducted in accordance with the provisions of the Law on General Administrative Procedure and the special laws that regulate the operations of the entities referred to in Article 1, paragraph 2 of this Law, unless otherwise stipulated by this law.

(5) The procedures for provision of administrative services prescribed by special laws shall be conducted in accordance with the provisions of the law that regulates the service when it is provided electronically.

Article 3
Goals of the law

This law shall secure efficient and effective execution of the competences of the bodies referred to in Article 1, paragraph 1 of this law, as well as of the competences,
the rights and the authorizations of the entities referred to in Article 1, paragraph 2 of this law, based on established standards and procedures, in accordance with the provisions of this law and the special laws, which goal is provision of electronic services for the service users.

### Article 4

**Meaning of the terms used in this law**

(1) Certain terms used in this law have the following meaning:

- **INFORMATION SYSTEM** is a system used for compiling, sending, receiving, storage and other processing of data and documents in electronic form,
- **CERTIFICATE** is a confirmation of the fulfillment of the conditions for functioning of the information systems,
- **DATABASE** is a structured collection of records or data stored in electronic form,
- **ELECTRONIC DATA** are data that are sent or received electronically, including electronic data exchange,
- **DATA EXCHANGE** is the ability of the information systems to process, mutually exchange and store documents and data electronically, by using the unique technological standards and processes,
- **UNIQUE ENVIRONMENT** for electronic exchange of data and documents is a controlled environment for standard exchange of documents and data between the bodies, i.e. the National Interoperability Platform – Macedonian BUS (hereinafter: MB).
- **INFORMATION SECURITY** is a system of measures for protection of the information systems, the special telecommunication network, documents and data in electronic format from unauthorized and accidental access, using, changing, blocking of that access to the documents and data or their destruction, prevention of electronic service delivery,
- **ELECTRONIC SERVICES** are administrative services provided by bodies in accordance with their legal competence, and are also provided electronically,
- **ELECTRONIC SERVICE USER** is a natural person or legal entity that has submitted a request for electronic provision of an administrative service, in accordance with the law (hereinafter: user),
- **ELECTRONIC SERVICE PROVIDER** is a competent body or other entity that provides administrative services to natural persons and legal entities electronically within its working scope prescribed by law, or it performs an activity for which it is registered (hereinafter: provider),
- **VERIFIER OF PROCESSES FOR ELECTRONIC SERVICE DELIVERY** is an administrative officer employed with a competent body or other entity, who on behalf of the competent body confirms the administrative processes related to services provided by the body, based on prior authorisation for verification of processes given to the employee by a person in charge of the administrative body or other entity,
- **NATIONAL E-SERVICE PORTAL** is an electronic platform, which enables using of electronic services and could be accessed by using information communication technologies based on logically associated processes,
- SERVICE CATALOGUE for achievement of the goals of this law is a unique register of services, which clearly and unequivocally determines: the competent body that provides each service, the law from which the service and the body’s competence derive, the conditions that need to be fulfilled to use each service, as well as the proofs necessary for using a specific service based on law,
- SINGLE POINT FOR SERVICES is an administrative office that provides access to services for several competent bodies, in which the acts adopted by the competent bodies for which the administrative office is intended can be obtained, and for which services a request has been previously submitted by a user of a specific service, which is provided by a competent body in accordance with the law. The Single Point for Services also provides informative services for different types of services for the population in the Republic of North Macedonia provided by the competent bodies,
- INTERMEDIARY OF ELECTRONIC ADMINISTRATIVE SERVICES is an administrative officer employed in the ministry, other state administration body, governing organization, or local self-government unit, who on behalf and for the account of the electronic service user undertakes adequate actions.

(2) The terms used in this law whose meaning has not been defined in paragraph 1 of this article, shall have a meaning prescribed by other law.

Chapter two
ELECTRONIC COLLECTION AND SUBMISSION OF DATA

Article 5
One-time data collection and accessing
(1) The electronic service providers shall ex officio provide data from the data controller and processor from the population register.
(2) Notwithstanding paragraph 1 of this Article, if the population register does not contain the necessary data, they shall be provided from the source manager of data on natural persons and legal entities, which have already been collected.
(3) The electronic service provider shall enable access for the natural persons and legal entities to the data collected on them, in accordance with the law.

Article 6
Submitting data ex officio
The controller and processor of data from the population register and the data source manager shall ex officio submit data upon prior request from the electronic service provider, if they are necessary for performance of their operations, in accordance with the law.

Article 7
Automatic data submission
(1) Requesting submission of data from natural persons and legal entities to the bodies as well as notifying the bodies shall be done automatically in electronic format.
In the absence of technical possibility for automatic data submission and in cases when the law prescribes manual manipulation of registers, the data shall be submitted as electronic documents with unstructured format.

Article 8
Obligation for identification
(1) During electronic exchange of documents and when giving or providing administrative services by electronic means, authorities, natural persons and legal entities shall identify themselves electronically in accordance with the Law on Electronic Identification, Electronic Documents and Trust Services.
(2) The manner of user identity verification when lodging an electronic request by using a unique environment shall be stipulated by the minister of information society and administration.

Article 9
Obligation for utilization of MB
(1) When exchanging electronic documents and data, the bodies and other entities shall use the MB managed by the Ministry of Information Society and Administration.
(2) MB standards for interoperability, which are grounds for construction of the national interoperability platform, shall be prescribed by the Minister of Information Society and Administration with a special by-law.
(3) Notwithstanding paragraph 1 of this Article, the bodies that have no possibility for direct electronic exchange of data and documents could use the service for electronically recommended submission of documents in order to communicate with other bodies, in accordance with the Law on Electronic Identification, Electronic Documents and Trust Services.

Article 10
Rules for using information systems
(1) The manner of utilization of information systems for processing data in electronic form by bodies stipulated under Article 1 paragraph 1 of this law through MB, shall be stipulated by the minister of information society and administration.
(2) By means of separate acts, the bodies shall regulate the manner of using the special information systems within the bodies for processing data in electronic form.

Chapter three
ELECTRONIC SERVICES

I. Access to and delivery of electronic services

Article 11
Utilization of electronic services
The bodies shall ensure utilization of electronic services stipulated by law, unless other form for delivery of said services is stipulated by law.
Article 12

Notification on provided electronic service

(1) The electronic service provider shall notify the users on the performed services through the National E-Services Portal, on the e-mail address specified by the service user.

(2) In cases when the procedure pursuant to law ends with undertaking specific actions or measures by the competent body or other entity, the service user shall receive notification through the National E-Services Portal that the service has been performed in such a way that the competent body enabled exercising of a specific right or recorded fulfillment of a specific obligation.

(3) In cases when the procedure according to the law ends with adoption of an administrative act, the electronic service user shall receive a notification through the National E-Service Portal that the service has been performed in such a way that the competent body adopted the administrative acts, which is the end of the procedure.

(4) The act shall be considered as electronically delivered at the moment of its acquisition through the National E-Services Portal.

(5) If in its request, the service user specified delivery of the act or notification by using a qualified electronically recommended delivery, the delivery shall be considered as performed at the moment specified on the receipt for qualified electronically recommended submission, in accordance with the Law on on Electronic Identification, Electronic Documents and Trusted Services.

(6) If the electronic service user does not download the administrative act from the national e-services web page, or does not have a receipt for qualified electronically recommended delivery within seven days from the day when the notification was sent, the electronic service provider shall deliver the act in hard-copy, in accordance with the provisions of the law that prescribes the service.

Article 13

Access to electronic services

(1) The Ministry of Information Society and Administration shall oversee smooth operation of the National E-Service Portal.

(2) The electronic service provider shall use the requests for giving administrative service electronically, determined in accordance with law.

(3) With an adequate bylaw, the Minister of Information Society and Administration shall prescribe the manner of electronic payment for administrative services that are provided electronically.

Article 14

Access to data and documents in electronic form

The electronic service provider shall enable access for the user to all data and documents related to the requested administrative service in electronic form in accordance with the law and in a manner that allows their restoration and storage.
Article 15
Collection, processing and delivery of personal information
(1) The electronic service provider may collect, process and provide personal data only when prescribed by law.
(2) The personal data may not be used for purposes other than those prescribed by this law, unless there is consent of a natural person.
(3) When collecting, processing and providing personal information, the electronic service users shall apply personal data protection regulations.

Article 16
Technical requirements, policies and standards
(1) The electronic service provider shall meet minimum technical requirements and standards for electronic service delivery, prescribed by the minister of information society and administration.
(2) The minimum technical requirements and standards referred to in paragraph 1 of this Article shall be published on designated Ministry of Information Society and Administration website.

II. Delivery of documents in electronic form

Article 17
Submission of request
(1) The user may submit requests in electronic form, in accordance with this law and provisions stipulated under the Law on Electronic Documents, Electronic Identification and Trust Services.
(2) The form and content of the request stipulated under paragraph 1 of this Article, as well as the manner of submission thereof shall be stipulated by the manager of the authority providing electronic services.

Article 18
Manner of submitting request
(1) Natural persons and legal entities shall submit requests in electronic form by means of:
1) the National E-Services Portal
2) a unique environment
3) other platforms that meet the criteria stipulated by this Law.
(2) The National E-Services Portal referred to in paragraph 1, item 1 of this Article provides delivery of electronic services, in accordance with the Law on Electronic identification, Electronic Documents and Trust Services.

Article 19
Submission of request through the National E-Services Portal
The electronic service user shall fill standardized forms electronically, provided through the National E-services Portal, stipulated by the minister of information society and administration.

Article 20

**Electronic form of documents**

(1) During electronic delivery of administrative services, the electronic form of the documents is standardized for all documents issued by the competent bodies through the National E-Services Portal, pursuant to provision under the Law on Electronic Documents, Electronic Identification and Trust Services.

(2) The electronic documents issued by competent bodies through the National E-Services Portal shall be issued based on standards stipulated under the Law on Electronic Documents, Electronic Identification and Trust Services.

Article 21

**Obligation to own electronic address**

(1) The user shall report their electronic address for using electronic services to the provider.

(2) A natural person, as user of electronic services via the National E-Services Portal, shall disclose their electronic address on the National E-Services Portal by electronic means, or via Single Point for Services. A legal entity, as user of electronic services via the National E-Services Portal, shall disclose its electronic address in the Central Register of the Republic of North Macedonia, i.e. in the competent registry court if the legal entity in question is a political organization.

(3) If the user has changed the address without informing the provider, or has given a false electronic address, all announcements sent to the given address shall be deemed duly delivered.

(4) If the user changed the electronic address for receiving electronic services, the user, if natural person, shall report the change electronically on the National E-Services Portal within 5 days from the day of the change, and if legal entity, it shall report the change within 24 hours to the Central Register of the Republic of North Macedonia, i.e., to the competent register court if it is a political organization.

(5) The electronic address of legal entities shall be automatically downloaded to the National E-Services Portal from the Central Register of the Republic of North Macedonia, i.e. from the registered court if the entity in question is a political organization.

Article 22

**Acting upon received hardcopy requests and documents**

(1) When user’s requests and documents are delivered to the bodies in hardcopy, they shall be introduced into the body’s information system by means of scanning, i.e. digitalization thereof.

(2) Scanning, i.e. digitalization of requests and documents delivered in hardcopy shall be done by the employee who had received the hardcopy and the same employee shall confirm full and accurate correspondence of the hardcopy request or document
and the digital form thereof, by using the electronic signature or electronic stamp of the body, pursuant to provisions under the Law on Electronic Documents, Electronic Identification and Trust Services.

(3) The requests and the documents referred to in paragraph 1 of this Article delivered in hardcopy shall be immediately returned to the service user if delivered in person, or no later than 3 days by means of registered mail from the day of receipt of the request or document via postal services.

III. Receiving documents in electronic form

Article 23
Receiving requests in electronic form
Requests submitted in electronic format shall be received by persons authorized by the electronic service provider.

Article 24
Receiving requests
(1) The request sent in electronic form shall be considered as received with its registration on the National E-Services Portal or in the unique environment for electronic exchange of documents and data.
(2) The risk of making errors when submitting the request to the electronic service provider shall be borne by the user.

Article 25
Compliance check
If the request that is sent electronically to the provider has a form other than the one prescribed by law, or the user cannot be identified in accordance with law, then the user shall be informed that the receipt has not been confirmed, and the reasons for this action shall be specified.

Article 26
Confirmation of receipt
(1) Upon receipt of the request in electronic form, a confirmation of receipt is immediately sent to the user.
(2) The content of confirmation referred to in paragraph 1 of this article shall be stipulated by the minister of information society and administration.

Article 27
Checking accuracy
(1) The electronic service provider shall check the accuracy of the request and the submitted data.
(2) If irregularities are identified in the user’s request, an electronic notification with an instruction and deadline for removing the errors is sent to the user in accordance with the Law on General Administrative Procedure.

Article 28
Processing of the electronic request
(1) The request shall be processed in a manner and procedure prescribed by the law, which determines the user's right or the obligation.
(2) When the request is processed through the National E-Services Portal, the electronic service provider shall use the user's data contained in the Central Population Register, in accordance with the Law on Central Population Register and personal data protection regulations.
(3) The provider of the electronic service provided via the National e-Services Portal shall perform mandatory checks of user data contained in the Central Population Register upon receipt of the request and prior to completion of the procedure.
(4) Notwithstanding paragraphs 1, 2 and 3 of this Article, if the necessary data referred to in paragraph 2 of this article are not contained in the Central Population Register, they shall be provided from the source manager of data on natural persons and legal entities that have been already collected, pursuant to provisions under the Law on Central Population Register.

IV. Storage of electronic documents

Article 29
Storage of electronic documents
All documents received and submitted in electronic form shall be stored in the information system of the electronic service provider, in accordance with law.

Chapter four

ELECTRONIC COMMUNICATION BETWEEN THE BODIES, FUNCTIONALITY OF INFORMATION SYSTEMS AND CONTROL

I. Electronic manner of communication between bodies

Article 30
Obligation for electronic communication between the bodies
(1) The bodies shall mutually exchange data and documents electronically, for the purpose of accomplishing the tasks determined by law.
(2) If not prescribed by law, the electronic manner of communication between the bodies for exchange of data and documents may be determined by signing agreements between the bodies by electronic means, pursuant to this law.
Article 31

Utilization of unique standards and rules
(1) The bodies shall use unified nomenclatures in their mutual electronic communication.
(2) The minister of information society and administration shall prescribe the standards and rules for the unified nomenclatures referred to in paragraph 1 of this Article.

Article 32

Ensuring information security
(1) The bodies shall use measures for information security of the information system used for electronic communication.
(2) The minister of information society and administration shall prescribe the special standards and rules for information security of the system referred to in paragraph 1 of this Article.
(3) By means of separate act, the minister of information society and administration shall prescribe the standards and rules for security of the information systems that the bodies use for electronic communication.

Article 33

Register of services
(1) The Ministry of Information Society and Administration shall keep a register of services delivered via the National E-Services Portal or contained in the Service Catalogue as separate electronic database for all bodies and other entities, which shall contain service description through a specified technical standard and specification.
(2) The minister of information society and administration shall prescribe the manner of use, registration, access, and storage in the register referred to in paragraph 1 of this Article.

Article 34

Certificate for interoperability
(1) The Ministry of Information Society and Administration shall keep a list of persons tasked to perform duties in the field of information and communication technologies, i.e. check the interoperability of the information system used for communication between the bodies and other entities through the unique environment.
(2) The minister of information society and administration shall prescribe the manner and conditions for registration in the list referred to in paragraph 1 of this Article, as well as the form and content of interoperability certificates.

Article 35

Checks of information systems' interoperability
The Ministry of Information Society and Administration shall perform checks of the security and interoperability of the information systems used for communication
between the bodies and other entities through a unique environment, pursuant to procedures set forth by the minister of information society and administration.

Chapter five
NATIONAL E-SERVICES PORTAL, SERVICE CATALOGUE AND SINGLE POINT FOR SERVICES

Article 36
Content of the National E-Services Portal
(1) The National E-Services Portal shall contain standardized forms that electronic service users need for exercising their rights or fulfilling their obligations, in accordance with law.
(2) By using information technologies based on logically associated processes, the National E-Services Portal enables the electronic service user to submit request to the adequate electronic service provider.
(3) The Ministry of Information Society and Administration shall establish and maintain the National E-Services Portal.

Article 37
Recording of electronic services in the Service Catalogue
(1) Every competent body shall record services it provides pursuant to law in a comprehensive, precise and simple manner in the Service Catalogue.
(2) Upon recording services in the Service Catalogue, and before publication thereof on the National E-Services Portal, the verifier of processes for electronic service delivery shall confirm the content of the standardized electronic forms, as well as the administrative processes related to the services provided by the body.
(3) The verifier of electronic service delivery processes shall confirm the content of the standardized electronic forms, as well as the administrative processes based on an authorisation previously issued by the body’s person in charge.

Article 38
Updates of electronic services
(1) The competent body shall update each electronic service it provides separately in case of any changed circumstances affecting the delivery of said service.
(2) After updating the services in the Service Catalogue and before publication thereof on the National E-Services Portal, the services shall be confirmed and approved by the verifier of electronic service delivery processes.
(3) Upon each amendment and supplement to a law or a bylaw already regulating an electronic service, the competent body shall inform the Ministry of Information Society and Administration and the Ministry of Interior.

Article 39
Function of the Service Catalogue
The Ministry of Information Society and Administration shall maintain the Service Catalog in electronic form.

The basic function of the Service Catalogue shall be to provide structured manner of storing necessary information on procedures and necessary documents for exercising a particular right or fulfilling a particular obligation by natural persons, for which a specific body is competent.

The provider of the respective service shall be responsible for the accuracy and the promptness of information about a particular service contained in the Service Catalogue.

Article 40
Method of cataloguing services
(1) The Service Catalogue shall contain data on administrative services provided by competent bodies, grouped by related administrative areas.
(2) In addition to updating data referred to in Article 38 paragraph 1 of this Law, the bodies shall also maintain and keep administrative service bases and shall be responsible for the changes related to the status of administrative services.
(3) Before publishing information contained in the catalogue related to the services for which each body is individually competent, the services shall be confirmed and approved by the verifier of processes for delivery the competent body’s electronic services.

Article 41
Single Point for Services
(1) The Single Point for Services shall enable access to services provided by several competent bodies through administrative offices where requests may be submitted, and services may be obtained from different competent bodies.
(2) The Single Point for Services shall also provide basic information for different types of services provided by competent bodies to the population of the Republic of North Macedonia.
(3) Upon prior approval from the Government of the Republic of North Macedonia, the minister of information society shall set forth the allocation of the competent bodies in the Single Point for Services.

Article 42
Intermediary of electronic administrative services
(1) The intermediary of electronic administrative services shall act pursuant to this Law and the agreement referred to in paragraph 2 of this Article, with a view to protect the interests of electronic service users.
(2) The relationship between the intermediary and the electronic service user shall be based on an agreement.
(3) The manner of intermediaries’ acting, as well as the form of the agreement referred to in paragraph 2 of this Article, shall be prescribed by the minister of information society and administration.

Chapter six

SUPERVISION

Article 43

The Ministry of Information Society and Administration shall supervise the application of this Law.

Chapter seven

MISDEMEANOUR PROVISIONS

Article 44

(1) For misdemeanors set forth under this Law, competent court shall lead a misdemeanor procedure and shall impose a misdemeanor sanction.
(2) The form and content of the minutes and the misdemeanor order shall be set forth by the minister of information society and administration.

Article 45

(1) A fine in the amount of 500 to 1000 euros in MKD equivalency shall be imposed for a misdemeanor to the official in charge of the body, if they act contrary to provisions from Articles 5, 6, 8 and 9 and paragraph 1 of this Law.
(2) A fine in the amount of 500 to 1000 euros in MKD equivalency shall be imposed for a misdemeanor to the officer within a body if they commit misdemeanours stipulated in paragraph 1 of this Article.

Article 46

(1) A fine in the amount of 1000 to 1500 euros in MKD equivalency shall be imposed for a misdemeanor to the official in charge of the body, they act contrary to the provisions from Articles 11 and 14 of this Law.
(2) A fine in the amount of 1000 to 1500 euros in MKD equivalency shall be imposed for a misdemeanor to the officer within a body if he/she commits misdemeanours stipulated in paragraph 1 of this Article.

Article 47

(1) A fine in the amount of 1500 to 2000 euros in MKD equivalency shall be imposed for a misdemeanor to the official in charge of the body, they act contrary to the provisions from article 30 paragraph, article 31 paragraph 1, article 32 paragraph 1, article 37 paragraph 1, article 38 paragraph 1 and article 40 paragraph 2 of this Law.
(2) A fine in the amount of 1500 to 2000 euros in MKD equivalency shall be imposed for a misdemeanour to the officer within a body if he/she commits misdemeanours stipulated in paragraph 1 of this Article.

Chapter eight

TRANSITIONAL AND FINAL PROVISIONS

Article 48

(1) Bodies who have signed contracts for connecting to the unique environment with the Ministry of Information Society and Administration prior to the starting date of application of this law, shall be deemed to meet criteria to connect to the unique environment stipulated by this Law.

(2) Certificates issued to legal entities working in the field of electronic registered mail prior to the starting date of application of this law shall be valid until the validity end date thereof, and renewal thereof shall be done pursuant to provisions under the Law on Electronic Documents, Electronic Identification and Trust Services.

(3) Competent bodies defined as electronic service providers under this law, shall appoint verifies of electronic service delivery processes within three months from entry into force of this law.

(4) The list of legal entities tasked to check interoperability of information systems via the unique environment shall be defined by the Ministry of Information Society and Administration within 6 months from entry into force of this law.

Article 49

(1) Obligations stipulated under Article 8 paragraph 1 and Article 9 paragraph 3 of this law, concerning provisions under the Law on Electronic Documents, Electronic Identification and Trust Services shall be applied pursuant to provisions under the Law on Electronic Data and Electronic Signature (“Official Gazette of the Republic of Macedonia” no 34/2001, 6/2002, 98/2008 and 33/15), until the start date of application of the Law on Electronic Documents, Electronic Identification and Trust Services.

(2) Article 13 paragraph 5, Article 17 paragraph 1, Article 18 paragraph 2, Article 22 paragraph 2 of this Law shall be applied pursuant to provisions under the Law on Electronic Data and Electronic Signature (“Official Gazette of the Republic of Macedonia” no 34/2001, 6/2002, 98/2008 and 33/15), until the start date of application of the Law on Electronic Documents, Electronic Identification and Trust Services.

(3) For Article 8 paragraph 1, Article 9 paragraph 3, Article 12 paragraph 5, Article 17 paragraph 1, Article 18 paragraph 2, Article 20 and Article 22 paragraph 2 of this Law, related to electronic identification, electronic documents and trust services, provisions shall apply under the Law on Electronic Data and Electronic Signature (“Official Gazette of the Republic of Macedonia” no

Article 50
(1) The bylaws determined with this law shall be adopted within three months from the day this law enters into force.
(2) The competent bodies shall comply their laws with provisions under this law within one year, counting from the day this law enters into force.
(3) Other entities referred to in Article 1, paragraph 2 of this law shall comply their operations with this law within one year, counting from the day this law enters into force.

Article 51
(1) On the day when this law shall start to be applied, the Law on Electronic Management (“Official Gazette of the Republic of Macedonia” no. 105/2009, 47/2011, 193/2015, 52/2016 and 99/2018) shall cease to be valid.

Article 52
This law shall enter into force on the eighth day from the day of publication thereof in the “Official Gazette of the Republic of North Macedonia”, and application thereof shall commence within three months from the day it enters into force.