



HR Electronic Records – France

Natively Electronic Documents

What is the legal value of native electronic documents (that do not require signature by the parties)?

The majority of legislation generally recognizes the validity and probative value of documents that are natively electronic (i.e., created as electronic originals), subject to compliance requirements.

In France, Law No. 2000-230 of March 13, 2000 gave electronic documents the same legal value as paper documents and Law No. 2012-1510 of December 29, 2012 established equal treatment between electronic invoices and paper invoices. This has the consequence of giving probative value to electronic archiving, and also imposing electronic documents with the same legal archiving obligations as paper documents.

HR Best Practices: Natively electronic documents are considered originals provided that the following cryptographic techniques are used:

- Integrity by hash function: The hash condensed form of a text (the imprint), that is to say a series of characters representing the text that it condenses. By sending a document with its imprint (hashed), its integrity is guaranteed because the recipient can verify, by comparison, that the document has not been tampered with during the communication.
- Time stamp: Time stamps certify hours and dates of the document's creation and reinforce its authenticity.



Last updated April 2023.

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