

## E-Administration and records management

Written by Carlota Bustelos

Tuesday, 29 March 2016 18:07 - Last Updated Friday, 01 April 2016 08:42

---



Since the end of 2015 Spain has a new set of legislation for the public sector that fully affects how documents should be managed. [Law 39/2015 of Common Administrative Procedure](#) and [Law 40/2015 of the Legal Framework of Public Sector](#) lay the foundations of how to develop e-administration and, therefore, how electronic records in the public sector should be managed.

Overall, I welcome the content of the new legislation in what regards to document management. I think that it comes to settle and clarify the fundamental aspects, while simplifying some other issues that had unnecessarily complicated implementations. This is not to deny that some issues have already sparked some debate and the practical implementation is still pending to be solved.

The big change introduced by this laws is to establish e-administration, and therefore electronic procedure, as the only possible. It's no longer a project of transformation by the leading administrations, but the norm. The exception is now the use of paper, which is relegated to a few isolated cases that should not affect electronic transactions as the norm. This is a breakthrough, as in common parlance it means that governments in Spain shall stop producing paper within the deadlines established by the laws. The possibility of "hybrid cases," an idiom so ugly as complicated and expensive in its practical implementation, is beyond discussion. We shouldn't spend more resources and brain cells defining this practice!

Besides the main change, I had to carefully review this legislation to prepare [the course I teach in SEDIC](#). I have gathered the most important issues in this table.

### ASPECT

### COM

### MENT

Register for income documents

There will no longer be to types of registers: one for paper, with its structure and staff, and other for E-

Electronic Registrar: Handling of Paper Documents

Only citizens (natural persons) have the right to present paper documents if they choose. This measur

E-Signatures: Differences between means of signature and means of identification

From a records management point of view this clarification together with the specification of the differ

Documents to be signed by citizens

By explaining clearly in what types of documents ~~electronic~~ electronic signature can be used

Administrative Public Documents

The documents produced by public authorities have to be electronic. These are the ones to be managed

Electronic Cases

Clearly defined as a grouping of documents, indicating that mandatory reports, a certified copy of the

Somehow it moves away from the complexity of the "ENI (National Interoperability Framework) Case

To highlight a curious contradiction, the law states that a record can be in more than one case and at

### Metadata

Although the concept is too technical for a general law, it is used at least three times, referring to the

### Single Electronic Archive

It is one of the concepts that more debate have arisen, especially among archivists who have to make

It circumscribes the electronic archive only to records pertaining to finalised cases. Apart from the request  
["El Archivista"](#)

### Conditions of access to electronic archive

Without establishing it explicitly, the idea of single electronic archive and the conditions to access it se

## **E-Administration and records management**

Written by Carlota Bustelos

Tuesday, 29 March 2016 18:07 - Last Updated Friday, 01 April 2016 08:42

---