Abstract
This paper intends to explore how the different backgrounds, including economic development, culture, and legal system, impact on the regulation of electronic signatures. Are they relevant in such regulation and why? To what extent and in what way they have an impact on such regulations? It will contribute to the understanding and research on the role of economic, cultural and legal backgrounds in ICT laws and their harmonisation.

It will choose four countries with completely different economic, cultural, and legal backgrounds to analyse and compare. These four countries will be the UK, the US, Germany and China, which are strong representatives of eastern and western countries, developed and developing countries, common law and civil law countries. They are also the strong examples of the different approaches adopted in electronic signatures law, that is, prescriptive, two-tiered and minimalist approaches, each based on different assumptions about the legal status of electronic signatures and their future. Through the comparison, it will identify the similarity and difference between the legislations in these countries and analyse the reasons underpinning such similarity and difference. In this way it will identify whether the different backgrounds have an impact on such regulation, to what extent and in which way.

Therefore this paper will consist of four sections. First, it will briefly introduce what electronic signatures are and how they work. An electronic signature is defined generically as “data in an electronic form in, affixed to or logically associated with, a data message, which may be used to identify the signatory in relation the data message and indicate the signatory’s approval of information contained in the data message”\(^1\). Second, it will identify the different economic, cultural, and legal backgrounds in these four countries. Third, the regulatory status in the past and at present in these four countries will be critically examined and compared. And last, whether the different backgrounds are relevant to such regulation and why? To what extent and in which way? And then it will give the suggestions on the harmonisation of electronic signatures law.

the laws around the world taking into account the different backgrounds.

It is argued in this paper that the different backgrounds seem not significant in deciding the entry of electronic signatures regulation since a number of countries with different backgrounds such as the examined four countries have enacted or proposed such legislation in the last decade in the area of electronic signatures. Signatures have been treated quite differently in different jurisdictions and there is no express and comprehensive definition of ‘signatures’ in most countries. It is also argued that such high consensus on the initiatives might partly be because of the “regulative competitiveness”, that is, a country decides to regulate electronic signatures because other jurisdictions have taken such actions. Another reason is “no regulation” on signatures which provides an easier entry for electronic signature regulations. The less significance of the different backgrounds on entry of such regulations, however, does not result in an agreement or similarity on how electronic signatures should be regulated. The different backgrounds have an impact on the design of electronic signatures law as different jurisdictions take different views on the development of electronic signature technologies and the role of governments in regulating electronic signatures. The divergent policies to some extent create new barriers to electronic signatures and electronic commerce development, and stifle the international cooperation. Therefore there is an urgent need for harmonisation.