



Proposal for a
Regulation on
Electronic identification and trust services for
electronic transactions in the internal market

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What is the scope of the proposed Regulation?

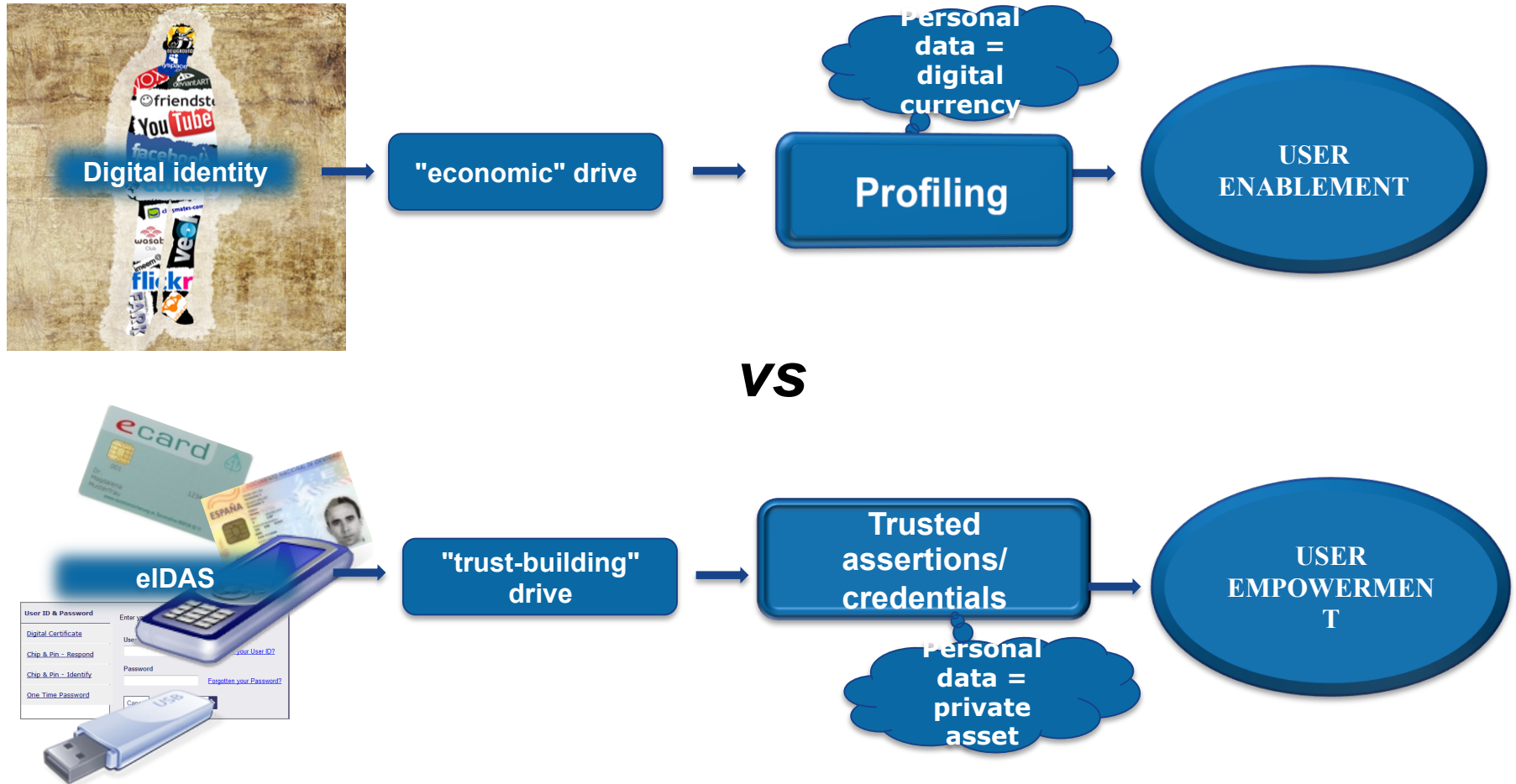
1. Mutual recognition of **electronic identification**

2. **Electronic trust services:**

- **Electronic signatures** interoperability and usability
- **Electronic seals** interoperability and usability
- Cross-border dimension of:
 - 1. Time stamping,**
 - 2. Electronic delivery service,**
 - 3. Electronic documents admissibility,**
 - 4. Website authentication.**



"Digital identity" vs electronic identification and trust services (eIDAS)



What are electronic trust services in practice?

Example: *Submitting a tax declaration (1)*



1. Website authentication => users (persons or companies) **need** to check if the website they enter is really linked to the tax authority.



2. Electronic identification => users **may need** to identify (or authenticate) themselves using, for instance, an eID means.



3. E-signature/e-seal => users **may need** to confirm the content and authenticity of the tax declaration, via an electronic signature (natural person)/ electronic seal (legal person).



What are electronic trust services in practice?

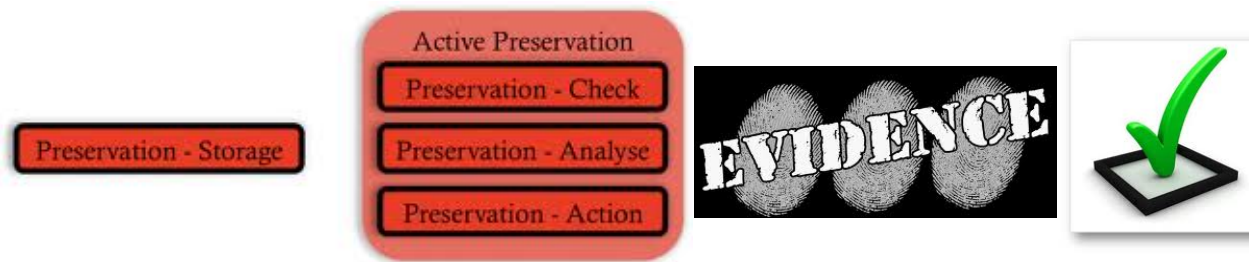
Example: *Submitting a tax declaration (2)*

4. E-delivery and time stamping =>

- The proof of timely submission of the tax declaration **may be ensured** via a time stamping.
- The tax authority **may send** a formal acknowledgment of receipt of the submission through a secure channel (electronic delivery system) which will also time stamp to confirm the time of receipt



5. Preservation => The tax declaration and the acknowledgment of receipt **require to be stored and preserved** to be presented to third parties in the future with the certainty that they will be legally valid.



How does it work for mutual recognition of eID?

- **A EU Member State:**

1. **May** ‘**notify**’ the ‘national’ electronic identification scheme(s) used at home for access to its public services
2. **Must** recognise ‘notified’ eIDs of other Member States for cross-border access to its online services when its national laws mandate e-identification
3. Must provide a free online **authentication** facility for its 'notified' eID(s)
4. Is **liable** for unambiguous identification of persons and for authentication;
5. May allow the private sector to use ‘notified’ eID

What is foreseen for electronic trust services?

Common Principles:

- **Technological neutrality**
- **Mutual recognition** of «**qualified**» electronic trust services (including non EU countries)
- Strengthens and harmonises **national supervision** of qualified trust service providers and trust services
- **Reinforces data protection** + obligation for **data minimisation**
- Uses **secondary legislation** to ensure flexibility vis-à-vis technological developments and best practice

What is foreseen for electronic trust services?

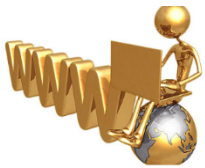
eSignature

- Builds on existing eSignature infrastructure and clarifies concepts related to eSig. (**natural** persons)
- Introduces **eSeals** (**legal** persons)
- Allows for full reference to standards
- Clarifies validation of qualified eSignatures
- Ensures long term preservation
- Allows «server / remote» and «mobile» signing

What is not covered?

- The proposal does not:
 - Require Member States **to have** an eID scheme
 - Address «**soft ID**»
 - NB. «**Notified**» eIDs are not necessarily **ID cards**
 - Envisage any kind of "**EU database**"
 - Create an "**EU eID**"
 - Require **prior authorisation** to start a qualified service or foresee an **accreditation** of qualified service
 - Address **persons' roles or attributes**
 - Address the **format** of e-documents
 - Address the **establishment of proof**

Who will benefit from the proposal?



13 million EU citizens work in another EU country



21 millions of SMEs of which more than 40% have cross-border activities



Companies will reduce their costs and increase efficiency

Why will it make a difference?

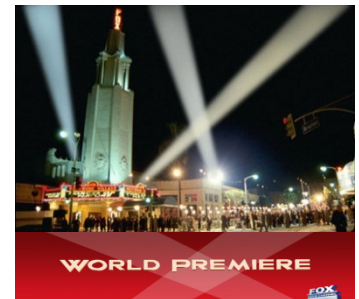
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- **Creates confidence in electronic trust services:**
 - Effective state **supervision**
 - Systematic usage of "**trusted lists**" (i.e. directories of qualified services and providers)
 - *De facto* «trustmark» for EU qualified services
- **Easy eSignature:**
 - Harmonisation power of **Regulation**
 - **Full eSig specification** via secondary legislation + standards
- **Related trust services:**
 - Address clear market needs: eSeals, eDelivery, eDocuments, ...
 - Harmonise national legislation: time stamping, eDelivery
 - eDocument admissibility: « big bang » for de-materialisation
 - Website authentication is an implicit expectation of the citizens

Why will it make a difference?

(2/2)

- **Comprehensive “toolbox” of trust building instruments**
 - One single legislation across EU
- **Foster eID usage (“world premiere”):**
 - Leverage eID cards and mobile ID infrastructure
 - Reliable eID for cross border eBusiness and eGov services
 - Private sector is invited to build on «notified» eIDs
 - Leverage Large Scale Pilot project STORK



For further information and feedback



<http://ec.europa.eu/digital-agenda/en/trust-services-and-eid>



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