



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND TECHNOLOGY

Digital Society, Trust and Cybersecurity
eGovernment and Trust

Brussels, 30 April 2019
CNECT.H.4/AS/ak

Dear Mr. Paul Lackner,

I refer to your inquiry about the meaning of Article 21(2) of the eIDAS Regulation and the requirements that have to be fulfilled by a trust service provider to be granted the status as qualified by the supervisory body.

The requirements referred to in Article 21(2) are those laid down in the eIDAS Regulation, see in particular Article 24. This article sets out the requirements for qualified trust service providers. For instance, a qualified trust service provider shall use trustworthy systems and products that are protected against modifications and ensure the technical security and reliability of the process supported by the (Article 24.2 (c)), establish and keep updated a certificate database (Article 24.2 (k)).

In order to ensure that the requirements have been fulfilled, the following procedure for granting the qualified status applies:

- (1) An "*eIDAS*" accredited conformity assessment body assesses the conformity of the trust service provider and the qualified trust service it intends to provide against the requirements of the eIDAS Regulation.
- (2) The trust service provider notifies the national supervisory body its intention to become qualified together with a conformity assessment report issued by a conformity assessment body. The conformity assessment report must prove the compliance with the requirements of the Regulation.
- (3) The supervisory body shall, based on the conformity assessment report and any additional information that might be available to it¹, verify if the trust service provider and the qualified trust service it intends to provide meets the requirements of the eIDAS Regulation. If the supervisory body concludes that the requirements have been met, the qualified status is granted. The qualified status of the qualified trust service provider, together with the qualified trust service it provides, is then added to the Trusted Lists at the national level.

¹ The supervisory body is entitled to request further information and may take a duly justified decision that goes against the conformity assessment report.

You will find additional information about the eIDAS Regulation on <https://ec.europa.eu/digital-single-market/en/news/questions-answers-trust-services-under-eidas>,

Yours faithfully,

Andrea SERVIDA
Head of Unit
(e-sign)