

# **Electronic identification and trust service notifications**

Traficom Guideline

214/2023 O

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## 1 Introduction

### 1.1 Objectives of the Guideline

This Guideline applies to

- identification brokering services and providers of strong electronic identification means
- electronic trust services
- conformity assessment bodies seeking the Finnish Transport and Communications Agency Traficom's approval to perform trust service assessments on the basis of an accreditation by FINAS.

The purpose of the Guideline is to determine more clearly the information to be provided to the supervising authority in notifications submitted according to certain statutes<sup>1</sup>. The Guideline also describes the notification processes.

### 1.2 Provisions on which the Guideline is based on

Pursuant to section 42 a of the Identification and Trust Services Act (617/2009), Traficom has the duty to monitor the compliance with the Act and the EU eIDAS Regulation (EU) 910/2014.

#### Identification services

Pursuant to section 42 a of the Identification and Trust Services Act, Traficom may issue further regulations on the information that the providers of electronic identification service shall submit to Traficom prior to the commencement of their services (*identification service operations commencement notification*). Any changes to such information shall also be notified (*identification service change or termination notification*).

Instead of a regulation, Traficom has decided to issue a Guideline on the matter.

#### Qualified trust services

Qualified trust services are electronic services that meet the definitions and requirements of the eIDAS Regulation, have been notified to the supervisory body and are included in the trusted list specified in the Regulation.

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<sup>1</sup> Service requirements are laid down in the Act on Strong Electronic Identification and Trust Services (617/2009, hereinafter referred to as the *Identification and Trust Services Act* or ITSA) and in Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (hereinafter referred to as the *eIDAS Regulation*). Regulation (EC) No 765/2008 also applies to conformity assessment bodies.

Pursuant to Article 21 of the EU eIDAS Regulation, before beginning to provide qualified trust services, a provider of such services has to submit to the supervisory authority a notification (*trust service operations commencement notification*) together with a *conformity assessment report* issued by a conformity assessment body.

Pursuant to Article 24(2)(a) of the eIDAS Regulation, a qualified trust service provider shall inform the supervisory body of any change in the provision of its qualified trust services and an intention to cease those activities (*trust service change notification or termination notification*).

Pursuant to Article 19(2) of the eIDAS Regulation, qualified and non-qualified trust service providers shall notify the supervisory body of any breach of security or loss of integrity (*trust service incident notification*).

Traficom will issue a Guideline on the information to be included in the above notifications and on the assessment report.

#### Non-qualified trust services

Non-qualified trust services are electronic services whose compliance has not been assessed by a supervisory body and they have not been included in the trusted list.

In Finland, only qualified services are included in the trusted list. In some EEA countries, services not assessed by the supervisory authority may also be included in the trusted list.

Pursuant to Article 19(2) of the eIDAS Regulation, also non-qualified trust service providers shall notify the supervisory body of any breach of security or loss of integrity (*trust service disturbance notification*).

Thus, guidelines on trust service disturbance notifications also apply to non-qualified trust services.

### **1.3 Other Guidelines and Regulation on identification and trust services**

For the identification service conformity assessment report to be submitted with the notification (*identification service audit report*), see separate Guideline 211/2019 O<sup>2</sup>.

Guideline 211/2019 O and its Annex B on general assessment criteria for identification services is also related to identification service conformity assessments. This set of criteria is an exemplar that Traficom wishes to be used the conformity assessments of services.

<sup>2</sup>Being updated; Guideline 211/2022 will be published in spring 2023.

Pursuant to section 42 of the Identification and Trust Services Act, Traficom may issue further regulations on the information to be provided by the identification service provider in a disturbance notification in accordance with section 16 of the Act. Because Traficom has issued provisions to this effect in section 11 of Regulation M72 B/2022 (Incident notifications by the identification service provider to the Finnish Transport and Communications Agency), this Guideline makes reference to the Regulation with respect to identification service disturbance notifications.

#### **1.4 Entry into force of the Guideline**

This Guideline enters into force on 25 April 2023.

The Guideline is valid until further notice, and it will be supplemented and amended as necessary. In that case, the Guideline number 214 will be maintained, but the date and the year will be changed accordingly. The modified versions of the Guideline are listed in the following table:

<b>Guideline version and date</b>	<b>Modifications</b>
<b>Published Guideline v1.0</b> 214/2016 O of 2 November 2016	First published version
<b>Published Guideline v2.0</b> 214/2023 O of 25 April 2023	Modifications required by amendments to statutes and minor revisions to text. No actual changes in the contents of the Guideline.

The valid guideline is published on the Traficom website at <https://www.traficom.fi/en/regulations>.

## **2 Identification service notifications and register**

### **2.1 Commencement notifications by providers of an identification means and identification broker service**

#### 2.1.1 Information to be submitted in the notification

##### **PROVISIONS**

**Section 10 An identification service provider's obligation to notify commencement of operations**

*An identification service provider based in Finland who intends to offer services shall, prior to commencement of such services, submit a written notification to the Finnish Transport and Communications Agency. Such notification may also be submitted by a consortium of identification service providers, if such services provided can be deemed as one and the same identification service.*

*The notification shall contain:*

- 1) name of the service provider;*
- 2) complete contact information of the service provider;*
- 3) information about the services to be provided;*
- 4) reports on the fulfilment of the criteria laid down for the applicant and the applicant's operations laid down in section 8, 8a, 9, 13 and 14;*
- 5) an assessment report on the independent audit drawn up by a conformity assessment body, other external assessment body or an internal assessment body pursuant to section 29;*
- 6) other information relevant to supervising.*

[...]

The commencement notification of an identification service provider referred to in section 10 of the Identification and Trust Services Act shall contain the following information:

**Company or organisation**

- 1) Name of the company or organisation and a unique registration number or identifier
- 2) If the company or organisation is established in an EEA country other than Finland, the register in which the foreign company or organisation has been entered
- 3) If the company or organisation belongs to a consortium referred to in section 10 of the Identification and Trust Services Act, details of the consortium (providers of an identification means only)
- 4) Postal address and contact persons
- 5) Email addresses for Traficom's queries related to administrative and technical matters and disturbances
- 6) Contact details for invoicing purposes.

**Identification means or broker service**

- 7) Description of the identification means provided and their levels of assurance (providers of an identification means only)
- 8) If the identification means is based on a certificate, details of the structure of the certificate data content (providers of an identification means only)
- 9) Description of the identification means for which broker services are provided to relying parties and the level of assurance of the services to be brokered (identification broker service providers only)

**Authentication method and information security** (sections 8 and 8a of the Act)

- 10) Description of the authentication method or broker service and their information security assessment shall be covered by the audit report of the identification scheme assessment body (see 2.1.3 below and a separate Guideline).

**Identification service provider** (sections 9 and 13 of the Act)

- 11) Details (description) of staff and the persons assisting in the provision of the identification service (subcontractors)
- 12) Description of financial resources and the capacity to take liability for damages

**Identification principles** (section 14 of the Act)

- 13) Identification principles, including a description of the initial identification procedure (providers of an identification means only) or a description of the identification brokering principles (*brokering principles*, identification broker service providers only)
- 14) A valid link to a website where updated identification principles are published

**Competence and independence of the assessment body**

- 15) A description of the competence and independence of the assessment body employed by the identification service provider (section 33(4) of the Act, sections 18 and 19 of Regulation M72B)

**Other information relevant to supervision: Trust network interfaces (section 12a of the Act)**

- 16) Description of the identification data broker interfaces (protocols) to be provided in the trust network
- 17) If necessary, description of the specific identification data broker arrangements in the trust network complementing section 12 of Regulation M72B

**Other information relevant to supervision**

- 18) Description of the processing of personal data related to identification (section 6 of the Act)
- 19) Contact details for a revocation service (providers of an identification means only)
- 20) Frequency of Population Information System checks (section 7 of the Act, identification of natural persons) and Business Information System checks (section 7a of the Act, identification of legal persons) (mainly providers of an identification means)

At least the basic details, contact persons and contact details of a company or organisation should be provided on the relevant form.

The notification form for commencing operations can be found on the Traficom website at <https://www.kyberturvallisuuskeskus.fi/en/our-activities/regulation-and-supervision/electronic-identification>

## 2.1.2 Accompanying documents to the commencement notification

The information listed in 2.1.1 above may be submitted on separate documents accompanying the notification.

A list of the accompanying documents should be included in the notification form.

At least the following should be submitted as separate documents:

- 1) A valid assessment report on an assessment by one or several assessment bodies covering the areas provided for by section 15 of Regulation M72B. The assessment report is subject to a separate Guideline 215/2019 O.
- 2) Identification principles (with respect to identification broker service, corresponding brokering principles that meet, as applicable, the requirements of section 14 of the Act)
- 3) Description of the organisation of the different functions of the identification service provider, its staff and subcontractors (general description)
- 4) Description of the financial resources of the identification service provider

## 2.1.3 Public register entries

### **PROVISIONS**

#### ***Section 12 Register related to an identification service provider***

*The Finnish Transport and Communications Agency maintains a public register of identification service providers who have submitted a notification according to section 10, and their services.*

*Upon receipt of notice referred to in section 10, the Finnish Transport and Communications Agency shall forbid the identification service provider from offering its services as strong electronic identification if the services or the provider do not meet the requirements of this chapter. If the shortcomings are minor, the Finnish Transport and Communications Agency may ask the service provider to correct them within a specified period.*

#### **Traficom enters the following information in the register maintained on its website:**

- Date of the commencement notification
- An indication of whether the commencement notification is pending or already inspected by Traficom
- Name of the company or organisation

- Business ID of the company or organisation and the name of the register in which a foreign organisation is registered
- Name of the consortium of service providers, if the service provider belongs to a consortium referred to in section 10 of the Identification and Trust Services Act
- Contact details for a revocation service
- Link to identification principles
- Level of assurance of the identification means or identification broker service (substantial or high)

At its discretion, Traficom may publish on its website the following:

- Date on which the assessment report was submitted or approved
- Indication of a prohibitive decision
- Details of the identification means brokered by the broker service.

## **2.2 Change notifications of providers of an identification means or identification broker service**

### 2.2.1 Information to be submitted in a change notification

#### **PROVISIONS**

##### ***Section 10 An identification service provider's obligation to notify commencement of operations***

[...]

*The identification service provider shall notify the Finnish Transport and Communications Agency in writing and without delay of any changes to information referred to in subsection 2. A notification shall also be submitted if business operations are discontinued or transferred to a different service provider.*

An identification service provider shall notify Traficom *without delay* of the following:

- 1) Any significant changes in the information provided in accordance with section 2.1 and, in particular,
- 2) Changes of the details listed in Traficom's public register
- 3) Changes in identification principles
- 4) Changes in the range of identification devices provided or brokered
- 5) If the operations are transferred to a different service provider
- 6) Changes to the companies or organisations in the consortium
- 7) Recent assessment report on conformity assessment

Because changes shall be notified without delay, a summary notification submitted once a year or with similar intervals is

not sufficient. Traficom's Regulation no longer includes provisions on the submission of an annual report. Instead, Traficom sends out surveys to the parties, where necessary.

Possible future changes may also be communicated to Traficom in advance, in which case Traficom is also able to provide guidance on the matter.

If a service provider discontinues the provision of only some of its identification services, the change notification must include, for the services to be discontinued, the applicable information described in 2.3 below.

## 2.2.2 Public register entries

Traficom enters the following information in the register maintained on its website:

- Updated details of the name of the identification service, registration number and the identification means revocation service
- Updated link to identification principles
- Details of operations transferred to another service provider or mergers or dissolutions of organisations
- Details of discontinued operations or service provision

At its discretion, Traficom may also enter the following information in the register:

- Indication of pending changes
- Effective date of changes to identification principles

## 2.3 Termination notifications by providers of an identification means or identification broker service

### 2.3.1 Information to be submitted in the notification

A notification concerning the termination of the provision of an identification service must be submitted to Traficom without delay, i.e. at the latest when the decision to cease the provision of identification services has been made.

At least the following information shall be included in the notification:

- 1) date when the provision of the service ceases (the date when the granting of new identification means is discontinued and the date when the maintenance of the granted identification means or the operation of the broker service is discontinued)
- 2) details of how and when users (provider of an identification means), trust network (provider of an identification means or broker service) and relying parties (broker service provider) have been or will be notified of the termination of the identification service

- 3) description of how the storage of data referred to in section 24 of the Identification and Trust Services Act (and possibly referred to in the Code of Practice<sup>3</sup> of the trust network) shall be managed after the operations are discontinued

If the operations of an identification service provider are transferred to another company or organisation as a transfer of business or in the course of a company reorganisation, the information shall be submitted as a change notification.

If the identification service provider ceases to provide identification services in the form of strong electronic identification referred to in the Act, but otherwise continues the provision of services, the termination notification shall indicate the day after which the service provider is no longer in charge of compliance with all the requirements of the Act as well as a description of how the termination of the strong status of the identification service is notified to the parties referred to in bullet point 2 above. The description referred to in bullet point 3 above shall also be provided.

### 2.3.2 Public register entries

Traficom enters in the register

- an indication of a pending termination notification
- an indication of discontinued operations as well as the date when the operations were discontinued and the service provider was removed from the register.

## 3 Notification of the identification means to the EU

### 3.1 Information to be submitted in the notification

If a provider of an identification means wishes to notify its identification means to the EU Commission, Traficom submits the notification in collaboration with the identification service provider.

Identification broker services are not notified, but it is under consideration whether at least a general indication of them should be included in the means notification.

The information to be included in the notification is laid down in Commission Implementing Decision (EU) 2015/1984 ("notification procedure decision") defining the circumstances, formats and **procedures of notification** pursuant to Article 9(5) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market.

<sup>3</sup> Traficom Guideline 216/2022 O

The notification procedure involves a potential peer review by the representatives of EEA countries, lasting around six months in total. The framework of the peer review is laid down in the Commission Implementing Decision (EU) 2015/296 establishing procedural arrangements for **cooperation between Member States on electronic identification** pursuant to Article 12(7) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market.

The following table contains an example of the timeline of the peer review. The timeline is based on an in-process working paper of the Member States' Cooperation Network.

Point of time	Task(s)	Provision
Day 1	Prior notification	eIDAS Art. 7(g)
Week 1	A request of peer review	Article 8(1) of Commission Implementing Decision 2015/296
Weeks 1 to 4	Member State's intention to take part in the peer review Discussions between the notifying Member State and the Member States taking part in the peer review	Article 8(3) of Commission Implementing Decision 2015/296 – (1 month)
Weeks 5 to 6	Agreement on the scope of the peer review Member States appoint their reviewers	Article 9 of Commission Implementing Decision 2015/296
Week 7	Meeting of the Cooperation Network – instructions for peer review	Article 9(2) of Commission Implementing Decision 2015/296
Week 8	The notifying Member State informs the Cooperation Network of the agreements made on the peer review with Member States taking part in the review	Article 9(2) of Commission Implementing Decision 2015/296
Weeks 8 to 21	Peer reviewing	Article 10 of Commission Implementing Decision 2015/296 – the maximum length of the peer review is 3 months
Week 25	Report on the peer review to the Cooperation Network	Article 11 of Commission Implementing Decision 2015/296
Week 26	Opinion of the Cooperation Network Possible request for further information	Article 14(i) of Commission Implementing Decision 2015/296 Article 11 of Commission Implementing Decision 2015/296

## 4 Qualified trust services

### 4.1 Commencement notification of a qualified trust service

#### 4.1.1 Information to be submitted in the notification

***PROVISIONS, eIDAS Regulation******Article 21: Initiation of a qualified trust service***

*1. Where trust service providers, without qualified status, intend to start providing qualified trust services, they shall submit to the supervisory body a notification of their intention together with a conformity assessment report issued by a conformity assessment body.*

*2. The supervisory body shall verify whether the trust service provider and the trust services provided by it comply with the requirements laid down in this Regulation, and in particular, with the requirements for qualified trust service providers and for the qualified trust services they provide.*

[...]

*If the verification is not concluded within three months of notification, the supervisory body shall inform the trust service provider specifying the reasons for the delay and the period within which the verification is to be concluded.*

[...]

A new trust service provider may submit a notification to Traficom on the provision of the service in accordance with the eIDAS Regulation.

The notification must be accompanied by an assessment report by an accredited and approved *conformity assessment body* (CAB). In Finland, it is so far not known if and when an assessment body will be established. Traficom or the national accreditation unit FINAS will answer any questions, if necessary.

Information to be included in the notification:

- 1) Name of the company or organisation and a unique registration number or identifier
- 2) Postal address and contact persons
- 3) Email addresses for Traficom's queries related to administrative and technical matters and disturbances as well as for invoicing purposes
- 4) Type of the trust service to be provided
  - o Qualified **certificate for electronic signatures** (Article 28 of eIDAS Regulation)
  - o Qualified **validation service** for qualified electronic signatures (Article 33 of eIDAS Regulation)
  - o Qualified **preservation service** for qualified electronic signatures (Article 34 of eIDAS Regulation)

- Qualified **certificate for electronic seals** (Article 38 of eIDAS Regulation)
- Qualified **validation service** for qualified electronic seals (Article 40 of the eIDAS Regulation)
- Qualified **preservation service** for qualified electronic signatures (Article 40 of eIDAS Regulation)
- Qualified electronic **time stamp** (Article 42 of eIDAS Regulation)
- Qualified electronic registered **delivery service** (Article 44 of eIDAS Regulation)
- Qualified **certificate for website authentication** (Article 45 of eIDAS Regulation)

5) For signature and seal certificates, contact details for a revocation service

#### 4.1.2 Assessment report by a conformity assessment body

See Traficom Guideline 215/2019 O

#### 4.1.3 Trusted list and Traficom's website

##### ***PROVISIONS, eIDAS Regulation***

##### ***Article 21: Initiation of a qualified trust service***

[...]

*If the supervisory body concludes that the trust service provider and the trust services provided by it comply with the requirements referred to in the first subparagraph, the supervisory body shall grant qualified status to the trust service provider and the trust services it provides and inform the body referred to in Article 22(3) for the purposes of updating the trusted lists referred to in Article 22(1), not later than three months after notification in accordance with paragraph 1 of this Article.*

[...]

*3. Qualified trust service providers may begin to provide the qualified trust service after the qualified status has been indicated in the trusted lists referred to in Article 22(1).*

[...]

##### ***eIDAS Regulation, Article 22: Trusted lists***

*1. Each Member State shall establish, maintain and publish trusted lists, including information related to the qualified trust service providers for which it is responsible, together with information related to the qualified trust services provided by them.*

*2. Member States shall establish, maintain and publish, in a secured manner, the electronically signed or sealed trusted lists referred to in paragraph 1 in a form suitable for automated processing.*

*3. Member States shall notify to the Commission, without undue delay, information on the body responsible for establishing, maintaining and publishing*

*national trusted lists, and details of where such lists are published, the certificates used to sign or seal the trusted lists and any changes thereto.*

*4. The Commission shall make available to the public, through a secure channel, the information referred to in paragraph 3 in electronically signed or sealed form suitable for automated processing.*

*5. By 18 September 2015 the Commission shall, by means of implementing acts, specify the information referred to in paragraph 1 and define the technical specifications and formats for trusted lists applicable for the purposes of paragraphs 1 to 4. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).*

Pursuant to Article 22(5) of the eIDAS Regulation, the Commission has adopted Implementing Decision (EU) 2015/1505 laying down technical specifications and formats relating to trusted lists.

The specifications provided for in the Implementing Decision are based on ETSI's Technical Specification TS 119 612 v2.1.1.<sup>4</sup>

It should be noted that in a more recent version of the document, there are specifications related to signature services for services that the Commission does not approve to be included in the trusted list, because they do not comply with the definitions of the eIDAS Regulation.

Traficom maintains a trusted list on qualified trust services in accordance with the Commission Implementing Regulation.

Traficom also publishes on its website a list of qualified trust services and their providers in text format.

Pursuant to previous legislation, the list contains signature certifications provided by the Digital and Population Data Services Agency (the term *qualified certificate* is based on previous legislation).

In Finland, only qualified trust services referred to in the eIDAS Regulation can be included in the trusted list.

#### 4.1.4 Trusted list and Traficom's website

See 3.1.4 above

### 4.2 Change notification of a qualified trust service

#### 4.2.1 Information to be submitted in the notification

***PROVISIONS, eIDAS Regulation***

***Article 20: Supervision of qualified trust service providers***

<sup>4</sup> [http://www.etsi.org/de-liver/etsi\\_ts/119600\\_119699/119612/02.01.01\\_60/ts\\_119612v020101p.pdf](http://www.etsi.org/de-liver/etsi_ts/119600_119699/119612/02.01.01_60/ts_119612v020101p.pdf)

*1. Qualified trust service providers shall be audited at their own expense at least every 24 months by a conformity assessment body. The purpose of the audit shall be to confirm that the qualified trust service providers and the qualified trust services provided by them fulfil the requirements laid down in this Regulation. The qualified trust service providers shall submit the resulting conformity assessment report to the supervisory body within the period of three working days after receiving it.*

*2. Without prejudice to paragraph 1, the supervisory body may at any time audit or request a conformity assessment body to perform a conformity assessment of the qualified trust service providers, at the expense of those trust service providers, to confirm that they and the qualified trust services provided by them fulfil the requirements laid down in this Regulation. Where personal data protection rules appear to have been breached, the supervisory body shall inform the data protection authorities of the results of its audits.*

[...]

At least the following information shall be submitted on a change notification:

- 1) Changes in the information submitted on the commencement notification
- 2) Transfer of the provision of a trust service to another organisation, i.e. the product or service is transferred as such. If the organisation continuing the provision of the service is not yet a qualified trust service provider, an assessment report on the organisation must be provided.
- 3) Changes in the information included in the trusted list

The eIDAS Regulation explicitly concerns only regular conformity assessments and the submission of assessment reports to the supervising authority.

In addition to the assessment report, submitted at least once in two years, the service provider must notify any changes to the information referred to in 4.1.1 above.

If the changes are related to issues that have affected the assessment of the conformity assessment body on the conformity of the service provider or trust service, the service provider must evaluate whether the conformity assessment body should assess the changes. In the light of Article 20(2) of the eIDAS Regulation, it is also possible that Traficom requests the conformity assessment body to assess conformity in the event of changes.

If the same service provider provides several qualified trust services and ceases to provide one of them, the service provider submits to Traficom a termination notification on the service to be discontinued, as discussed in 4.3 above.

At this point, Traficom will not prepare further guidelines on this matter, but monitors the international application practice and,

if deemed necessary, reviews the matter with the relevant parties and assessment bodies.

#### 4.2.2 Trusted list and Traficom's website

See 4.1.3 above

### **4.3 Termination notification of a qualified trust service**

#### 4.3.1 Information to be submitted in the notification

A termination notification shall include at least the following information:

- 1) which qualified trust services are no longer provided
- 2) when the provision or operations will be discontinued
- 3) an explanation of how the requirements of Articles 24(2)(h) and 24(2)(i) of the eIDAS Regulation on the controlled termination of operations shall be met

#### 4.3.2 Trusted list and Traficom's website

See 4.1.3 above

Traficom shall submit to the Commission an updated trusted list and indicates on its website if a service provider has discontinued its service or all its operations.

## **5 Disturbance notifications by qualified and non-qualified trust services**

### ***PROVISIONS, eIDAS Regulation***

#### ***Article 19: Security requirements applicable to trust service providers***

*1. Qualified and non-qualified trust service providers shall take appropriate technical and organisational measures to manage the risks posed to the security of the trust services they provide. Having regard to the latest technological developments, those measures shall ensure that the level of security is commensurate to the degree of risk. In particular, measures shall be taken to prevent and minimise the impact of security incidents and inform stakeholders of the adverse effects of any such incidents.*

*2. Qualified and non-qualified trust service providers shall, without undue delay but in any event within 24 hours after having become aware of it, notify the supervisory body and, where applicable, other relevant bodies, such as the competent national body for information security or the data protection authority, of any breach of security or loss of integrity that has a significant impact on the trust service provided or on the personal data maintained therein.*

*Where the breach of security or loss of integrity is likely to adversely affect a natural or legal person to whom the trusted service has been provided, the trust service provider shall also notify the natural or legal person of the breach of security or loss of integrity without undue delay.*

*Where appropriate, in particular if a breach of security or loss of integrity concerns two or more Member States, the notified supervisory body shall inform the supervisory bodies in other Member States concerned and ENISA.*

*The notified supervisory body shall inform the public or require the trust service provider to do so, where it determines that disclosure of the breach of security or loss of integrity is in the public interest.*

*3. The supervisory body shall provide ENISA once a year with a summary of notifications of breach of security and loss of integrity received from trust service providers.*

*[...]*

It should be noted that in addition to the details of the service provider, a description of the event and the repair measures, it is also important to specify the trust service that the disturbance notification concerns.

**The obligation to notify security breaches applies to both qualified and non-qualified trust services.**

For the time being, *qualified trust services* include in Finland the signature certificates and website authentication certificates issued by the Digital and Population Data Services Agency (DVV).

*Non-qualified trust services* may refer to the service types listed in 4.1.1 above for which it is possible to obtain qualification, i.e.

- 1) qualified certificate for electronic signatures
- 2) qualified validation service for qualified electronic signatures
- 3) qualified preservation service for qualified electronic signatures
- 4) qualified certificate for electronic seals
- 5) qualified electronic time stamp
- 6) qualified validation service for qualified electronic seals
- 7) qualified preservation service for qualified electronic seals
- 8) qualified electronic registered delivery service, and
- 9) qualified certificate for website authentication.

In addition, *non-qualified trust services* can be services that, according to the Commission Implementing Decision on trusted lists, could be included in the trusted list as non-qualified trust services (see ETSI TS 119 612).

According to ETSI's specification, these are (direct quote)

- a) A certificate generation service, not qualified, creating and signing non-qualified public key certificates based on the identity and other attributes verified by the relevant registration services.
- b) A certificate validity status service, not qualified, issuing Online Certificate Status Protocol (OCSP) signed responses.
- c) A certificate validity status service, not qualified, issuing CRLs.
- d) A time-stamping generation service, not qualified, creating and signing time-stamps tokens.
- e) A time-stamping service, not qualified, as part of a service from a trust service provider issuing qualified certificates that issues time-stamp tokens that can be used in the validation process of qualified signatures/seals or advanced signatures/seals supported by qualified certificates to ascertain and extend the signature/seal validity when the qualified certificate is (will be) revoked or expired (will expire).
- f) A time-stamping service, not qualified, as part of a service from a trust service provider that issues time-stamp tokens (TST) that can be used in the validation process of qualified signatures/seals or ad-

vanced signatures/seals supported by qualified certificates to ascertain and extend the signature/seal validity when the qualified certificate is (will be) revoked or expired (will expire).

- g) An electronic delivery service, not qualified.
- h) A Registered Electronic Mail delivery service, not qualified.
- i) A not qualified preservation service for electronic signatures and/or for electronic seals.
- j) A not qualified validation service for advanced electronic signatures and/or advanced electronic seals.
- k) A not qualified generation service for advanced electronic signatures and/or advanced electronic seals.

## 6 Accredited conformity assessment body

### 6.1 Application for approval

#### 6.1.1 Information to be submitted in the application

##### **PROVISIONS**

##### **Section 35 Application to become a conformity assessment body**

*The approval of a conformity assessment body is based on an application. Information about the applicant and its operations must be appended to the application so that the fulfilment of the requirements referred to in section 33 can be assessed.*

*When processing the application, the Finnish Transport and Communications Agency can obtain statements and let external experts assess the application and the information presented therein.*

The application shall include at least the following information:

- 1) The company's identification and contact information and the names of contact persons for exchange of information on the control and evaluation of the assessment body
- 2) List of the trust services that the assessment body is qualified to assess
- 3) Description of compliance with the requirements of section 37 of the Identification and Trust Services Act (insofar as this information is not included in the assessment performed during accreditation).

#### 6.1.2 Accompanying documents to the application

- 1) A description of the accreditation granted by FINAS or other EEA accreditation unit
- 2) A description of how the assessment body shall manage the processing of the data of the organisation to be assessed and its access to information, the right to seek rectification to the assessment and the possibility to use different languages (a general description of the process and responsibilities).

**6.1.3 Publication of information**

Traficom publishes on its website the following information:

- 1) name and contact details of the company
- 2) an indication that the company is an accredited and approved conformity assessment body
- 3) the trust services covered by the competence of the assessment body.

**6.2 Change or termination notification**

The notification guideline shall be complemented in this respect when deemed necessary.