



Notification Number: 2017/184/F

## Decree on the procedures for the implementation of the digital safe service and certification thereof by the State

Date received : 10/05/2017

End of Standstill : 11/08/2017

Issue of comments by : Commission

### Message

Message 002

Communication from the Commission - TRIS/(2017) 01179

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2017/0184/F

No abre el plazo - Nezaahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201701179.EN)

#### 1. Structured Information Line

MSG 002 IND 2017 0184 F EN 10-05-2017 F NOTIF

#### 2. Member State

F

#### 3. Department Responsible

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#### **4. Notification Number**

2017/0184/F - SERV

#### **5. Title**

Decree on the procedures for the implementation of the digital safe service and certification thereof by the State

#### **6. Products Concerned**

Information Society services

#### **7. Notification Under Another Act**

-

#### **8. Main Content**

The draft decree is issued in accordance with Article 87 of Law No 2016-1321 of 7 October 2016 for a Digital Republic, which supplements Heading I of Book III of the Postal and Electronic Communications Code with a new Article L137. This article establishes the legal definition of a digital safe service and describes the purpose and operational criteria. The draft decree specifies the procedures for the implementation of the digital safe service as well as the certification thereof by the State.

#### **9. Brief Statement of Grounds**

The draft decree is part of the general strategy to develop and facilitate the usage of digital safe services in France by providing users with a certain number of assurances and guidelines. Today, a large number of services and solutions often marketed as 'digital safes' are appearing more and more on the market. In reality, however, it is sometimes found that some of these services do not offer the safeguards and assurances normally expected from a digital safe service. In this regard, the French Data Protection Authority has introduced a label specifically to characterise the best offers in terms of data protection. French legislators intended to go further, and have set both reference rules and a voluntary certification framework.

#### **10. Reference Documents - Basic Texts**

Reference(s) to basic text(s): – Article 87 of Law No 2016-1321 of 7 October 2016 for a Digital Republic.

#### **11. Invocation of the Emergency Procedure**

No

#### **12. Grounds for the Emergency**

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#### **13. Confidentiality**



No

**14. Fiscal measures**

No

**15. Impact assessment**

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**16. TBT and SPS aspects**

TBT aspect

No - the draft is neither a technical provision nor a conformity assessment procedure.

SPS aspect

No - the draft is neither a sanitary nor phytosanitary measure.

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European Commission

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