



Notification Number: 2004/25/F

Order of ... amending the Order of 31 May 2002 on recognition of the qualification of electronic certification-service-providers and on accreditation of the bodies responsible for the assessment.

Date received : 28/01/2004

End of Standstill : 29/04/2004

Issue of comments by : Italy

Message

Message 002

Communication from the Commission - SG(2004) D/50199

Directive 98/34/EC

Translation of the message 001

Notification: 2004/0025/F

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200400199.EN)

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MSG 002 IND 2004 0025 F EN 29-04-2004 28-01-2004 F NOTIF 29-04-2004

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4. Notification Number

2004/0025/F - SERV20

5. Title

Order of ... amending the Order of 31 May 2002 on recognition of the qualification of electronic certification-service-providers and on accreditation of the bodies responsible for the assessment.

6. Products Concerned

This text relates to electronic certification-service-providers issuing qualified electronic certificates, within the meaning of Directive 1999/93/EC of 13 December 1999 on a Community framework for electronic signatures.

7. Notification Under Another Act

"Article 11 - Notification" of the above-mentioned European Directive.

8. Main Content

Electronic certification service providers, qualified electronic certificates, recognition of service provider qualification

The Order of 31 May 2002 of the Minister for the Economy, Finance and Industry, implementing Decree No 2001-272 of 30 March 2001, set up a voluntary scheme for recognising the qualification of electronic certification service providers issuing qualified electronic certificates.

The notified text aims to amend this Order in order to specify the technical specifications detailing the requirements relating to qualified electronic certificates. The annex to the text specifies that these technical specifications are the French version of specification ETSI TS 101456 v1.2.1 of April 2002, and additional technical specifications particularly relating to verification of the identity of applicants for electronic certificates by the service providers and relating to the cryptographic modules used by the service providers, which must, under the conditions provided in Decree No 2002-235 of 18 April 2002, be certified by the Prime Minister as complying with the corresponding requirements set out in the Workshop Agreement CEN CWA 14167-1, reference to which was published in the Official Journal under Article 3(5) of the above-mentioned Directive.

The text also specifies that the bodies responsible for assessing the service providers with a view to recognising their qualification shall be accredited according to standard EN 45012.

9. Brief Statement of Grounds

Operational implementation of the scheme for recognising the qualification of service providers requires the technical specifications detailing the requirements relating to qualified certificates to be defined. These technical specifications are taken from the European standardisation work carried out under the aegis of the EESSI (European Electronic Signature Standardisation Initiative), so as to enable the qualification of service providers to be recognised at European level.

10. Reference Documents - Basic Texts

Reference texts that have not been notified, simply arising from transposition of the above-mentioned European Directive:



- Act No 2000-230 of 13 March 2000 adapting the law of evidence to new technologies and relating to electronic signatures;
- Decree No 2001-272 of 30 March 2001, amended, implementing Article 1316-4 of the Civil Code and relating to electronic signatures;
- Order of 31 May 2002 of the Minister for the Economy, Finance and Industry on recognition of the qualification of electronic certification service providers and on accreditation of the bodies responsible for the evaluation.

Notified reference text

- Decree No 2002-235 of 18 April 2002 on the evaluation and certification of the security provided by information technology products and systems.

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

The explanatory statement annexed to the notified draft text gives details of points 8 and 9 and takes the place of an impact assessment.

16. TBT and SPS aspects

No

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