

eIDAS Regulation No 910/2014

29.09.2019

Problem addressed

With the eIDAS, the EU has laid down the right foundations for people, companies (in particular SMEs) and public administrations to safely access services and do transactions online and across border in just „one click“. The uptake of notified eID means and of trust services as key enablers of the Digital Single Market will ease the digital transformation of organisations, enhance the customer experience, improve the security of electronic transactions and stimulate the provisioning of new and innovative services.

Objective

Regulation (EU) N°910/2014 on electronic identification and trust services for electronic transactions in the internal market seeks to provide a predictable regulatory environment for electronic identification (eID), electronic trust services and electronic documents.

Solution

In this regard, the eIDAS Regulation

- ensures that people and businesses can use their own national electronic identification schemes (eIDs) to access public services in other EU countries where eIDs are available
- creates an European internal market for electronic trust services - namely electronic signatures, electronic seals, time stamp, electronic delivery service and website authentication - by ensuring that they will work across borders and have the same legal status as traditional paper based processes. Only by providing certainty on the legal validity of all these services, businesses and citizens will use the digital interactions as their natural way of interaction.

Implementing Acts

On 8 September 2015 the European Commission completed the adoption of all the implementing acts due by 18 September 2015:

1/ On electronic identification:

- Commission Implementing Decision (EU) 2015/296 on procedural arrangements for MS cooperation on eID;
- Commission Implementing Regulation (EU) 2015/1501 on interoperability framework;
- Commission Implementing Regulation (EU) 2015/1502 on minimum technical specifications and procedures for assurance levels for electronic identification means;
- Commission Implementing Decision (EU) 2015/1984 of 3 November 2015 defining the circumstances, formats and procedures of notification

2/ On electronic trust services:

- Commission Implementing Regulation (EU) 2015/806 on the form of the EU Trust Mark for Qualified Trust Services;
- Commission Implementing Decision (EU) 2015/1505 laying down technical specifications and formats relating to trusted lists;
- Commission Implementing Decision (EU) 2015/1506 on formats of advanced electronic signatures and advanced seals.

An additional Implementing Decision (2015/1984) on the notification of eID schemes to the Commission by the Member State for which there is no obligation but is complementary to reach interoperability was adopted on 3 November 2015.

Timing

The eIDAS Regulation entered into force on 17.9.2014 but it lays down specific application dates for the following:

- The rules on trust services will apply to the 28 MS from 1 July 2016.
- The voluntary recognition of eIDs started on 29 September 2015 (after adoption of the related implementing acts), while eID mandatory recognition will start on 29 September 2018.

Use case example

By leveraging the opportunities of eIDAS:

- Citizens may safely shop online, make use of financial services, access public services, or even set up a business.
- Businesses can save millions by benefiting from electronic procurement or participating in tenders online. The regulation can positively impact sectors where obligations exist for security, reliable identification, strong authentication of parties to a transaction (e.g. Payment Service Directive 2, the Anti-Money Laundering Directive). But it's not only the case for sectors like finance, banking, transport, insurance and health. It can also benefit sectors like the sharing economy.
- Public authorities are increasingly offering online public services, allowing for more convenient, secure, and transparent service provisioning to its citizens. Member States will be able to connect to each other directly so that the electronic identification issued in one EU country can be used for a specific purpose in another, such as filling a tax return online, accessing one's pension or social security services.

The use of eIDAS and related services across all sectors, will boost the creation of a Digital Single Market that:

- simplifies access to public administrations;
- promotes digital transformation of organisations and businesses;
- stimulates the development of innovative and secure services;
- helps reduce administrative burdens and cut red-tape for everyone;
- improves user convenience and on-line experience and stimulates the provisioning of new innovative services;
- makes the trust and authentication services' market more transparent and accountable, and more generally the services' market more respectful of citizens' privacy.