



2021/0136(COD)

21.6.2022

AMENDMENTS

59 - 266

Draft opinion

Pascal Arimont

(PE731.697v01-00)

Amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity

Proposal for a regulation

(COM(2021)0281 – C9-0200/2021 – 2021/0136(COD))

Amendment 59
Daniel Buda

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) The Commission Communication of 19 February 2020, entitled “Shaping Europe’s Digital Future”¹⁶ announces a revision of Regulation (EU) No 910/2014 of the European Parliament and of the Council with the aim of improving its effectiveness, extend its benefits to the private sector and promote trusted digital identities for all Europeans.

¹⁶ COM/2020/67 final

Amendment

(1) The Commission Communication of 19 February 2020, entitled “Shaping Europe’s Digital Future”¹⁶ announces a revision of Regulation (EU) No 910/2014 of the European Parliament and of the Council with the aim of improving its effectiveness, extend its benefits to the private sector **and to all citizens** and promote trusted digital identities for all Europeans, **in compliance with EU values**.

¹⁶ COM(2020) 67 final

Or. ro

Amendment 60
Patrick Breyer

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) A more harmonised approach to digital identification should reduce the risks and costs of the current fragmentation due to the use of divergent national solutions and will strengthen the Single Market by allowing citizens, other residents as defined by national law and businesses to identify online in a convenient and uniform way across the Union. Everyone should be able to securely access public and private services relying on an improved ecosystem for trust services and on verified proofs of identity and attestations of attributes, such as a university degree legally recognised and

accepted everywhere in the Union. The framework for a European Digital Identity aims to achieve a shift from the reliance on national digital identity solutions only, to the provision of electronic attestations of attributes valid at European level. Providers of electronic attestations of attributes should benefit from a clear and uniform set of rules and public administrations should be able to rely on electronic documents in a given format.

accepted everywhere in the Union. The framework for a European Digital Identity aims to achieve a shift from the reliance on national digital identity solutions only, to the provision of electronic attestations of attributes valid at European level. Providers of electronic attestations of attributes should benefit from a clear and uniform set of rules and public administrations should be able to rely on electronic documents in a given format. ***Given the variable impact that such digitalisation of administrative procedures can have on the public budget in different Member States, a harmonised framework should aim at streamlining the economic aspects applicable to the provision of electronic attestations of attributes by Member States authorities, and thereby further reduce discrepancies among Member States.***

Or. en

Amendment 61

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) A more harmonised approach to digital identification should reduce the risks and costs of the current fragmentation due to the use of divergent national solutions and will strengthen the Single Market by allowing citizens, other residents as defined by national law and businesses to identify online in a convenient and uniform way across the Union. Everyone should be able to securely access public and private services relying on an improved ecosystem for trust services and on verified proofs of identity and attestations of attributes, such as a university degree legally recognised and accepted everywhere in the Union. The

Amendment

(4) A more harmonised approach to digital identification should reduce the risks and costs of the current fragmentation due to the use of divergent national solutions and will strengthen the Single Market by allowing citizens, other residents as defined by national law and businesses to identify online in a convenient and uniform way across the Union. ***However, particular attention should be paid to specific national rules, in so far as some Member States ensure a high level of protection of personal data.*** Everyone should be able to securely access public and private services relying on an improved ecosystem for trust services and

framework for a European Digital Identity aims to achieve a shift from the reliance on national digital identity solutions only, to the provision of electronic attestations of attributes valid at European level. Providers of electronic attestations of attributes should benefit from a clear and uniform set of rules and public administrations should be able to rely on electronic documents in a given format.

on verified proofs of identity and attestations of attributes, such as a university degree legally recognised and accepted everywhere in the Union. The framework for a European Digital Identity aims to achieve a shift from the reliance on national digital identity solutions only, to the provision of electronic attestations of attributes valid at European level. Providers of electronic attestations of attributes should benefit from a clear and uniform set of rules and public administrations should be able to rely on electronic documents in a given format.

Or. fr

Amendment 62 **Daniel Buda**

Proposal for a regulation **Recital 4**

Text proposed by the Commission

(4) A more harmonised approach to digital identification should reduce the risks and costs of the current fragmentation due to the use of divergent national solutions and will strengthen the Single Market by allowing citizens, other residents as defined by national law and businesses to identify online in a convenient and uniform way across the Union. Everyone should be able to securely access public and private services relying on *an* improved ecosystem for trust services and on verified proofs of identity and attestations of attributes, such as a university degree legally recognised and accepted everywhere in the Union. The framework for a European Digital Identity aims to achieve a shift from the reliance on national digital identity solutions only, to the provision of electronic attestations of attributes valid at European level. Providers of electronic attestations of attributes should benefit from *a* clear and

Amendment

(4) A more harmonised approach to digital identification should reduce the risks and costs of the current fragmentation due to the use of divergent national solutions and will strengthen the Single Market by allowing citizens, other residents as defined by national law and businesses to identify online in a convenient and uniform way across the Union. Everyone should be able to securely access public and private services relying on *a harmonised and* improved ecosystem for trust services and on verified proofs of identity and attestations of attributes, such as a university degree legally recognised and accepted everywhere in the Union. The framework for a European Digital Identity aims to achieve a shift from the reliance on national digital identity solutions only, to the provision of electronic attestations of attributes valid at European level. Providers of electronic attestations of attributes should benefit from *an*

uniform set of rules and public administrations should be able to rely on electronic documents in a *given* format.

accessible, harmonised, clear and uniform set of rules and public administrations should be able to rely on electronic documents in a *unanimously accepted* format.

Or. ro

Amendment 63

Daniel Buda

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) To support the competitiveness of European businesses, online service providers should be able to rely on digital identity solutions recognised across the Union, irrespective of the Member State in which they have been issued, thus benefiting from a harmonised European approach to trust, security and interoperability. Users and service providers alike should be able to benefit from the same legal value provided to electronic attestations of attributes across the Union.

Amendment

(5) To support *innovation and* the competitiveness of European businesses *at international level also*, online service providers should be able to rely on digital identity solutions recognised across the Union, irrespective of the Member State in which they have been issued, thus benefiting from a harmonised European approach to trust, security, *uniformity* and interoperability. Users and service providers alike should be able to benefit from the same legal value provided to electronic attestations of attributes across the Union, *thereby strengthening the overall regulatory and supervisory framework for trust service provision*.

Or. ro

Amendment 64

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) To support the competitiveness of European businesses, online service providers should be able to rely on digital

Amendment

(5) To support the competitiveness of European businesses, online service providers should be able to rely on digital

identity solutions recognised across the Union, irrespective of the Member State in which they have been issued, thus benefiting from a harmonised European approach to trust, security and interoperability. Users and service providers alike should be able to benefit from the same legal value provided to electronic attestations of attributes across the Union.

identity solutions recognised across the Union, irrespective of the Member State in which they have been issued, thus benefiting from a harmonised European approach to trust, security and interoperability. ***Particular attention shall be paid to the storage of data, which should, in so far as possible, take place on European territory.*** Users and service providers alike should be able to benefit from the same legal value provided to electronic attestations of attributes across the Union.

Or. fr

Amendment 65

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) Regulation (EU) *No 2016/679*¹⁹ applies to the processing of personal data in the implementation of this Regulation. Therefore, this Regulation should lay down specific safeguards to prevent providers of electronic identification means and electronic attestation of attributes from combining personal data from other services with the personal data relating to the services falling within the scope of this Regulation.

¹⁹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1

Amendment

(6) Regulation (EU) *No 2016/679*¹⁹ applies to the processing of personal data in the implementation of this Regulation. Therefore, this Regulation should lay down specific safeguards to prevent providers of electronic identification means and electronic attestation of attributes from combining personal data from other services with the personal data relating to the services falling within the scope of this Regulation. ***Sensitive health data should be excluded from the digital portfolio.***

¹⁹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

Or. fr

Amendment 66

Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco, Tiemo Wölken

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) It is necessary to set out the harmonised conditions for the establishment of a framework for European Digital Identity Wallets to be issued by Member States, which should empower all Union citizens and other residents as defined by national law to share securely data related to their identity in a user friendly and convenient way under the sole control of the user. Technologies used to achieve those objectives should be developed aiming towards the highest level of security, user convenience and wide usability. Member States should ensure equal access to digital identification to all their nationals and *residents*.

Amendment

(7) It is necessary to set out the harmonised conditions for the establishment of a framework for European Digital Identity Wallets to be issued by Member States, which should empower all Union citizens and other residents as defined by national law to share **and receive** securely data related to their identity in a user friendly and convenient way under the sole control of the user. Technologies used to achieve those objectives should be developed aiming towards the highest level of security, user convenience and wide usability. Member States should ensure **that such framework does not lead to the widening of the digital divide and therefore they should ensure equal and free of charge** access to digital identification to all their nationals and **individuals present in their territory, in particular persons with disabilities and with functional limitations, such as elderly persons, persons with limited access to digital infrastructure and digital skills, socioeconomically disadvantaged groups and individuals, refugees, asylum seekers and migrants**.

Or. en

Amendment 67

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) It is necessary to set out the harmonised conditions for the establishment of a framework for European Digital Identity Wallets to be issued by Member States, which should empower all Union citizens and other residents as defined by national law to share securely data related to their identity in a user friendly and convenient way under the sole control of the user. Technologies used to achieve those objectives should be developed aiming towards the highest level of security, user convenience and wide usability. Member States should ensure equal access to digital identification to all their nationals and residents.

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(7) It is necessary to set out the harmonised conditions for the establishment of a framework for European Digital Identity Wallets to be issued by Member States, which should empower all Union citizens and other residents as defined by national law to share securely data related to their identity in a user friendly and convenient way under the sole control of the user. Technologies used to achieve those objectives should be developed aiming towards the highest level of security, user convenience and wide usability. Member States should ensure equal access to digital identification to all their nationals and **legal** residents. ***The entire creation and production chain and maintenance of the technologies used must be under the exclusive control of European companies.***

Or. fr

Amendment 68
Emmanuel Maurel

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) It is necessary to set out the harmonised conditions for the establishment of a framework for European Digital Identity Wallets to be issued by Member States, which should empower all Union citizens and other residents as defined by national law to share securely data related to their identity in a user friendly and convenient way under the sole control of the user. Technologies used to achieve those objectives should be developed aiming towards the highest level of security, user convenience and wide usability. Member States should ensure equal access to digital identification to all

Amendment

(7) It is necessary to set out the harmonised conditions for the establishment of a framework for European Digital Identity Wallets to be issued by Member States, which should empower all Union citizens and other residents as defined by national law to share securely data related to their identity in a user friendly and convenient way under the sole control of the user. Technologies used to achieve those objectives should be developed aiming towards the highest level of security, user convenience and wide usability. Member States should ensure equal access **and voluntary use** to digital

their nationals and residents.

identification to all their nationals and residents.

Or. en

Amendment 69

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) In order to ensure compliance within Union law or national law compliant with Union law, service providers should communicate their intent to rely on the European Digital Identity Wallets to Member States. That will allow Member States to protect users from fraud and prevent the unlawful use of identity data and electronic attestations of attributes as well as to ensure that the processing of sensitive data, *like health data*, can be verified by relying parties in accordance with Union law or national law.

Amendment

(8) In order to ensure compliance within Union law or national law compliant with Union law, service providers should communicate their intent to rely on the European Digital Identity Wallets to Member States. That will allow Member States to protect users from fraud and prevent the unlawful use of identity data and electronic attestations of attributes as well as to ensure that the processing of sensitive data can be verified by relying parties in accordance with Union law or national law. ***Consideration should be given to aligning these digital portfolios with the minimum standards of the most protective Member States in terms of personal data.***

Or. fr

Amendment 70

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) In order to ensure compliance within Union law or national law compliant with Union law, service providers should communicate their intent to rely on the European Digital Identity

Amendment

(8) In order to ensure compliance within Union law or national law compliant with Union law, service providers should communicate their intent to rely on the European Digital Identity

Wallets to Member States. That will allow Member States to protect users from fraud and prevent the unlawful use of identity data and electronic attestations of attributes as well as to ensure that the processing of sensitive data, *like health data*, can be verified by relying parties in accordance with Union law or national law.

Wallets to Member States. That will allow Member States to protect users from fraud and prevent the unlawful use of identity data and electronic attestations of attributes as well as to ensure that the processing of sensitive data can be verified by relying parties in accordance with Union law or national law.

Or. fr

Amendment 71

Brando Benifei, René Repasi, Tiemo Wölken

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) All European Digital Identity Wallets should allow users to electronically identify and authenticate online and offline across borders for accessing a wide range of public and private services. Without prejudice to Member States' prerogatives as regards the identification of their nationals and residents, Wallets can also serve the institutional needs of public administrations, international organisations and the Union's institutions, bodies, offices and agencies. Offline use would be important in many sectors, including in the health sector where services are often provided through face-to-face interaction and ePrescriptions should be able to rely on QR-codes or similar technologies to verify authenticity. Relying on the level of assurance "high", the European Digital Identity Wallets should benefit from the potential offered by tamper-proof solutions such as secure elements, to comply with the security requirements under this Regulation. The European Digital Identity Wallets should also allow users to create and use qualified electronic signatures and seals which are accepted across the EU. To achieve simplification and cost reduction benefits to persons and businesses across

Amendment

(9) All European Digital Identity Wallets should allow users to electronically identify and authenticate online and offline across borders for accessing a wide range of public and private services. Without prejudice to Member States' prerogatives as regards the identification of their nationals and residents, Wallets can also serve the institutional needs of public administrations, international organisations and the Union's institutions, bodies, offices and agencies. Offline use would be important in many sectors, including in the health sector where services are often provided through face-to-face interaction and ePrescriptions should be able to rely on QR-codes or similar technologies to verify authenticity. Relying on the level of assurance "high", the European Digital Identity Wallets should benefit from the potential offered by tamper-proof solutions such as secure elements, to comply with the security requirements under this Regulation. The European Digital Identity Wallets should also allow users to create and use qualified electronic signatures and seals which are accepted across the EU. To achieve simplification and cost reduction benefits to persons and businesses across

the EU, including by enabling powers of representation and e-mandates, Member States should issue European Digital Identity Wallets relying on common standards to ensure seamless interoperability **and a high level of security**. Only Member States' competent authorities can provide a high degree of confidence in establishing the identity of a person and therefore provide assurance that the person claiming or asserting a particular identity is in fact the person he or she claims to be. It is therefore necessary that the European Digital Identity Wallets rely on the legal identity of citizens, other residents or legal entities. Trust in the European Digital Identity Wallets would be enhanced by the fact that issuing parties are required to implement appropriate technical and organisational measures to ensure a level of security commensurate to the risks raised for the rights and freedoms of the natural persons, in line with Regulation (EU) 2016/679.

the EU, including by enabling powers of representation and e-mandates, Member States should issue European Digital Identity Wallets relying on common standards. ***In order to ensure seamless interoperability between the European Digital Identity Wallets, these should ideally rely on in-house technologies developed by the public sector itself, on open-source technologies when developed through public procurement or on technologies developed through public-private partnerships with non-profit organizations.*** Only Member States' competent authorities can provide a high degree of confidence in establishing the identity of a person and therefore provide assurance that the person claiming or asserting a particular identity is in fact the person he or she claims to be. It is therefore necessary that the European Digital Identity Wallets rely on the legal identity of citizens, other residents or legal entities. Trust in the European Digital Identity Wallets would be enhanced by the fact that issuing parties are required to implement appropriate technical and organisational measures to ensure a level of security commensurate to the risks raised for the rights and freedoms of the natural persons, in line with Regulation (EU) 2016/679.

Or. en

Amendment 72 **Emmanuel Maurel**

Proposal for a regulation **Recital 9**

Text proposed by the Commission

(9) All European Digital Identity Wallets should allow users to electronically identify and authenticate online and offline across borders for accessing a wide range of public and private services. Without

Amendment

(9) All European Digital Identity Wallets should allow users to electronically identify and authenticate online and offline across borders for accessing a wide range of public **services**, and private services,

prejudice to Member States' prerogatives as regards the identification of their nationals and residents, Wallets can also serve the institutional needs of public administrations, international organisations and the Union's institutions, bodies, offices and agencies. Offline use would be important in many sectors, including in the health sector where services are often provided through face-to-face interaction and ePrescriptions should be able to rely on QR-codes or similar technologies to verify authenticity. Relying on the level of assurance "high", the European Digital Identity Wallets should benefit from the potential offered by tamper-proof solutions such as secure elements, to comply with the security requirements under this Regulation. The European Digital Identity Wallets should also allow users to create and use qualified electronic signatures and seals which are accepted across the EU. To achieve simplification and cost reduction benefits to persons and businesses across the EU, including by enabling powers of representation and e-mandates, Member States should issue European Digital Identity Wallets relying on common standards to ensure seamless interoperability and a high level of security. Only Member States' competent authorities can provide a high degree of confidence in establishing the identity of a person and therefore provide assurance that the person claiming or asserting a particular identity is in fact the person he or she claims to be. It is therefore necessary that the European Digital Identity Wallets rely on the legal identity of citizens, other residents or legal entities. Trust in the European Digital Identity Wallets would be enhanced by the fact that issuing parties are required to implement appropriate technical and organisational measures to ensure a level of security commensurate to the risks raised for the rights and freedoms of the natural persons, in line with Regulation (EU) 2016/679.

where verification of certain attributes is strictly mandated by law. Without prejudice to Member States' prerogatives as regards the identification of their nationals and residents, Wallets can also serve the institutional needs of public administrations, international organisations and the Union's institutions, bodies, offices and agencies. Offline use would be important in many sectors, including in the health sector where services are often provided through face-to-face interaction and ePrescriptions should be able to rely on QR-codes or similar technologies to verify authenticity. Relying on the level of assurance "high", the European Digital Identity Wallets should benefit from the potential offered by tamper-proof solutions such as secure elements, to comply with the security requirements under this Regulation. The European Digital Identity Wallets should also allow users to create and use qualified electronic signatures and seals which are accepted across the EU. To achieve simplification and cost reduction benefits to persons and businesses across the EU, including by enabling powers of representation and e-mandates, Member States should issue European Digital Identity Wallets relying on common standards to ensure seamless interoperability and a high level of security. Only Member States' competent authorities can provide a high degree of confidence in establishing the identity of a person and therefore provide assurance that the person claiming or asserting a particular identity is in fact the person he or she claims to be. It is therefore necessary that the European Digital Identity Wallets rely on the legal identity of citizens, other residents or legal entities. Trust in the European Digital Identity Wallets would be enhanced by the fact that issuing parties are required to implement appropriate technical and organisational measures to ensure a level of security commensurate to the risks raised for the rights and freedoms of the natural persons,

Amendment 73

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) All European Digital Identity Wallets should allow users to electronically identify and authenticate online and offline across borders for accessing a wide range of public and private services. Without prejudice to Member States' prerogatives as regards the identification of their nationals and residents, Wallets can also serve the institutional needs of public administrations, international organisations and the Union's institutions, bodies, offices and agencies. Offline use would be important in many sectors, ***including in the health sector where services are often provided through face-to-face interaction and ePrescriptions should be able to rely on QR-codes or similar technologies to verify authenticity***. Relying on the level of assurance "high", the European Digital Identity Wallets should benefit from the potential offered by tamper-proof solutions such as secure elements, to comply with the security requirements under this Regulation. The European Digital Identity Wallets should also allow users to create and use qualified electronic signatures and seals which are accepted across the EU. To achieve simplification and cost reduction benefits to persons and businesses across the EU, including by enabling powers of representation and e-mandates, Member States should issue European Digital Identity Wallets relying on common standards to ensure seamless interoperability and a high level of security. Only Member States' competent

Amendment

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authorities can provide a high degree of confidence in establishing the identity of a person and therefore provide assurance that the person claiming or asserting a particular identity is in fact the person he or she claims to be. It is therefore necessary that the European Digital Identity Wallets rely on the legal identity of citizens, other residents or legal entities. Trust in the European Digital Identity Wallets would be enhanced by the fact that issuing parties are required to implement appropriate technical and organisational measures to ensure a level of security commensurate to the risks raised for the rights and freedoms of the natural persons, in line with Regulation (EU) 2016/679.

or she claims to be. It is therefore necessary that the European Digital Identity Wallets rely on the legal identity of citizens, other residents or legal entities. Trust in the European Digital Identity Wallets would be enhanced by the fact that issuing parties are required to implement appropriate technical and organisational measures to ensure a level of security commensurate to the risks raised for the rights and freedoms of the natural persons, in line with Regulation (EU) 2016/679.

The highest standard of data protection of the most advanced Member States in this area should be implemented.

Or. fr

Amendment 74

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) All European Digital Identity Wallets should allow users to electronically identify and authenticate online and offline across borders for accessing a wide range of public and private services. Without prejudice to Member States' prerogatives as regards the identification of their nationals and residents, Wallets can also serve the institutional needs of public administrations, international organisations and the Union's institutions, bodies, offices and agencies. Offline use would be important in many sectors, including in the health sector where services are often provided through face-to-face interaction and ePrescriptions should be able to rely on **QR-codes** or similar technologies to verify authenticity. Relying on the level of assurance "high", the European Digital Identity Wallets should benefit from the

Amendment

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potential offered by tamper-proof solutions such as secure elements, to comply with the security requirements under this Regulation. The European Digital Identity Wallets should also allow users to create and use qualified electronic signatures and seals which are accepted across the EU. To achieve simplification and cost reduction benefits to persons and businesses across the EU, including by enabling powers of representation and e-mandates, Member States should issue European Digital Identity Wallets relying on common standards to ensure seamless interoperability and **a high** level of security. Only Member States' competent authorities can provide a high degree of confidence in establishing the identity of a person and therefore provide assurance that the person claiming or asserting a particular identity is in fact the person he or she claims to be. It is therefore necessary that the European Digital Identity Wallets rely on the legal identity of citizens, other residents or legal entities. Trust in the European Digital Identity Wallets would be enhanced by the fact that issuing parties are required to implement appropriate technical and organisational measures to ensure a level of security commensurate to the risks raised for the rights and freedoms of the natural persons, in line with Regulation (EU) 2016/679.

potential offered by tamper-proof solutions such as secure elements, to comply with the security requirements under this Regulation. The European Digital Identity Wallets should also allow users to create and use qualified electronic signatures and seals which are accepted across the EU. To achieve simplification and cost reduction benefits to persons and businesses across the EU, including by enabling powers of representation and e-mandates, Member States should issue European Digital Identity Wallets relying on common standards to ensure seamless interoperability and **the highest** level of security. Only Member States' competent authorities can provide a high degree of confidence in establishing the identity of a person and therefore provide assurance that the person claiming or asserting a particular identity is in fact the person he or she claims to be. It is therefore necessary that the European Digital Identity Wallets rely on the legal identity of citizens, other residents or legal entities. Trust in the European Digital Identity Wallets would be enhanced by the fact that issuing parties are required to implement appropriate technical and organisational measures to ensure a level of security commensurate to the risks raised for the rights and freedoms of the natural persons, in line with Regulation (EU) 2016/679.

Or. fr

Amendment 75
Daniel Buda

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) In order to achieve a high level of security and trustworthiness, this Regulation establishes the requirements for European Digital Identity Wallets. The

Amendment

(10) In order to achieve a high level of security, **trust, accessibility** and trustworthiness, this Regulation establishes the requirements for European Digital

conformity of European Digital Identity Wallets with those requirements should be certified by accredited public or private sector bodies designated by Member States. Relying on a certification scheme based on the availability of commonly agreed standards with Member States should ensure a high level of trust and interoperability. Certification should in particular rely on the relevant European cybersecurity certifications schemes established pursuant to Regulation (EU) 2019/881²⁰. Such certification should be without prejudice to certification as regards personal data processing pursuant to Regulation (EC) 2016/679

Identity Wallets. The conformity of European Digital Identity Wallets with those requirements should be certified by accredited public or private sector bodies designated by Member States. Relying on a certification scheme based on the availability of commonly agreed standards with Member States should ensure a high level of trust, **security, accessibility** and interoperability. Certification should in particular rely on the relevant European cybersecurity certifications schemes established pursuant to Regulation (EU) 2019/881²⁰. Such certification should be without prejudice to certification as regards personal data processing pursuant to Regulation (EC) 2016/679

²⁰ Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act), OJ L 151, 7.6.2019, p. 15

²⁰ Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act) (OJ L 151, 7.6.2019, p. 15).

Or. ro

Amendment 76

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) In order to achieve a high level of security and trustworthiness, this Regulation establishes the requirements for European Digital Identity Wallets. The conformity of European Digital Identity Wallets with those requirements should be certified by accredited public or private sector bodies designated by Member States. Relying on a certification scheme

Amendment

(10) In order to achieve a high level of security and trustworthiness, this Regulation establishes the requirements for European Digital Identity Wallets **of the highest standard**. The conformity of European Digital Identity Wallets with those requirements should be certified by accredited public or private sector bodies designated by Member States. Relying on a

based on the availability of commonly agreed standards with Member States should ensure a high level of trust and interoperability. Certification should in particular rely on the relevant European cybersecurity certifications schemes established pursuant to Regulation (EU) 2019/881²⁰. Such certification should be without prejudice to certification as regards personal data processing pursuant to Regulation (*EC*) 2016/679

certification scheme based on the availability of commonly agreed standards with Member States should ensure a high level of trust and interoperability. Certification should in particular rely on the relevant European cybersecurity certifications schemes established pursuant to Regulation (EU) 2019/881²⁰. Such certification should be without prejudice to certification as regards personal data processing pursuant to Regulation (*EU*) 2016/679

²⁰ Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act), OJ L 151, 7.6.2019, p. 15

²⁰ Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act) (OJ L 151, 7.6.2019, p. 15).

Or. fr

Amendment 77
Emmanuel Maurel

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) In order to achieve a high level of security and trustworthiness, this Regulation establishes the requirements for European Digital Identity Wallets. The conformity of European Digital Identity Wallets with those requirements should be certified by accredited public *or private* sector bodies designated by Member States. Relying on a certification scheme based on the availability of commonly agreed standards with Member States should ensure a high level of trust and interoperability. Certification should in particular rely on the relevant European

Amendment

(10) In order to achieve a high level of security and trustworthiness, this Regulation establishes the requirements for European Digital Identity Wallets. The conformity of European Digital Identity Wallets with those requirements should be certified by accredited public sector bodies designated by Member States. Relying on a certification scheme based on the availability of commonly agreed standards with Member States should ensure a high level of trust and interoperability. Certification should in particular rely on the relevant European cybersecurity

cybersecurity certifications schemes established pursuant to Regulation (EU) 2019/881²⁰. Such certification should be without prejudice to certification as regards personal data processing pursuant to Regulation (EC) 2016/679

certifications schemes established pursuant to Regulation (EU) 2019/881²⁰. Such certification should be without prejudice to certification as regards personal data processing pursuant to Regulation (EC) 2016/679

²⁰ Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act), OJ L 151, 7.6.2019, p. 15

²⁰ Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act), OJ L 151, 7.6.2019, p. 15

Or. en

Amendment 78 **Emmanuel Maurel**

Proposal for a regulation **Recital 11**

Text proposed by the Commission

(11) European Digital Identity Wallets should ensure the highest level of security for the personal data used for authentication irrespective of whether such data is stored locally or on cloud-based solutions, taking into account the different levels of risk. Using biometrics to authenticate ***is one of the identifications methods providing a high level of confidence, in particular when used in combination with other elements of authentication.*** Since biometrics represents a unique characteristic of a person, the use of biometrics requires organisational and security measures, commensurate to the risk that such processing may entail to the rights and freedoms of natural persons and in accordance with Regulation 2016/679.

Amendment

(11) European Digital Identity Wallets should ensure the highest level of security for the personal data used for authentication irrespective of whether such data is stored locally or on cloud-based solutions, taking into account the different levels of risk. Using biometrics to authenticate ***shall not be a precondition for using European Digital Identity Wallets.*** Since biometrics represents a unique characteristic of a person, the use of biometrics requires organisational and security measures, commensurate to the risk that such processing may entail to the rights and freedoms of natural persons and in accordance with Regulation 2016/679.

Amendment 79**Gilles Lebreton, Virginie Joron, Gunnar Beck****Proposal for a regulation****Recital 11***Text proposed by the Commission*

(11) European Digital Identity Wallets should ensure the highest level of security for the personal data used for authentication irrespective of whether such data is stored locally *or* on cloud-based solutions, taking into account the different levels of risk. Using biometrics to authenticate is one of the identifications methods providing a high level of confidence, in particular when used in combination with other elements of authentication. Since biometrics represents a unique characteristic of a person, the use of biometrics requires organisational and security measures, commensurate to the risk that such processing may entail to the rights and freedoms of natural persons and in accordance with **Regulation 2016/679**.

Amendment

(11) European Digital Identity Wallets should ensure the highest level of security for the personal data used for authentication irrespective of whether such data is stored locally, on cloud-based solutions, ***based exclusively on European territory***, taking into account the different levels of risk. Using biometrics to authenticate is one of the identifications methods providing a high level of confidence, in particular when used in combination with other elements of authentication. Since biometrics represents a unique characteristic of a person, the use of biometrics requires organisational and security measures, commensurate to the risk that such processing may entail to the rights and freedoms of natural persons and in accordance with **Regulation (EU) 2016/679**. ***It should be possible for potential users of these digital wallets who no longer wish to use them to permanently delete their data.***

Or. fr

Amendment 80**Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco, Tiemo Wölken****Proposal for a regulation****Recital 11***Text proposed by the Commission*

(11) European Digital Identity Wallets

Amendment

(11) European Digital Identity Wallets

should ensure the highest level of security for the personal data used for authentication *irrespective of whether such data is stored locally or on cloud-based solutions*, taking into account the different levels of risk. Using biometrics to authenticate is one of the identifications methods providing a high level of confidence, in particular when used in combination with other elements of authentication. Since biometrics represents a unique characteristic of a person, the use of biometrics requires organisational and security measures, commensurate to the risk that such processing may entail to the rights and freedoms of natural persons and in accordance with Regulation 2016/679.

should ensure the highest level of security for the personal data used for authentication **and** stored locally, taking into account the different levels of risk. Using biometrics to authenticate is one of the identifications methods providing a high level of confidence, in particular when used in combination with other elements of authentication. Since biometrics represents a unique characteristic of a person, the use of biometrics requires organisational and security measures, commensurate to the risk that such processing may entail to the rights and freedoms of natural persons and in accordance with Regulation 2016/679.

Or. en

Amendment 81
Emmanuel Maurel

Proposal for a regulation
Recital 12

Text proposed by the Commission

Amendment

(12) To ensure that the European Digital Identity framework is open to innovation, technological development and future-proof, Member States should be encouraged to set-up jointly sandboxes to test innovative solutions in a controlled and secure environment in particular to improve the functionality, protection of personal data, security and interoperability of the solutions and to inform future updates of technical references and legal requirements. This environment should foster the inclusion of European Small and Medium Enterprises, start-ups and individual innovators and researchers.

deleted

Or. en

Amendment 82
Daniel Buda

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) To ensure that the European Digital Identity framework is open to innovation, technological development and future-proof, Member States should be encouraged to set-up jointly sandboxes to test innovative solutions in a controlled and secure environment in particular to improve the functionality, protection of personal data, security and interoperability of the solutions and to inform future updates of technical references and legal requirements. This environment should foster the inclusion of European Small and Medium Enterprises, start-ups and individual innovators and researchers.

Amendment

(12) To ensure that the European Digital Identity framework is ***genuinely facilitating the transition of the Union to a digital single market and is*** open to innovation, technological development and future-proof, ***especially regarding security***, Member States should be encouraged to set-up jointly ***safe*** sandboxes to test innovative solutions in a controlled and secure environment in particular to improve the functionality, ***effective*** protection of personal data, security and interoperability of the solutions and to inform future updates of technical references and legal requirements. This environment should foster the inclusion of European Small and Medium Enterprises, start-ups and individual innovators and researchers, ***without subjecting them to additional administrative and financial burdens***.

Or. ro

Amendment 83
Patrick Breyer

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) To ensure that the European Digital Identity framework is open to innovation, technological development and future-proof, Member States should be encouraged to set-up jointly sandboxes to test innovative solutions in a controlled and secure environment in particular to improve the functionality, protection of

Amendment

(12) To ensure that the European Digital Identity framework is open to innovation, technological development and future-proof, Member States should be encouraged to set-up jointly sandboxes to test innovative solutions in a controlled and secure environment in particular to improve the functionality, protection of

personal data, security and interoperability of the solutions and to inform future updates of technical references and legal requirements. This environment should foster the inclusion of European Small and Medium Enterprises, start-ups and individual innovators and researchers.

personal data, security and interoperability of the solutions and to inform future updates of technical references and legal requirements. This environment should foster the inclusion of European Small and Medium Enterprises, start-ups and individual innovators and researchers, ***while improving compliance and preventing the placing on the market of solutions not in line with Union legislation on data protection and IT security.***

Or. en

Amendment 84
Virginie Joron, Gilles Lebreton, Gunnar Beck

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) The process of notification of electronic identification schemes should be simplified and accelerated to promote the access to convenient, trusted, secure and innovative authentication and identification solutions and, where relevant, to encourage ***private identity providers to offer electronic identification schemes to Member State's authorities for notification as national electronic identity card schemes*** under Regulation 910/2014.

Amendment

(14) ***Only Member States' competent authorities can provide a high degree of confidence in establishing the identity of a person and therefore provide assurance that the person claiming or asserting a particular identity is in fact the person he or she claims to be.*** The process of notification of electronic identification schemes should be simplified and accelerated to promote the access to convenient, trusted, secure and innovative authentication and identification solutions and, where relevant, to encourage ***Member States to produce national electronic identity cards*** under Regulation 910/2014.

Or. fr

Amendment 85
Patrick Breyer

Proposal for a regulation
Recital 17

Text proposed by the Commission

Amendment

(17) Service providers use the identity data provided by the set of person identification data available from electronic identification schemes pursuant to Regulation (EU) No 910/2014 in order to match users from another Member State with the legal identity of that user. However, despite the use of the eIDAS data set, in many cases ensuring an accurate match requires additional information about the user and specific unique identification procedures at national level. To further support the usability of electronic identification means, this Regulation should require Member States to take specific measures to ensure a correct identity match in the process of electronic identification. For the same purpose, this Regulation should also extend the mandatory minimum data set and require the use of a unique and persistent electronic identifier in conformity with Union law in those cases where it is necessary to legally identify the user upon his/her request in a unique and persistent way.

deleted

Or. en

Justification

linked to deletion of Article 11a.

**Amendment 86
Emmanuel Maurel**

**Proposal for a regulation
Recital 17**

Text proposed by the Commission

Amendment

(17) Service providers use the identity data provided by the set of person identification data available from electronic identification schemes pursuant

(17) Service providers use the identity data provided by the set of person identification data available from electronic identification schemes pursuant

to Regulation (EU) No 910/2014 in order to match users from another Member State with the legal identity of that user. However, despite the use of the eIDAS data set, in many cases ensuring an accurate match requires additional information about the user and specific unique identification procedures at national level. To further support the usability of electronic identification means, this Regulation should require Member States to take specific measures to ensure a correct identity match in the process of electronic identification. ***For the same purpose, this Regulation should also extend the mandatory minimum data set and require the use of a unique and persistent electronic identifier in conformity with Union law in those cases where it is necessary to legally identify the user upon his/her request in a unique and persistent way.***

to Regulation (EU) No 910/2014 in order to match users from another Member State with the legal identity of that user. However, despite the use of the eIDAS data set, in many cases ensuring an accurate match requires additional information about the user and specific unique identification procedures at national level. To further support the usability of electronic identification means, this Regulation should require Member States to take specific measures to ensure a correct identity match in the process of electronic identification.

Or. en

Amendment 87
Brando Benifei, René Repasi, Tiemo Wölken

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) Service providers use the identity data provided by the set of person identification data available from electronic identification schemes pursuant to Regulation (EU) No 910/2014 in order to match users from another Member State with the legal identity of that user. However, despite the use of the eIDAS data set, in many cases ensuring an accurate match requires additional information about the user and specific ***unique*** identification procedures at national level. To further support the usability of electronic identification means, this Regulation should require Member

Amendment

(17) Service providers use the identity data provided by the set of person identification data available from electronic identification schemes pursuant to Regulation (EU) No 910/2014 in order to match users from another Member State with the legal identity of that user. However, despite the use of the eIDAS data set, in many cases ensuring an accurate match requires additional information about the user and specific identification procedures at national level. To further support the usability of electronic identification means, this Regulation should require Member States

States to take specific measures to ensure a correct identity match in the process of electronic identification. ***For the same purpose, this Regulation should also extend the mandatory minimum data set and require the use of a unique and persistent electronic identifier*** in conformity with Union law in those cases where it is necessary to legally identify the user upon his/her request ***in a unique and persistent way***.

to take specific measures to ensure a correct identity match in the process of ***cross-border*** electronic identification, in conformity with Union law in those ***specific*** cases where it is necessary to legally identify the user upon his/her request.

Or. en

Amendment 88

Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco, Tiemo Wölken

Proposal for a regulation

Recital 17 a (new)

Text proposed by the Commission

Amendment

(17 a) As signatories to the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), the European Union and all Member States should protect persons with disabilities from discrimination and promote their equality, ensure that persons with disabilities have access, on an equal basis with others, to information and communications technologies and systems and ensure respect for privacy of persons with disabilities.

Or. en

Amendment 89

Patrick Breyer

Proposal for a regulation

Recital 18

Text proposed by the Commission

Amendment

(18) In line with Directive (EU) 2019/882²², persons with disabilities should be able to use the European digital identity wallets, trust services and end-user products used in the provision of those services on an equal basis with other users.

²² Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

(18) In line with Directive (EU) 2019/882²², persons with disabilities should be able to use the European digital identity wallets, trust services and end-user products used in the provision of those services on an equal basis with other users. ***These persons should be able to have a trusted third party in charge of using their European digital identity wallets on their behalf, upon designation by a judicial authority. The modalities of use of European digital identity wallets by the trusted third parties should be determined by Member States.***

²² Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

Or. en

Amendment 90 **Geoffroy Didier**

Proposal for a regulation **Recital 18**

Text proposed by the Commission

(18) In line with Directive (EU) 2019/882²², persons with disabilities should be able to use the European digital identity wallets, trust services and end-user products used in the provision of those services on an equal basis with other users.

²² Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility

Amendment

(18) In line with Directive (EU) 2019/882²², persons with disabilities should be able to use the European digital identity wallets, trust services and end-user products used in the provision of those services on an equal basis with other users. ***A judicial authority should be able to appoint a trusted third party for users' wallets. The Member States shall set arrangements for the use of European digital wallets by trusted third parties.***

²² Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility

requirements for products and services (OJ L 151, 7.6.2019, p. 70).

requirements for products and services (OJ L 151, 7.6.2019, p. 70).

Or. fr

Justification

For adults under legal protection arrangements, it should be possible to appoint a trusted third party able to use the functionalities of the wallet on their behalf. Since such arrangements vary from one Member State to another, it shall be up to the to Member States to define the role of the trusted third party designated by a judicial authority. For adults under guardianship, it should be conceivable that the trusted third party could be entrusted with full control of the European digital wallet.

Amendment 91

Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco, Tiemo Wölken

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) In line with Directive (EU) 2019/882²², persons with disabilities should be able to use the European digital identity wallets, trust services and end-user products used in the provision of those services on an equal basis with other users.

²² Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

Amendment

(18) **Therefore**, in line with Directive (EU) 2019/882²², persons with disabilities **and with functional limitations** should be able to use the European digital identity wallets, trust services and end-user products used in the provision of those services on an equal basis with other users.

²² Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

Or. en

Amendment 92

Geoffroy Didier

Proposal for a regulation

Recital 18 a (new)

Text proposed by the Commission

Amendment

(18 a) *The Member States should lay down arrangements for the use of European digital wallets by children.*

Or. fr

Justification

The proposal for a regulation does not specify conditions for use by minors.

It is up to the Member States to lay down arrangements on a case-by-case basis.

Amendment 93
Daniel Buda

Proposal for a regulation
Recital 20

Text proposed by the Commission

Amendment

(20) The provision and use of trust services are becoming increasingly important for international trade and cooperation. International partners of the EU are establishing trust frameworks inspired by Regulation (EU) No 910/2014. Therefore, in order to facilitate the recognition of such services and their providers, implementing legislation **may set** the conditions under which trust frameworks of third countries could be considered equivalent to the trust framework for qualified trust services and providers in this Regulation, as a complement to the possibility of the mutual recognition of trust services and providers established in the Union and in third countries in accordance with Article 218 of the Treaty.

(20) The provision and use of trust services are becoming increasingly important for international trade, **competitiveness, innovation, security** and cooperation. International partners of the EU are establishing trust frameworks inspired by Regulation (EU) No 910/2014. Therefore, in order to facilitate the recognition of such services and their providers, implementing legislation **sets** the conditions under which trust frameworks of third countries could be considered equivalent to the trust framework for qualified trust services and providers in this Regulation, as a complement to the possibility of the mutual recognition of trust services and providers established in the Union and in third countries in accordance with Article 218 of the Treaty.

Or. ro

Amendment 94
Daniel Buda

Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) It should be possible to issue and handle trustworthy digital attributes and contribute to reducing administrative burden, empowering citizens and other residents to use them in their private and public transactions. Citizens and other residents should be able, for instance, to demonstrate ownership of a valid driving license issued by an authority in one Member State, which can be verified and relied upon by the relevant authorities in other Member States, to rely on their social security credentials or on future digital travel documents in a cross border context.

Amendment

(26) It should be possible to issue and handle trustworthy digital attributes and contribute to reducing administrative burden, empowering citizens and other residents to use them in their private and public transactions ***under conditions of optimum security***. Citizens and other residents should be able, for instance, to demonstrate ownership of a valid driving license issued by an authority in one Member State, which can be verified and relied upon by the relevant authorities in other Member States, to rely on their social security credentials or on future digital travel documents in a cross border context.

Or. ro

Amendment 95
Patrick Breyer

Proposal for a regulation
Recital 27

Text proposed by the Commission

(27) Any entity that collects, creates and issues attested attributes such as diplomas, licences, certificates of birth should be able to become a provider of electronic attestation of attributes. Relying parties should use the electronic attestations of attributes as equivalent to attestations in paper format. Therefore, an electronic attestation of attributes should not be denied legal effect on the grounds that it is in an electronic form or that it does not meet the requirements of the qualified electronic attestation of attributes. To that effect, general requirements should be laid down to ensure that a qualified electronic attestation of attributes has the equivalent

Amendment

(27) Any entity that collects, creates and issues attested attributes such as diplomas, licences, certificates of birth should be able to become a provider of electronic attestation of attributes, ***but also to revoke these attributes in case of falsification, identity theft, or any delivery based on an abusive request***. Relying parties should use the electronic attestations of attributes as equivalent to attestations in paper format. Therefore, an electronic attestation of attributes should not be denied legal effect on the grounds that it is in an electronic form or that it does not meet the requirements of the qualified electronic attestation of attributes. To that effect,

legal effect of lawfully issued attestations in paper form. However, those requirements should apply without prejudice to Union or national law defining additional sector specific requirements as regards form with underlying legal effects and, in particular, the cross-border recognition of qualified electronic attestation of attributes, where appropriate.

general requirements should be laid down to ensure that a qualified electronic attestation of attributes has the equivalent legal effect of lawfully issued attestations in paper form. However, those requirements should apply without prejudice to Union or national law defining additional sector specific requirements as regards form with underlying legal effects and, in particular, the cross-border recognition of qualified electronic attestation of attributes, where appropriate.

The Commission and the competent authorities should associate the relevant professional organisations when defining the concerned attributes and the related technical standards.

Or. en

Amendment 96
Emmanuel Maurel

Proposal for a regulation
Recital 27

Text proposed by the Commission

(27) Any entity that collects, creates and issues attested attributes such as diplomas, licences, certificates of birth should be able to become a provider of electronic attestation of attributes. Relying parties should use the electronic attestations of attributes as equivalent to attestations in paper format. Therefore, an electronic attestation of attributes should not be denied legal effect on the grounds that it is in an electronic form or that it does not meet the requirements of the qualified electronic attestation of attributes. To that effect, general requirements should be laid down to ensure that a qualified electronic attestation of attributes has the equivalent legal effect of lawfully issued attestations in paper form. However, those requirements should apply without prejudice to Union or national law defining

Amendment

(27) Any entity that collects, creates and issues attested attributes such as diplomas, licences, certificates of birth should be able to become a provider of electronic attestation of attributes. Relying parties should use the electronic attestations of attributes as equivalent to attestations in paper format. Therefore, an electronic attestation of attributes should not be denied legal effect ***solely*** on the grounds that it is in an electronic form or that it does not meet the requirements of the qualified electronic attestation of attributes. To that effect, general requirements should be laid down to ensure that a qualified electronic attestation of attributes has the equivalent legal effect of lawfully issued attestations in paper form. ***Nevertheless, lawfully insured attestations in paper form shall be accepted by relying parties***

additional sector specific requirements as regards form with underlying legal effects and, in particular, the cross-border recognition of qualified electronic attestation of attributes, where appropriate.

as an alternative to electronic attestation of attributes. However, those requirements should apply without prejudice to Union or national law defining additional sector specific requirements as regards form with underlying legal effects and, in particular, the cross-border recognition of qualified electronic attestation of attributes, where appropriate.

Or. en

Amendment 97
Geoffroy Didier

Proposal for a regulation
Recital 27

Text proposed by the Commission

(27) Any entity that collects, creates and issues attested attributes such as diplomas, licences, certificates of birth should be able to become a provider of electronic attestation of attributes. Relying parties should use the electronic attestations of attributes as equivalent to attestations in paper format. Therefore, an electronic attestation of attributes should not be denied legal effect on the grounds that it is in an electronic form or that it does not meet the requirements of the qualified electronic attestation of attributes. To that effect, general requirements should be laid down to ensure that a qualified electronic attestation of attributes has the equivalent legal effect of lawfully issued attestations in paper form. However, those requirements should apply without prejudice to Union or national law defining additional sector specific requirements as regards form with underlying legal effects and, in particular, the cross-border recognition of qualified electronic attestation of attributes, where appropriate.

Amendment

(27) Any entity that collects, creates and issues attested attributes such as diplomas, licences, certificates of birth should be able to become a provider of electronic attestation of attributes ***and be responsible for cancelling them.*** Relying parties should use the electronic attestations of attributes as equivalent to attestations in paper format. Therefore, an electronic attestation of attributes should not be denied legal effect on the grounds that it is in an electronic form or that it does not meet the requirements of the qualified electronic attestation of attributes. To that effect, general requirements should be laid down to ensure that a qualified electronic attestation of attributes has the equivalent legal effect of lawfully issued attestations in paper form. However, those requirements should apply without prejudice to Union or national law defining additional sector specific requirements as regards form with underlying legal effects and, in particular, the cross-border recognition of qualified electronic attestation of attributes, where appropriate. ***Member States should involve professional organisations in laying down***

attributes that concern them.

Or. fr

Justification

This proposed amendment clarifies who is responsible for cancelling attributes and getting professional organisations involved in setting out attributes that concern them (e.g. professional quality).

Amendment 98 **Emmanuel Maurel**

Proposal for a regulation **Recital 28**

Text proposed by the Commission

(28) Wide availability and usability of the European Digital Identity Wallets require their acceptance **by** private service providers. Private relying parties providing services in the areas of transport, energy, banking and financial services, social security, health, drinking water, postal services, digital infrastructure, education or telecommunications should accept the use of European Digital Identity Wallets for the provision of services where strong user authentication for online identification is required by national or Union law **or by contractual obligation. Where very large online platforms as defined in Article 25.1. of Regulation [reference DSA Regulation] require users to authenticate to access online services, those platforms should be mandated to accept the use of European Digital Identity Wallets upon voluntary request of the user.** Users should be under no obligation to use the wallet to access private services, but if they wish to do so, large online platforms should accept the European Digital Identity Wallet for this purpose while respecting the principle of data minimisation. **Given the importance of very large online platforms, due to their reach, in particular as expressed in number of recipients of**

Amendment

(28) Wide availability and usability of the European Digital Identity Wallets require their acceptance **and trust by citizens' as an acceptable means to share their personal data with** private service providers. Private relying parties providing services in the areas of transport, energy, banking and financial services, social security, health, drinking water, postal services, digital infrastructure, education or telecommunications should accept the use of European Digital Identity Wallets for the provision of services where strong user authentication for online identification is required by national or Union law. Users should be under no obligation to use the wallet to access private services, but if they wish to do so, large online platforms should accept the European Digital Identity Wallet for this purpose while respecting the principle of data minimisation. Self-regulatory codes of conduct at Union level ('codes of conduct') should be developed in order to contribute to wide availability and usability of electronic identification means including European Digital Identity Wallets within the scope of this Regulation. The codes of conduct should facilitate wide acceptance of electronic identification means including European

the service and economic transactions this is necessary to increase the protection of users from fraud and secure a high level of data protection. Self-regulatory codes of conduct at Union level ('codes of conduct') should be developed in order to contribute to wide availability and usability of electronic identification means including European Digital Identity Wallets within the scope of this Regulation. The codes of conduct should facilitate wide acceptance of electronic identification means including European Digital Identity Wallets by those service providers which do not qualify as very large platforms and which rely on third party electronic identification services for user authentication. They should be developed within 12 months of the adoption of this Regulation. The Commission should assess the effectiveness of these provisions for the availability and usability for the user of the European Digital Identity Wallets after 18 months of their deployment and revise the provisions to ensure their acceptance by means of delegated acts in the light of this assessment.

Digital Identity Wallets by those service providers which do not qualify as very large platforms and which rely on third party electronic identification services for user authentication. They should be developed within 12 months of the adoption of this Regulation. The Commission should assess the effectiveness of these provisions for the availability and usability for the user of the European Digital Identity Wallets after 18 months of their deployment and revise the provisions to ensure their acceptance by means of delegated acts in the light of this assessment.

Or. en

Amendment 99 **Patrick Breyer**

Proposal for a regulation **Recital 28**

Text proposed by the Commission

(28) Wide availability and usability of the European Digital Identity Wallets require ***their*** acceptance by private service providers. Private relying parties providing services in the areas of transport, energy, banking and financial services, social security, health, drinking water, postal services, digital infrastructure, education or telecommunications should accept the use of European Digital Identity Wallets for

Amendment

(28) Wide availability and usability of the European Digital Identity Wallets require acceptance ***and trust by both users and*** by private service providers. Private relying parties providing services in the areas of transport, energy, banking and financial services, social security, health, drinking water, postal services, digital infrastructure, education or telecommunications should accept the use

the provision of services where strong user authentication for online identification is required by national or Union law *or by contractual obligation. Where very large online platforms as defined in Article 25.1. of Regulation [reference DSA Regulation] require users to authenticate to access online services, those platforms should be mandated to accept the use of European Digital Identity Wallets upon voluntary request of the user.* Users should be under no obligation to use the wallet to access private services, but if *they wish to do so, large online platforms should accept the European Digital Identity Wallet for this purpose while respecting the principle* of data minimisation. *Given the importance of very large online platforms, due to their reach, in particular as expressed in number of recipients of the service and economic transactions this is necessary to increase the protection of users from fraud and secure a high level of data protection.* Self-regulatory codes of conduct at Union level ('codes of conduct') should be developed in order to contribute to wide availability and usability of electronic identification means including European Digital Identity Wallets within the scope of this Regulation. The codes of conduct should facilitate wide acceptance of electronic identification means including European Digital Identity Wallets by those service providers which do not qualify as very large platforms and which rely on third party electronic identification services for user authentication. They should be developed within 12 months of the adoption of this Regulation. The Commission should assess the effectiveness of these provisions for the availability and usability for the user of the European Digital Identity Wallets after 18 months of their deployment and revise the provisions to ensure their acceptance by means of delegated acts in the light of this assessment.

of European Digital Identity Wallets for the provision of services where strong user authentication for online identification is required by national or Union law. *The data requested should be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.* Users should be under no obligation to use the wallet to access private services, but if online platforms accept the European Digital Identity Wallet for this purpose, *they should respect the principles* of data minimisation *and purpose limitation, and other legal safeguards.* Self-regulatory codes of conduct at Union level ('codes of conduct') should be developed in order to contribute to wide availability and usability of electronic identification means including European Digital Identity Wallets within the scope of this Regulation. The codes of conduct should facilitate wide acceptance of electronic identification means including European Digital Identity Wallets by those service providers which do not qualify as very large platforms and which rely on third party electronic identification services for user authentication. They should be developed within 12 months of the adoption of this Regulation. The Commission should assess the effectiveness of these provisions for the availability and usability for the user of the European Digital Identity Wallets after 18 months of their deployment and revise the provisions to ensure their acceptance by means of delegated acts in the light of this assessment.

Amendment 100

Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco, Tiemo Wölken

Proposal for a regulation

Recital 29

Text proposed by the Commission

(29) The European Digital Identity Wallet should technically enable the selective disclosure of attributes to relying parties. This feature should become a basic design feature thereby reinforcing convenience and personal data protection including minimisation of processing of personal data.

Amendment

(29) The European Digital Identity Wallet should technically enable the selective disclosure of attributes to relying parties. This feature should become a basic design feature thereby reinforcing convenience and personal data protection including minimisation of processing of personal data. ***Mechanisms for the validation of the European Digital Identity Wallet, selective disclosures and authentication of users to access online services should respect the right to pseudonymity.***

Amendment 101

Patrick Breyer

Proposal for a regulation

Recital 32

Text proposed by the Commission

(32) Website authentication services provide users with assurance that there is a genuine and legitimate entity standing behind the website. Those services contribute to the building of trust and confidence in conducting business online, as users will have confidence in a website that has been authenticated. The use of website authentication services by websites is voluntary. However, in order for website authentication to become a

Amendment

deleted

means to increasing trust, providing a better experience for the user and furthering growth in the internal market, this Regulation lays down minimal security and liability obligations for the providers of website authentication services and their services. To that end, web-browsers should ensure support and interoperability with Qualified certificates for website authentication pursuant to Regulation (EU) No 910/2014. They should recognise and display Qualified certificates for website authentication to provide a high level of assurance, allowing website owners to assert their identity as owners of a website and users to identify the website owners with a high degree of certainty. To further promote their usage, public authorities in Member States should consider incorporating Qualified certificates for website authentication in their websites.

Or. en

Justification

(linked to deletion of amendment to Article 45) Out of scope - archiving has nothing to do with identification. There is no EU harmonisation on safe deposit boxes either.

Amendment 102
Emmanuel Maurel

Proposal for a regulation
Recital 32

Text proposed by the Commission

Amendment

(32) Website authentication services provide users with assurance that there is a genuine and legitimate entity standing behind the website. Those services contribute to the building of trust and confidence in conducting business online, as users will have confidence in a website that has been authenticated. The use of website authentication services by websites is voluntary. However, in order **deleted**

for website authentication to become a means to increasing trust, providing a better experience for the user and furthering growth in the internal market, this Regulation lays down minimal security and liability obligations for the providers of website authentication services and their services. To that end, web-browsers should ensure support and interoperability with Qualified certificates for website authentication pursuant to Regulation (EU) No 910/2014. They should recognise and display Qualified certificates for website authentication to provide a high level of assurance, allowing website owners to assert their identity as owners of a website and users to identify the website owners with a high degree of certainty. To further promote their usage, public authorities in Member States should consider incorporating Qualified certificates for website authentication in their websites.

Or. en

Amendment 103
Emmanuel Maurel

Proposal for a regulation
Recital 33

Text proposed by the Commission

Amendment

(33) Many Member States have introduced national requirements for services providing secure and trustworthy digital archiving in order to allow for the long term preservation of electronic documents and associated trust services. To ensure legal certainty and trust, it is essential to provide a legal framework to facilitate the cross border recognition of qualified electronic archiving services. That framework could also open new market opportunities for Union trust service providers.

deleted

Amendment 104

Patrick Breyer

Proposal for a regulation

Recital 33

Text proposed by the Commission

Amendment

(33) Many Member States have introduced national requirements for services providing secure and trustworthy digital archiving in order to allow for the long term preservation of electronic documents and associated trust services. To ensure legal certainty and trust, it is essential to provide a legal framework to facilitate the cross border recognition of qualified electronic archiving services. That framework could also open new market opportunities for Union trust service providers.

deleted

Or. en

Justification

(linked to deletion of Article 45g)

Amendment 105

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Recital 33

Text proposed by the Commission

Amendment

(33) Many Member States have introduced national requirements for services providing secure and trustworthy digital archiving in order to allow for the long term preservation of electronic documents and associated trust services. To ensure legal certainty and trust, it is essential to provide a legal framework to facilitate the cross border recognition of

(33) Many Member States have introduced national requirements for services providing secure and trustworthy digital archiving in order to allow for the long term preservation of electronic documents and associated trust services. To ensure legal certainty and trust, it is essential to provide a legal framework to facilitate the cross border recognition of

qualified electronic archiving services.
That framework could also open new
market opportunities for Union trust
service providers.

qualified electronic archiving services.
That framework could also open new
market opportunities for Union trust
service providers. ***It should be set on the
basis of the highest standard of the most
protective Member State in terms of
archiving.***

Or. fr

Amendment 106
Emmanuel Maurel

Proposal for a regulation
Recital 34

Text proposed by the Commission

Amendment

(34) Qualified electronic ledgers record data in a manner that ensures the uniqueness, authenticity and correct sequencing of data entries in a tamper proof manner. An electronic ledger combines the effect of time stamping of data with certainty about the data originator similar to e-signing and has the additional benefit of enabling more decentralised governance models that are suitable for multi-party co-operations. For example, it creates a reliable audit trail for the provenance of commodities in cross-border trade, supports the protection of intellectual property rights, enables flexibility markets in electricity, provides the basis for advanced solutions for self-sovereign identity and supports more efficient and transformative public services. To prevent fragmentation of the internal market, it is important to define a pan-European legal framework that allows for the cross-border recognition of trust services for the recording of data in electronic ledgers.

deleted

Or. en

Amendment 107

Patrick Breyer

Proposal for a regulation

Recital 34

Text proposed by the Commission

Amendment

(34) *Qualified electronic ledgers record data in a manner that ensures the uniqueness, authenticity and correct sequencing of data entries in a tamper proof manner. An electronic ledger combines the effect of time stamping of data with certainty about the data originator similar to e-signing and has the additional benefit of enabling more decentralised governance models that are suitable for multi-party co-operations. For example, it creates a reliable audit trail for the provenance of commodities in cross-border trade, supports the protection of intellectual property rights, enables flexibility markets in electricity, provides the basis for advanced solutions for self-sovereign identity and supports more efficient and transformative public services. To prevent fragmentation of the internal market, it is important to define a pan-European legal framework that allows for the cross-border recognition of trust services for the recording of data in electronic ledgers.* **deleted**

Or. en

Justification

(Linked to deletion of Articles 45h and 45i.) Ledgers are immutable and therefore are in systematic conflict with data protection rules such as storage limitation or the right to erasure.

Amendment 108

Daniel Buda

Proposal for a regulation

Recital 34

Text proposed by the Commission

(34) Qualified electronic ledgers record data in a manner that ensures the uniqueness, authenticity and correct sequencing of data entries in a tamper proof manner. An electronic ledger combines the effect of time stamping of data with certainty about the data originator similar to e-signing and has the additional benefit of enabling more decentralised governance models that are suitable for multi-party co-operations. For example, it creates a reliable audit trail for the provenance of commodities in cross-border trade, supports the protection of intellectual property rights, enables flexibility markets in electricity, provides the basis for advanced solutions for self-sovereign identity and supports more efficient and transformative public services. To prevent fragmentation of the internal market, it is important to define a pan-European legal framework that allows for the cross-border recognition of trust services for the recording of data in electronic ledgers.

Amendment

(34) Qualified electronic ledgers record data in a manner that ensures the ***security***, uniqueness, authenticity and correct sequencing of data entries in a tamper proof manner. An electronic ledger combines the effect of time stamping of data with certainty about the data originator similar to e-signing and has the additional benefit of enabling more decentralised governance models that are suitable for multi-party co-operations. ***At the same time, it helps companies reduce costs by making multiparty coordination more efficient and secure, while facilitating regulatory supervision.*** For example, it creates a reliable audit trail for the provenance of commodities in cross-border trade, supports the protection of intellectual property rights, enables flexibility markets in electricity, provides the basis for advanced solutions for self-sovereign identity and supports more efficient and transformative public services. To prevent fragmentation of the internal market ***with the concomitant risk of Member States adopting divergent national standards***, it is important to define a pan-European legal framework that allows for the cross-border recognition of trust services for the recording of data in electronic ledgers, ***while ensuring full compliance with personal data protection provisions currently in force.***

Or. ro

Amendment 109
Patrick Breyer

Proposal for a regulation
Recital 35

Text proposed by the Commission

(35) ***The certification as qualified trust service providers should provide legal***

Amendment

(35) Use cases that involve the processing of personal data must comply

certainty for use cases that build on electronic ledgers. This trust service for electronic ledgers and qualified electronic ledgers and the certification as qualified trust service provider for electronic ledgers should be notwithstanding the need for use cases to comply with Union law or national law in compliance with Union law. Use cases that involve the processing of personal data must comply with Regulation (EU) 2016/679. Use cases that involve crypto assets should be compatible with all applicable financial rules for example with the Markets in Financial Instruments Directive²³, the Payment Services Directive²⁴ and the future Markets in Crypto Assets Regulation²⁵.

²³ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU Text with EEA relevance, OJ L 173, 12.6.2014, p. 349–496.

²⁴ Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, OJ L 337, 23.12.2015, p. 35–127.

²⁵ Proposal for a Regulation of the European Parliament and of the Council on Markets in Crypto-assets, and amending Directive (EU) 2019/1937, COM/2020/593 final.

with Regulation (EU) 2016/679. Use cases that involve crypto assets should be compatible with all applicable financial rules for example with the Markets in Financial Instruments Directive²³, the Payment Services Directive²⁴ and the future Markets in Crypto Assets Regulation²⁵.

²³ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU Text with EEA relevance, OJ L 173, 12.6.2014, p. 349–496.

²⁴ Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, OJ L 337, 23.12.2015, p. 35–127.

²⁵ Proposal for a Regulation of the European Parliament and of the Council on Markets in Crypto-assets, and amending Directive (EU) 2019/1937, COM/2020/593 final.

Or. en

Amendment 110
Emmanuel Maurel

Proposal for a regulation
Recital 35

Text proposed by the Commission

(35) ***The certification as qualified trust service providers should provide legal certainty for use cases that build on electronic ledgers. This trust service for electronic ledgers and qualified electronic ledgers and the certification as qualified trust service provider for electronic ledgers should be notwithstanding the need for use cases to comply with Union law or national law in compliance with Union law.*** Use cases that involve the processing of personal data must comply with Regulation (EU) 2016/679. Use cases that involve crypto assets should be compatible with all applicable financial rules for example with the Markets in Financial Instruments Directive²³, the Payment Services Directive²⁴ and the future Markets in Crypto Assets Regulation²⁵.

²³ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU Text with EEA relevance, OJ L 173, 12.6.2014, p. 349–496.

²⁴ Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, OJ L 337, 23.12.2015, p. 35–127.

²⁵ Proposal for a Regulation of the European Parliament and of the Council on Markets in Crypto-assets, and amending Directive (EU) 2019/1937, COM/2020/593 final.

Amendment

(35) Use cases that involve the processing of personal data must comply with Regulation (EU) 2016/679. Use cases that involve crypto assets should be compatible with all applicable financial rules for example with the Markets in Financial Instruments Directive²³, the Payment Services Directive²⁴ and the future Markets in Crypto Assets Regulation²⁵.

²³ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU Text with EEA relevance, OJ L 173, 12.6.2014, p. 349–496.

²⁴ Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, OJ L 337, 23.12.2015, p. 35–127.

²⁵ Proposal for a Regulation of the European Parliament and of the Council on Markets in Crypto-assets, and amending Directive (EU) 2019/1937, COM/2020/593 final.

Amendment 111**Patrick Breyer****Proposal for a regulation****Recital 36***Text proposed by the Commission*

(36) In order to avoid fragmentation and barriers, due to diverging standards and technical restrictions, and to ensure a coordinated process to avoid endangering the implementation of the future European Digital Identity framework, a process for close and structured cooperation between the Commission, Member States and the private sector is needed. To achieve this objective, Member States should cooperate within the framework set out in the Commission Recommendation XXX/XXXX [Toolbox for a coordinated approach towards a European Digital Identity Framework]²⁶ to identify a Toolbox for a European Digital Identity framework. The Toolbox should include a comprehensive technical architecture and reference framework, a set of common standards and technical references and a set of guidelines and descriptions of best practices covering at least all aspects of the functionalities and interoperability of the European Digital Identity Wallets including eSignatures and of the qualified trust service for attestation of attributes as laid out in this regulation. In this context, Member States should also reach agreement on common elements of a business model and fee structure of the European Digital Identity Wallets, to facilitate take up, in particular by small and medium sized companies in a cross-border context. The content of the toolbox should evolve in parallel with and reflect the outcome of the discussion and process of adoption of the European Digital Identity Framework.

Amendment

(36) In order to avoid fragmentation and barriers, due to diverging standards and technical restrictions, and to ensure a coordinated process to avoid endangering the implementation of the future European Digital Identity framework, a process for close and structured cooperation between the Commission, Member States and the private sector is needed. To achieve this objective, Member States should cooperate within the framework set out in the Commission Recommendation XXX/XXXX [Toolbox for a coordinated approach towards a European Digital Identity Framework]²⁶ to identify a Toolbox for a European Digital Identity framework. The Toolbox should include a comprehensive technical architecture and reference framework **for the decentralised self sovereign architecture of the European Digital Identity Wallet**, a set of common standards and technical references and a set of guidelines and descriptions of best practices covering at least all aspects of the functionalities and interoperability of the European Digital Identity Wallets including eSignatures and of the qualified trust service for attestation of attributes as laid out in this regulation. In this context, Member States should also reach agreement on common elements of a business model and fee structure of the European Digital Identity Wallets, to facilitate take up, in particular by small and medium sized companies in a cross-border context. The content of the toolbox should evolve in parallel with and reflect the outcome of the discussion and process of

adoption of the European Digital Identity Framework.

²⁶ [insert reference once adopted]

²⁶ [insert reference once adopted]

Or. en

Amendment 112
Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation
Recital 37

Text proposed by the Commission

(37) The European Data Protection Supervisor has been consulted pursuant to Article **42 (1)** of Regulation (EU) 2018/1525 of the European Parliament and of the Council²⁷.

Amendment

(37) The European Data Protection Supervisor has been consulted pursuant to Article **42(1)** of Regulation (EU) 2018/1525 of the European Parliament and of the Council²⁷. ***Each time a standard is modified in this regard, prior consultation should be carried out in order to ensure maximum protection.***

²⁷ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

²⁷ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39)

Or. fr

Amendment 113
Patrick Breyer

Proposal for a regulation
Recital 37

Text proposed by the Commission

(37) The European Data Protection Supervisor has been consulted pursuant to Article 42 (1) of Regulation (EU) 2018/1525 of the European Parliament and of the Council²⁷.

²⁷ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

Amendment

(37) The European Data Protection Supervisor has been consulted pursuant to Article 42 (1) of Regulation (EU) 2018/1525 of the European Parliament and of the Council²⁷, **and has provided his comments on 28 July 2021.**

²⁷ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

Or. en

Amendment 114
Daniel Buda

Proposal for a regulation
Recital 37 a (new)

Text proposed by the Commission

Amendment

(37a) Given that the objectives of this Regulation cannot be satisfactorily achieved by the Member States and that an undertaking on this scale can be tackled more effectively by the Union, the latter may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In line with the principle of proportionality as set out in the above article, this regulation is proportionate to the objectives sought, providing an appropriate instrument for establishing the necessary interoperability structure for the creation of an EU Digital Identity ecosystem building on legal identities issued by Member States and on the

provision of qualified and non-qualified digital identity attributes. It provides a clear contribution to the objective of improving the Digital Single Market through a more harmonised legal framework.

Or. ro

Amendment 115

Daniel Buda

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EU) No 910/2014

Article 1 – paragraph 1 – introductory part

Text proposed by the Commission

This Regulation aims at ensuring the proper functioning of the internal market and providing an adequate level of security of electronic identification means and trust services. For these purposes, this Regulation:

Amendment

‘This Regulation aims at ensuring the proper functioning of the internal **market, facilitating transition to a digital single** market and providing an adequate level of security of electronic identification means and trust services. For these purposes, this Regulation:

Or. ro

Amendment 116

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EU) No 910/2014

Article 1 – point c

Text proposed by the Commission

(c) establishes a legal framework for electronic signatures, electronic seals, electronic time stamps, electronic documents, electronic registered delivery services, **certificate services for website authentication, electronic archiving and** electronic attestation of attributes, the

Amendment

(c) establishes a legal framework for electronic signatures, electronic seals, electronic time stamps, electronic documents, electronic registered delivery services, electronic attestation of attributes, the management of remote electronic signature and seal creation devices;

management of remote electronic signature and seal creation devices, **and electronic ledgers**;

Or. en

Amendment 117
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 1
Regulation (EU) No 910/2014
Article 1 – point c

Text proposed by the Commission

(c) establishes a legal framework for electronic signatures, electronic seals, electronic time stamps, electronic documents, electronic registered delivery services, certificate services for website authentication, electronic archiving and electronic attestation of attributes, the management of remote electronic signature and seal creation devices, **and electronic ledgers**;

Amendment

(c) establishes a legal framework for electronic signatures, electronic seals, electronic time stamps, electronic documents, electronic registered delivery services, certificate services for website authentication, electronic archiving and electronic attestation of attributes, the management of remote electronic signature and seal creation devices;

Or. en

Amendment 118
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point c
Regulation (EU) No 910/2014
Article 3 – point 14

Text proposed by the Commission

(14) ‘certificate for electronic signature’ means an electronic attestation **or set of attestations** which links electronic signature validation data to a natural person and confirms at least the name or the pseudonym of that person;;

Amendment

(14) ‘certificate for electronic signature’ means an electronic attestation which links electronic signature validation data to a natural person and confirms at least the name or the pseudonym of that person;;

Amendment 119

Daniel Buda

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point d

Regulation (EU) No 910/2014

Article 3 – point 16

Text proposed by the Commission

(16) ‘trust service’ means an electronic service normally provided against payment which consists of:

Amendment

16. ‘trust service’ means an electronic service normally provided against payment ***under conditions of optimum security,*** which consists of:

Or. ro

Amendment 120

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point d

Regulation (EU) No 910/2014

Article 3 – point 16 – point d

Text proposed by the Commission

(d) ***the electronic archiving of electronic documents;***

Amendment

deleted

Or. en

Amendment 121

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point d

Regulation (EU) 910/2014

Article 3 – point 16 – point f

Text proposed by the Commission

Amendment

(f) *the recording of electronic data into an electronic ledger.;* ***deleted***

Or. en

Justification

Ledgers are immutable and therefore are in systematic conflict with data protection rules such as storage limitation or the right to erasure.

Amendment 122

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point g

Regulation (EU) No 910/2014

Article 3 – point 29

Text proposed by the Commission

(29) ‘certificate for electronic seal’ means an electronic attestation or set of attestations that links electronic seal validation data to a legal person and confirms the name of that person;;

Amendment

(29) ‘certificate for electronic seal’ means an electronic attestation or set of attestations that links electronic seal validation data to a legal person and confirms ***at least*** the name ***or the pseudonym*** of that person;

Or. en

Amendment 123

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point g

Regulation (EU) No 910/2014

Article 3 – point 29

Text proposed by the Commission

(29) ‘certificate for electronic seal’ means an electronic attestation or set of attestations that links electronic seal validation data to a legal person and confirms the name of that person;;

Amendment

(29) ‘certificate for electronic seal’ means an electronic attestation or set of attestations that links electronic seal validation data to a legal person and confirms the name ***or pseudonym*** of that person;;

Amendment 124

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – point 42

Text proposed by the Commission

(42) ‘European Digital Identity Wallet’ **is a** product and service that allows the user to store identity data, credentials and attributes linked to her/his identity, to provide them to relying parties on request and to use them for authentication, online and offline, for a service in accordance with Article 6a; and to create qualified electronic signatures and seals;

Amendment

(42) ‘European Digital Identity Wallet’ **means a software** product and service that allows the user, **on a device under her/his control**, to store identity data, credentials and attributes linked to her/his identity, to provide them to relying parties on request and to use them for authentication, online and offline, for a service in accordance with Article 6a; and to create qualified electronic signatures and seals;

Or. en

Amendment 125

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – point 43

Text proposed by the Commission

(43) ‘attribute’ **is** a feature, characteristic or quality of a natural or legal person or of an entity, in electronic form;

Amendment

(43) ‘attribute’ **means an electronic representation of** a feature, characteristic or quality of a natural or legal person or of an entity, in electronic form;

Or. en

Amendment 126

Geoffroy Didier

Proposal for a regulation

Article premier – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3(46)

Text proposed by the Commission

(46) ‘authentic source’ is a repository or system, held under the responsibility of a public sector body or private entity, that contains attributes about a natural or legal person and is considered to be the primary source of that information or recognised as authentic in national law;

Amendment

46. ‘authentic source’ is a repository or system, held under the responsibility of a public sector body or private entity, that contains attributes, **and is responsible for cancelling them**, about a natural or legal person and is considered to be the primary source of that information or recognised as authentic in national law;

Or. fr

Justification

Responsibility for cancelling attributes needs to be clarified.

Amendment 127

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – point 46

Text proposed by the Commission

(46) ‘authentic source’ is a repository or system, held under the responsibility of a public sector body or private entity, that contains attributes about a natural or legal person and is considered to be the primary source of that information or recognised as authentic in national law;

Amendment

(46) ‘authentic source’ is a repository or system, held under the responsibility of a public sector body or private entity, that contains attributes about a natural or legal person and is considered to be the primary source of that information or recognised as authentic in **Union and** national law;

Or. en

Amendment 128

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation
Article premier – paragraph 1 – point 3 – point i
Regulation (EU) No 910/2014
Article 3(46)

Text proposed by the Commission

(46) ‘authentic source’ is a repository or system, held under the responsibility of a public sector body *or private entity*, that contains attributes about a natural or legal person and is considered to be the primary source of that information or recognised as authentic in national law;

Amendment

46. ‘authentic source’ is a repository or system, held under the responsibility of a public sector body, that contains attributes about a natural or legal person and is considered to be the primary source of that information or recognised as authentic in national law;

Or. fr

Amendment 129
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point i
Regulation (EU) No 910/2014
Article 3 – point 47

Text proposed by the Commission

(47) ‘*electronic archiving*’ means a service ensuring the receipt, storage, deletion and transmission of electronic data or documents in order to guarantee their integrity, the accuracy of their origin and legal features throughout the conservation period;

Amendment

deleted

Or. en

Justification

Out of scope - archiving has nothing to do with identification. There is no EU harmonisation on safe deposit boxes either.

Amendment 130
Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i
Regulation (EU) No 910/2014
Article 3 – point 52

Text proposed by the Commission

(52) ‘credential’ means a proof of a person’s **abilities, experience**, right or permission;

Amendment

(52) ‘credential’ means a proof of a person’s **attribute**, right or permission;

Or. en

Justification

Using the new definition of "attribute" in Article 3(43) for consistency.

Amendment 131
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point i
Regulation (EU) No 910/2014
Article 3 – point 53

Text proposed by the Commission

(53) ‘**electronic ledger**’ means a **tamper proof electronic record of data, providing authenticity and integrity of the data it contains, accuracy of their date and time, and of their chronological ordering;**

Amendment

deleted

Or. en

Justification

linked to deletion of Articles 45h, 45i.

Amendment 132
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point i
Regulation (EU) No 910/2014
Article 3 – point 53

Text proposed by the Commission

Amendment

(53) ‘electronic ledger’ means a tamper proof electronic record of data, providing authenticity and integrity of the data it contains, accuracy of their date and time, and of their chronological ordering; *deleted*

Or. en

Amendment 133

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – point 55

Text proposed by the Commission

Amendment

(55) ‘unique identification’ means a process where person identification data or person identification means are matched with or linked to an existing account belonging to the same person.’; *deleted*

Or. en

Justification

linked to deletion of Article 11a.

Amendment 134

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – point 55

Text proposed by the Commission

Amendment

(55) ‘unique identification’ means a process where person identification data or person identification means are matched with or linked to an existing *deleted*

account belonging to the same person.';

Or. en

Amendment 135

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – point 55 a (new)

Text proposed by the Commission

Amendment

(55 a) "trusted third party" means a physical person designated by a judicial authority within the framework of a legal protection regime of vulnerable persons; the trusted third party shall be able to use the European digital identity wallets on behalf of their holders.

Or. en

Amendment 136

Geoffroy Didier

Proposal for a regulation

Article premier – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – paragraph 1 – point 55 a (new)

Text proposed by the Commission

Amendment

(55a) 'trusted third party' shall be a natural person designated by a judicial authority as part of establishing legal protection arrangements, who may use European digital wallets on behalf of their holder.

Or. fr

Justification

Insertion of a definition of a new 'trusted third party'.

Amendment 137

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) No 910/2014

Article 5 – title

Text proposed by the Commission

Amendment

Pseudonyms in electronic *transaction*

Personal data protection and pseudonyms
in electronic *transactions*

Or. en

Justification

based on eIDAS 2014 text.

Amendment 138

**Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco,
Tiemo Wölken**

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation n° 910/2014

Article 5 – title

Text proposed by the Commission

Amendment

Pseudonyms in electronic *transaction*

Pseudonyms in electronic *transactions*

Or. en

Amendment 139

**Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco,
Tiemo Wölken**

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) No 910/2014

Article 5

Text proposed by the Commission

Amendment

Without prejudice to the legal effect given to pseudonyms under national law, the use of pseudonyms in electronic transactions shall ***not be prohibited.***

Without prejudice to the legal effect given to pseudonyms under national law, the use of pseudonyms in electronic transactions, ***where possible, shall always be allowed and implemented.***

Or. en

Amendment 140
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 4
Regulation (EU) No 910/2014
Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Processing of personal data shall be carried out in accordance with Regulation (EU) 2016/679, in particular by implementing the principles of data minimisation, purpose limitation, and data protection by design and by default.

Or. en

Justification

based on eIDAS 2014 text.

Amendment 141
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 4
Regulation (EU) No 910/2014
Article 5

Text proposed by the Commission

Amendment

Without prejudice to the legal effect given to pseudonyms under national law, the use of pseudonyms in electronic transactions shall not be prohibited.;

Without prejudice to the legal effect given to pseudonyms under national law, the use of pseudonyms in electronic transactions shall not be prohibited, ***and the use of pseudonyms shall always be an option***

under this Regulation.

Or. en

Amendment 142

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) 910/2014

Article 5

Text proposed by the Commission

Without prejudice to the legal effect given to pseudonyms under national law, the use of pseudonyms in electronic transactions shall ***not be prohibited.***

Amendment

Without prejudice to the legal effect given to pseudonyms under national law, the use of pseudonyms in electronic transactions shall ***always be an option to substitute a unique identifier.***

Or. en

Amendment 143

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) No 910/2014

Article 5 a (new)

Text proposed by the Commission

Amendment

Article 5a

Specific provisions to safeguard fundamental rights of natural persons'

The use of the European Digital Identity Wallet shall not be mandatory for natural persons. Where essential services are provided and access to those requires the use of the European Digital Identity Wallet, easily accessible alternatives shall be offered by the service provider.

Or. en

Amendment 144

Virginie Joron, Gilles Lebreton, Gunnar Beck

Proposal for a regulation

Article premier – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 2 – point b

Text proposed by the Commission

(b) under a mandate from a Member State;

Amendment

(b) under a mandate from a Member State, **by a European public organisation or company, based in Europe, which stores the data in that territory and which employs staff in an EU Member State and pays significant corporate tax there;**

Or. fr

Amendment 145

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 3 – point a

Text proposed by the Commission

(a) securely request and obtain, store, select, combine and share, in a manner that is transparent to and traceable by the user, the necessary legal person identification data and electronic attestation of attributes to authenticate online and offline in order to use online public and private services;

Amendment

(a) securely request and obtain, store, select, combine and share, in a manner that is transparent to, **controlled** and traceable by the user, the necessary legal person identification data and electronic attestation of attributes to authenticate online and offline in order to use online public and private services;

Or. en

Amendment 146

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 3 – point b

Text proposed by the Commission

(b) sign by means of **qualified** electronic signatures.

Amendment

(b) sign by means of electronic signatures.

Or. en

Justification

As qualified signatures are linked to an external service provider, but self-signatures must also be possible, this text must refer to the lowest denominator.

Amendment 147
Karen Melchior

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(b a) access the functions under this paragraph by means of an Application Programming Interface (API) the specification of which shall be defined by the Commission.

Or. en

Justification

A Standardised API to access these functions will make interoperability much easier to implement.

Amendment 148
Daniel Buda

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(ba) use qualified electronic seals;

Or. ro

Amendment 149

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 4 – point a – point 4 a (new)

Text proposed by the Commission

Amendment

(a a) for relying parties to be uniquely identified and limited to requesting information based on their approval by a Member State in accordance with Article 6b(1);

Or. en

Amendment 150

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 4 – point d

Text proposed by the Commission

Amendment

(d) provide a mechanism to ensure that the relying party is able to authenticate the user **and** to receive electronic attestations of attributes;

(d) provide a mechanism to ensure that the relying party is able to authenticate the user **or** to receive electronic attestations of attributes; **where attestations of attributes are adequate for the purposes of the relying party, no prior electronic authentication or identification shall take place;**

Or. en

Amendment 151
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 4 – point e

Text proposed by the Commission

Amendment

(e) ensure that the person identification data referred to in Articles 12(4), point (d) uniquely and persistently represent the natural or legal person is associated with it.

deleted

Or. en

Amendment 152
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 4 – point e

Text proposed by the Commission

Amendment

(e) ensure that the person identification data referred to in Articles 12(4), point (d) uniquely and persistently *represent* the natural or legal person is *associated with it*.

(e) ensure that the person identification data referred to in Articles 12(4), point (d) uniquely and persistently *representing* the natural or legal person is *only shared pseudonymously so that it is different for the different relying parties in order to prevent the association or tracking of the user across relying parties and to make it impossible for the issuer of the European Digital Identity Wallet, third parties, or the Member State to receive any information about the use of the European Digital Identity Wallet or to combine use data from different contexts*;

Or. en

Justification

Domain-specific pseudonyms, in line with the principle of purpose limitation and the

following un-linkability. Already established in the German eID card.

Amendment 153

Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco, Tiemo Wölken

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 4 – point e

Text proposed by the Commission

(e) ensure that the person identification data referred to in Articles 12(4), point (d) uniquely ***and persistently represent*** the natural or legal person is ***associated with it***.

Amendment

(e) ensure that the person identification data referred to in Articles 12(4), point (d) uniquely ***representing*** the natural or legal person is ***only shared pseudonymously so it is different for different relying parties in order to prevent the association or tracking of the user across relying parties***.

Or. en

Amendment 154

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 6

Text proposed by the Commission

6. The European Digital Identity Wallets shall be issued under a notified electronic identification scheme of level of assurance ‘high’. The use of the European Digital Identity Wallets shall be free of charge to natural persons.

Amendment

6. The European Digital Identity Wallets shall be issued under a notified electronic identification scheme of level of assurance ‘high’. The ***source code used for providing European Digital Identity Wallets shall be published (open source)***. The use of the European Digital Identity Wallets shall be ***voluntary and*** free of charge to natural persons. ***Access to government or other products and services, to online platforms in the meaning of [Digital Services Act] or to the labour market by natural persons shall***

not be made conditional on using the European Digital Identity Wallet, nor shall natural persons suffer other disadvantages for not using the European Digital Identity Wallet.

Or. en

Justification

The wallet should allow for evaluation and auditing, and for security issues to be discovered and resolved as soon as possible. The use of the wallet must be voluntary and must not lead to discrimination of those not using it.

Amendment 155

Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco, Tiemo Wölken

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 6

Text proposed by the Commission

6. The European Digital Identity Wallets shall be issued under a notified electronic identification scheme of level of assurance ‘high’. The use of the European Digital Identity Wallets shall be free of charge to natural persons.

Amendment

6. The European Digital Identity Wallets shall be issued under a notified electronic identification scheme of level of assurance ‘high’. The use of the European Digital Identity Wallets shall be free of charge to natural persons. ***Enjoyment of rights and access to services, particularly government services, justice, the labour market and freedom to conduct business shall not be restricted or hindered for natural persons not using the European Digital Identity Wallet.***

Or. en

Amendment 156

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 6

Text proposed by the Commission

6. The European Digital Identity Wallets shall be issued under a notified electronic identification scheme of level of assurance ‘high’. The use of the European Digital Identity Wallets shall be free of charge to natural persons.

Amendment

6. The European Digital Identity Wallets shall be issued under a notified electronic identification scheme of level of assurance ‘high’. The use of the European Digital Identity Wallets shall be free of charge to natural persons. ***Access to government or other essential services, the labour market and freedom obtain goods and services shall not be restricted or hindered for natural persons not using the European Digital Identity Wallet.***

Or. en

Amendment 157

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Article premier – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 6

Text proposed by the Commission

6. The European Digital Identity Wallets shall be issued under a notified electronic identification scheme of level of assurance ‘high’. The use of the European Digital Identity Wallets shall be free of charge to natural persons.

Amendment

6. The European Digital Identity Wallets shall be issued under a notified electronic identification scheme of level of assurance ‘high’. The use of the European Digital Identity Wallets shall be free of charge to natural persons. ***In order to leave each citizen free to choose not to use these portfolios at all if they so wish, it is recalled that they cannot be made compulsory under any circumstances.***

Or. fr

Amendment 158

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Article premier – paragraph 1 – point 7

Regulation (EU) No 910/2014
Article 6a – paragraph 6

Text proposed by the Commission

6. The European Digital Identity Wallets shall be issued under a notified electronic identification scheme of level of assurance ‘high’. The use of the European Digital Identity Wallets shall be free of charge to natural persons.

Amendment

6. The European Digital Identity Wallets shall be issued under a notified electronic identification scheme of level of assurance ‘high’. The use of the European Digital Identity Wallets shall be free of charge to natural persons. ***They shall not contain health data.***

Or. fr

Amendment 159
Karen Melchior

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. Member States shall ensure that European Digital Identity wallets are made available on a wide variety of platforms.

Or. en

Justification

Guarantees the accessibility of the wallet system to a wide range of users on different platforms

Amendment 160
Karen Melchior

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 8 a (new)

Text proposed by the Commission

Amendment

6 b. Member States shall ensure that the source code of the European Digital Identity wallet software issued by a member state or under their mandate is published under the European Union Public Licence.

Or. en

Justification

Guarantees trust by making the code public. Also allows for synergies and cost-sharing when it comes to the development of the wallet. Also allows cross-platform ports of the wallet software.

**Amendment 161
Geoffroy Didier**

Proposal for a regulation
Article premier – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6 a – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. Upon the death of the user, the authority responsible for settling the estate shall ensure that European digital wallets are wholly expunged and that the assets are transferred to the heirs and successors.

Or. fr

Justification

This addition should allow the notary to ensure the wallet is cancelled once and for all and the proper transmission of assets such as cryptocurrencies.

**Amendment 162
Patrick Breyer**

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 10 a (new)

10 a. Within 6 months of the entering into force of this Regulation, the Commission shall adopt delegated acts in accordance with Article 47 in order to supplement this Regulation by establishing technical and operational specifications for the requirements referred to in paragraphs 3, 4 and 5 of this Article.

Or. en

Amendment 163

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 11

Text proposed by the Commission

11. Within 6 months of the entering into force of this Regulation, the Commission shall establish ***technical and operational specifications and*** reference standards for the requirements referred to in paragraphs 3, 4 and 5 ***by means of an implementing act on the implementation of the European Digital Identity Wallet.*** ***This implementing act*** shall be adopted in accordance with the examination procedure referred to in Article 48(2).

Amendment

11. Within 6 months of the entering into force of this Regulation, the Commission shall, ***by means of implementing acts,*** establish reference standards for the requirements referred to in paragraphs 3, 4 and 5 ***of this Article.*** ***Those implementing acts*** shall be adopted in accordance with the examination procedure referred to in Article 48(2).

Or. en

Amendment 164

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6b – paragraph 1

Text proposed by the Commission

1. Where relying parties intend to rely upon European Digital Identity Wallets issued in accordance with this Regulation, they shall ***communicate it to*** the Member State where the relying party is established to ensure compliance with requirements set out in Union law or national law for the provision of specific services. ***When communicating their intention to rely on European Digital Identity wallets, they shall also inform about the intended use of the European Digital Identity Wallet.***

Amendment

1. Where relying parties intend to rely upon European Digital Identity Wallets issued in accordance with this Regulation, they shall ***request approval from*** the Member State where the relying party is established to ensure compliance ***of their intended use and the information they intend to request*** with requirements set out in Union law or national law for the provision of specific services.

Or. en

Amendment 165

Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Tiemo Wölken, Ibán García Del Blanco

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6b – paragraph 1

Text proposed by the Commission

1. Where relying parties intend to rely upon European Digital Identity Wallets issued in accordance with this Regulation, they shall ***communicate it to*** the Member State where the relying party is established to ensure compliance with requirements set out in Union law or national law for the provision of specific services. When communicating their intention to rely on European Digital Identity wallets, they shall also inform about the intended use of the European Digital Identity Wallet.

Amendment

1. Where relying parties intend to rely upon European Digital Identity Wallets issued in accordance with this Regulation, they shall ***request approval from*** the Member State where the relying party is established to ensure compliance with requirements set out in Union law or national law for the provision of specific services. When communicating their intention to rely on European Digital Identity wallets, they shall also inform about the intended use of the European Digital Identity Wallet.

Or. en

Amendment 166

Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6b – paragraph 2

Text proposed by the Commission

2. Member States shall implement a common mechanism for the authentication of relying parties

Amendment

2. Member States shall implement a common mechanism ***and unique identification*** for the authentication of relying parties. ***Member states may revoke the authorization of relying parties in case of illegal or fraudulent use of the European Digital Identity Wallet in their country.***

Or. en

Amendment 167
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6b – paragraph 2

Text proposed by the Commission

2. Member States shall implement a common mechanism for the authentication of relying parties

Amendment

2. Member States shall implement a common mechanism for the authentication ***and identification*** of relying parties. ***Member States shall revoke the authorisation of relying parties in case of illegal or fraudulent use of the European Digital Identity Wallet in their country.***

Or. en

Amendment 168
Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco, Tiemo Wölken

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014

Article 6b – paragraph 2

Text proposed by the Commission

2. Member States shall implement a common mechanism for the authentication of relying parties

Amendment

2. Member States shall implement a common mechanism for the authentication of relying parties. ***Member States may suspend or revoke the authorisation of relying parties in the case of illegal or fraudulent use of the European Digital Identity Wallet in their country.***

Or. en

Amendment 169

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6b – paragraph 3

Text proposed by the Commission

3. Relying parties shall be responsible for carrying out the procedure for authenticating person identification data and electronic attestation of attributes originating from European Digital Identity Wallets.

Amendment

3. Relying parties shall be responsible for ***communicating their identifier in every interaction with the European Digital Identity Wallet and*** carrying out the procedure for authenticating person identification data and electronic attestation of attributes originating from European Digital Identity Wallets.

Or. en

Amendment 170

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6b – paragraph 4

Text proposed by the Commission

4. Within 6 months of the entering

Amendment

4. Within 6 months of the entering

into force of this Regulation, the Commission shall *establish* technical and operational specifications for the requirements referred to in paragraphs 1 and 2 *by means of an implementing act on the implementation of the European Digital Identity Wallets as referred to in Article 6a(10)*.

into force of this Regulation, the Commission shall *adopt delegated acts in accordance with Article 47 in order to supplement this Regulation by establishing* technical and operational specifications for the requirements referred to in paragraphs 1 and 2 *of this Article*.

Or. en

Amendment 171
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6c – paragraph 4

Text proposed by the Commission

4. Within 6 months of the entering into force of this Regulation, the Commission shall, by means of implementing acts, establish a list of standards for the certification of the European Digital Identity Wallets referred to in paragraph 3.

Amendment

4. Within 6 months of the entering into force of this Regulation, the Commission shall, by means of implementing acts, establish a list of standards for the certification of the European Digital Identity Wallets referred to in paragraph 3 *of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2)*.

Or. en

Amendment 172
Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation
Article premier – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 6

Text proposed by the Commission

6. *The Commission shall be empowered to adopt delegated acts in*

Amendment

deleted

accordance with Article 47 concerning the establishment of specific criteria to be met by the designated bodies referred to in paragraph 3.

Or. fr

Amendment 173
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6d – paragraph 3

Text proposed by the Commission

3. Within 6 months of the entering into force of this Regulation, the Commission shall define formats and procedures applicable for the purposes of paragraph 1. ***by means of an implementing act on the implementation of the European Digital Identity Wallets as referred to in Article 6a(10).***

Amendment

3. Within 6 months of the entering into force of this Regulation, the Commission shall, ***by means of implementing acts***, define formats and procedures applicable for the purposes of paragraph 1 ***of this Article. Those implementing acts shall be adopted in accordance with the examination procedure*** referred to in Article 48(2).

Or. en

Amendment 174
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 9 a (new)
Regulation (EU) No 910/2014
Article 7 a (new)

Text proposed by the Commission

Amendment

(9 a) the following Article is inserted:

Article 7a

Succession aspects

At the death of the user, the authority responsible for settling the succession shall ensure the proper extinction of the

Amendment 175

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 11

Regulation (EU) No 910/2014

Article 10a – paragraph 5

Text proposed by the Commission

5. Within 6 months of the entering into force of this Regulation, the Commission shall further *specify* the measures referred to in paragraphs 1 and 3 *by means of an implementing act on the implementation of the European Digital Identity Wallets as referred to in Article 6a(10)*.

Amendment

5. Within 6 months of the entering into force of this Regulation, the Commission shall *adopt delegated acts in accordance with Article 47 in order to supplement this Regulation by further specifying* the measures referred to in paragraphs 1 and 3 *of this Article*.

Amendment 176

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) No 910/2014

Article 11a

Text proposed by the Commission

(12) the following Article 11a is inserted:

‘Article 11a

Unique Identification

1. When notified electronic identification means and the European Digital Identity Wallets are used for authentication, Member States shall ensure unique

Amendment

deleted

identification.

2. Member States shall, for the purposes of this Regulation, include in the minimum set of person identification data referred to in Article 12.4.(d), a unique and persistent identifier in conformity with Union law, to identify the user upon their request in those cases where identification of the user is required by law.

3. Within 6 months of the entering into force of this Regulation, the Commission shall further specify the measures referred to in paragraph 1 and 2 by means of an implementing act on the implementation of the European Digital Identity Wallets as referred to in Article 6a(10).'

Or. en

Amendment 177

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) No 910/2014

Article 11a

Text proposed by the Commission

Amendment

(12) the following Article 11a is inserted:

deleted

‘Article 11a

Unique Identification

1. When notified electronic identification means and the European Digital Identity Wallets are used for authentication, Member States shall ensure unique identification.

2. Member States shall, for the purposes of this Regulation, include in the minimum set of person identification data referred to in Article 12.4.(d), a unique and persistent identifier in conformity

with Union law, to identify the user upon their request in those cases where identification of the user is required by law.

3. Within 6 months of the entering into force of this Regulation, the Commission shall further specify the measures referred to in paragraph 1 and 2 by means of an implementing act on the implementation of the European Digital Identity Wallets as referred to in Article 6a(10).'

Or. en

Amendment 178

Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Tiemo Wölken

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) No 910/2014

Article 11a – title

Text proposed by the Commission

Amendment

Unique Identification

Cross-border user Identification

Or. en

Amendment 179

Brando Benifei, René Repasi, Tiemo Wölken

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) No 910/2014

Article 11a – paragraph 1

Text proposed by the Commission

Amendment

1. When notified electronic identification means and the European Digital Identity Wallets are used for authentication, Member States shall ensure *unique* identification.

1. When notified electronic identification means and the European Digital Identity Wallets are used for authentication, Member States shall ensure *user* identification.

Amendment 180

Brando Benifei, René Repasi, Tiemo Wölken

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (Eu) No 910/2014

Article 11a – paragraph 2

Text proposed by the Commission

2. Member States shall, **for the purposes of this Regulation, include in the minimum set of person identification data referred to in Article 12.4.(d), a unique and persistent identifier** in conformity with Union law, to identify the user upon their request in those cases where identification of the user is required by law.

Amendment

2. Member States shall **provide a** minimum set of person identification data, **only per service**, in conformity with **national and** Union law, to identify the user upon their request in those cases where identification of the user is required by law.

Amendment 181

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 13 – point b

Regulation (EU) No 910/2014

Article 12 – paragraph 4 – point d

Text proposed by the Commission

(b) in paragraph 4, point (d) is replaced by the following:

‘(d) a reference to a minimum set of person identification data necessary to uniquely and persistently represent a natural or legal person;;’

Amendment

deleted

Justification

Maintaining the 2014 version of the eIDAS Regulation. The Commission proposal would

require a unique and persistent identification independent from a particular electronic identification scheme. In effect, this seemingly technical change of the interoperability framework would have the same effect as Article 11a.

Amendment 182
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 13 – point b
Regulation (EU) No 910/2014
Article 12 – paragraph 4 – point d

Text proposed by the Commission

(d) a reference to a minimum set of person identification data ***necessary to uniquely and persistently represent*** a natural or legal person;;

Amendment

(d) a reference to a minimum set of person identification data uniquely ***representing*** a natural or legal person, ***which is available from electronic identification schemes***;

Or. en

Amendment 183
Brando Benifei, René Repasi, Tiemo Wölken

Proposal for a regulation
Article 1 – paragraph 1 – point 13 – point b
Regulation No 910/2014
Article 12 – paragraph 4 – point d

Text proposed by the Commission

(d) a reference to a minimum set of person identification data necessary to ***uniquely and persistently*** represent a natural or legal person;;

Amendment

(d) a reference to a minimum set of person identification data necessary to represent a natural or legal person;’;

Or. en

Amendment 184
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 13 – point c

Text proposed by the Commission

Amendment

(c) in paragraph 6, point (a) of is replaced by the following: **deleted**

‘(a) the exchange of information, experience and good practice as regards electronic identification schemes and in particular technical requirements related to interoperability, unique identification and assurance levels;’

Or. en

Justification

Maintaining the 2014 version of the eIDAS Regulation. The Commission proposal would require a unique and persistent identification independent from a particular electronic identification scheme. In effect, this seemingly technical change of the interoperability framework would have the same affect as Article 11a.

Amendment 185

Brando Benifei, René Repasi, Tiemo Wölken

Proposal for a regulation

Article 1 – paragraph 1 – point 13 – point c

Regulation (EU) No 910/2014

Article 12 – paragraph 6 – point a

Text proposed by the Commission

Amendment

(a) the exchange of information, experience and good practice as regards electronic identification schemes and in particular technical requirements related to interoperability, ***unique identification*** and assurance levels;;

(a) the exchange of information, experience and good practice as regards electronic identification schemes and in particular technical requirements related to interoperability and assurance levels;;

Or. en

Amendment 186

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 13 – point c

Regulation (EU) No 910/2014

Article 12 – paragraph 6 – point a

Text proposed by the Commission

(a) the exchange of information, experience and good practice as regards electronic identification schemes and in particular technical requirements related to interoperability, ***unique identification*** and assurance levels;;

Amendment

(a) the exchange of information, experience and good practice as regards electronic identification schemes and in particular technical requirements related to interoperability and assurance levels;;

Or. en

Amendment 187

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b – paragraph 2

Text proposed by the Commission

2. Where private relying parties providing services are required by national or Union law, to use strong user authentication ***for online identification, or where strong user authentication is required by contractual obligation, including in the areas of transport, energy, banking and financial services, social security, health, drinking water, postal services, digital infrastructure, education or telecommunications,*** private relying parties shall also accept the use of European Digital Identity Wallets issued in accordance with Article 6a.

Amendment

2. Where private relying parties providing services are required by national or Union law, to use strong user authentication, private relying parties shall also accept the use of European Digital Identity Wallets issued in accordance with Article 6a.

Or. en

Justification

Contractual obligations should not force anyone to use the eID.

Amendment 188
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 16
Regulation (EU) No 910/2014
Article 12b – paragraph 2

Text proposed by the Commission

2. Where private relying parties providing services are required by national or Union law, to use strong user authentication for online identification, ***or where strong user authentication is required by contractual obligation, including in the areas of transport, energy, banking and financial services, social security, health, drinking water, postal services, digital infrastructure, education or telecommunications, private relying parties*** shall also accept the use of European Digital Identity Wallets issued in accordance with Article 6a.

Amendment

2. Where private relying parties providing services are required by national or Union law, to use strong user authentication for online identification, ***they*** shall also accept the use of European Digital Identity Wallets issued in accordance with Article 6a.

Or. en

Amendment 189
Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation
Article premier – paragraph 1 – point 16
Regulation (EU) No 910/2014
Article 2 a – paragraph 2

Text proposed by the Commission

2. Where private relying parties providing services are required by national or Union law, to use strong user authentication for online identification, or where strong user authentication is required by contractual obligation, including in the areas of transport, energy, banking and financial services, social security, ***health***, drinking water, postal services, digital infrastructure, education or telecommunications, private relying parties

Amendment

2. Where private relying parties providing services are required by national or Union law, to use strong user authentication for online identification, or where strong user authentication is required by contractual obligation, including in the areas of transport, energy, banking and financial services, social security, drinking water, postal services, digital infrastructure, education or telecommunications, private relying parties

shall also accept the use of European Digital Identity Wallets issued in accordance with Article 6a.

shall also accept the use of European Digital Identity Wallets issued in accordance with Article 6a.

Or. fr

Amendment 190
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 16
Regulation (EU) No 910/2014
Article 12b – paragraph 3

Text proposed by the Commission

3. Where very large online platforms as defined in Regulation [reference DSA Regulation] Article 25.1. require users to authenticate to access online services, they shall also accept the use of European Digital Identity Wallets issued in accordance with Article 6a strictly upon voluntary request of the user and in respect of the minimum attributes necessary for the specific online service for which authentication is requested, such as proof of age.

Amendment

3. Where very large online platforms as defined in Regulation [reference DSA Regulation] Article 25.1. require users to authenticate to access online services, they shall also accept the use of European Digital Identity Wallets issued in accordance with Article 6a strictly upon voluntary request of the user and in respect of the minimum attributes necessary for the specific online service for which authentication is requested, such as proof of age. ***In this case, revocable pseudonyms can be generated and used in connection to an identifiable European Digital Identity Wallets.***

Or. en

Amendment 191
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 16
Regulation (EU) No 910/2014
Article 12b – paragraph 5

Text proposed by the Commission

5. The Commission shall make an assessment within 18 months after

Amendment

deleted

deployment of the European Digital Identity Wallets whether on the basis of evidence showing availability and usability of the European Digital Identity Wallet, additional private online service providers shall be mandated to accept the use of the European Digital identity Wallet strictly upon voluntary request of the user. Criteria of assessment may include extent of user base, cross-border presence of service providers, technological development, evolution in usage patterns. The Commission shall be empowered to adopt delegated acts based on this assessment, regarding a revision of the requirements for recognition of the European Digital Identity wallet under points 1 to 4 of this article.

Or. en

Justification

No obligation for online platforms to use or accept eIDs.

Amendment 192

Gilles Lebreton, Virginie Joron, Gunnar Beck

Proposal for a regulation

Article premier – paragraph 1 – point 18

Regulation (EU) No 910/2014

Article 14 – paragraph 2

Text proposed by the Commission

Amendment

2. Where the Commission has adopted an implementing act pursuant to paragraph 1 or concluded an international agreement on the mutual recognition of trust services in accordance with Article 218 of the Treaty, trust services provided by providers established in the third country concerned shall be considered equivalent to qualified trust services provided by qualified trust service providers established in the Union.; **deleted**

Or. fr

Amendment 193

Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco, Tiemo Wölken

Proposal for a regulation

Article 1 – paragraph 1 – point 19

Regulation (EU) No 910/2014

Article 15 – title

Text proposed by the Commission

Accessibility for persons with disabilities

Amendment

Accessibility for persons with disabilities
and with functional limitations

Or. en

Amendment 194

Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco, Tiemo Wölken

Proposal for a regulation

Article 1 – paragraph 1 – point 19

Regulation (EU) No 910/2014

Article 15 – paragraph 1

Text proposed by the Commission

The provision of Trust services and end-user products used in the provision of those services shall be made accessible for persons with disabilities in accordance with the accessibility requirements of Annex I of Directive 2019/882 on the accessibility requirements for products and services.;

Amendment

The provision of Trust services and end-user products used in the provision of those services shall be made **always** accessible for persons with disabilities **and with functional limitations, such as elderly persons**, in accordance with the accessibility requirements of Annex I of Directive 2019/882 on the accessibility requirements for products and services.

Or. en

Amendment 195

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 20 – point a – point 1

Text proposed by the Commission

(c) to inform the relevant national competent authorities of the Member States concerned, designated pursuant to Directive (EU) XXXX/XXXX [NIS2], of any **significant** breaches of security or loss of integrity they become aware of in the performance of their tasks. where the **significant** breach of security or loss of integrity concerns other Member States, the supervisory body shall inform the single point of contact of the Member State concerned designated pursuant to Directive (EU) XXXX/XXXX (NIS2);;

Amendment

(c) to inform the relevant national competent authorities of the Member States concerned, designated pursuant to Directive (EU) XXXX/XXXX [NIS2], of any breaches of security or loss of integrity they become aware of in the performance of their tasks. where the breach of security or loss of integrity concerns other Member States, the supervisory body shall inform the single point of contact of the Member State concerned designated pursuant to Directive (EU) XXXX/XXXX (NIS2);;

Or. en

Amendment 196
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 20 – point c
Regulation (EU) No 910/2014
Article 17 – paragraph 8

Text proposed by the Commission

8. Within 12 months of the entering into force of this Regulation, the Commission shall, **by means of implementing acts**, further **specify** the tasks of the Supervisory **Authorities** referred to in paragraph 4 **and define the formats and procedures for the report referred to in paragraph 6. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).**;

Amendment

8. Within 12 months of the entering into force of this Regulation, the Commission shall **adopt delegated acts in accordance with Article 47 in order to supplement this Regulation by further specifying** the tasks of the supervisory **bodies** referred to in paragraph 4 **of this** Article.

Or. en

Amendment 197

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 20 – point c

Regulation (EU) 910/2014

Article 17 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8 a. *Within 12 months of the entering into force of this Regulation, the Commission shall, by means of implementing acts, define the formats and procedures for the report referred to in paragraph 6 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).*

Or. en

Amendment 198

Daniel Buda

Proposal for a regulation

Article 1 – paragraph 1 – point 21 – point b

Regulation (EU) No 910/2014

Article 18 – paragraph 1

Text proposed by the Commission

Amendment

1. Supervisory bodies shall cooperate with a view to exchanging good practice and information regarding the provision of trust services.;

(1) Supervisory bodies shall cooperate with a view to exchanging good practice and information, ***through mutual assistance for example***, regarding the provision of trust services.

Or. ro

Amendment 199

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 21 – point c

Regulation (EU) No 910/2014

Article 18 – paragraph 5

Text proposed by the Commission

5. Within 12 months of the entering into force of this Regulation, the Commission shall, by means of implementing acts, establish the necessary procedural arrangements to facilitate the cooperation between the Supervisory **Authorities** referred to in paragraph 1.;

Amendment

5. Within 12 months of the entering into force of this Regulation, the Commission shall, by means of implementing acts, establish the necessary procedural arrangements to facilitate the cooperation between the supervisory **bodies** referred to in paragraph 1 **of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).**

Or. en

Amendment 200
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 22 – point b
Regulation (UE) No 910/2014
Article 20 – paragraph 2 – last sentence

Text proposed by the Commission

Where personal data protection rules appear to have been breached, the supervisory body shall inform the supervisory authorities under Regulation (EU) 2016/679 of the results of its audits.;

Amendment

Where personal data protection rules appear to have been breached, the supervisory body shall inform the supervisory authorities under Regulation (EU) 2016/679 **and the issuer of the European Digital Identity Wallet** of the results of its audits.;

Or. en

Amendment 201
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 25 – point a
Regulation (UE) No 910/2014
Article 24 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. *the following paragraph 1a is inserted:*

‘1a. Within 12 months of the entering into force of this Regulation, the Commission shall adopt delegated acts in accordance with Article 47 in order to supplement this Regulation by laying down minimum technical specifications with respect to the verification of identity and attributes in accordance with paragraph 1, point (c), of this Article.’;

Or. en

Amendment 202

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point b – introductory part

Regulation (UE) No 910/2014

Article 24 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the following paragraph **1a** is inserted:

(b) the following paragraph **1b** is inserted:

Or. en

Justification

(Article 24(1a) in the Commission proposal)

Amendment 203

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point b

Regulation (UE) No 910/2014

Article 24 – paragraph 1a

Text proposed by the Commission

Amendment

1a. Within 12 months after the entry

1a. Within 12 months after the entry

into force of this Regulation, the Commission shall by means of implementing acts, set out **minimum technical specifications**, standards and procedures with respect to the verification of identity and attributes in accordance with paragraph 1, point c. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).;

into force of this Regulation, the Commission shall by means of implementing acts, set out standards and procedures with respect to the verification of identity and attributes in accordance with paragraph 1, point c. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).;

Or. en

Amendment 204 **Patrick Breyer**

Proposal for a regulation
Article 1 – paragraph 1 – point 25 – point f
Regulation (UE) No 910/2014
Article 24 – paragraph 6

Text proposed by the Commission

6. The Commission shall be empowered to adopt delegated acts regarding the **additional** measures referred to in paragraph 2(fa).;

Amendment

6. The Commission shall be empowered to adopt delegated acts **in accordance with Article 47 supplementing this Regulation** regarding the measures referred to in paragraph 2, **point** (fa).

Or. en

Amendment 205 **Patrick Breyer**

Proposal for a regulation
Article 1 – paragraph 1 – point 27
Regulation (UE) No 910/2014
Article 29 – paragraph 1 a

Text proposed by the Commission

1a. Generating, managing and duplicating electronic signature creation data on behalf of the signatory may only be done by a qualified trust service provider providing a qualified trust service for the

Amendment

1a. Generating, managing and duplicating **qualified** electronic signature creation data on behalf of the signatory may only be done by a qualified trust service provider providing a qualified trust

management of a remote electronic qualified signature creation device.;

service for the management of a remote electronic qualified signature creation device.;

Or. en

Amendment 206

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 28

Regulation (UE) No 910/2014

Article 29a – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Within 12 months of the entering into force of this Regulation, the Commission shall adopt delegated acts in accordance with Article 47 in order to supplement this Regulation by establishing technical specifications for the purposes of paragraph 1 of this Article.

Or. en

Amendment 207

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 28

Regulation (UE) No 910/2014

Article 29a – paragraph 2

Text proposed by the Commission

Amendment

2. Within 12 months of the entering into force of this Regulation, the Commission shall, by means of implementing acts, establish technical specifications and reference numbers of standards for the purposes of paragraph 1.;

2. Within 12 months of the entering into force of this Regulation, the Commission shall, by means of implementing acts, establish technical specifications and reference numbers of standards for the purposes of paragraph 1 ***of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in***

Amendment 208
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 38
Regulation (UE) No 910/2014
Article 45

Text proposed by the Commission

Amendment

(38) Article 45 is replaced by the following: **deleted**

‘Article 45

Requirements for qualified certificates for website authentication

1. Qualified certificates for website authentication shall meet the requirements laid down in Annex IV. Qualified certificates for website authentication shall be deemed compliant with the requirements laid down in Annex IV where they meet the standards referred to in paragraph 3.

2. Qualified certificates for website authentication referred to in paragraph 1 shall be recognised by web-browsers. For those purposes web-browsers shall ensure that the identity data provided using any of the methods is displayed in a user friendly manner. Web-browsers shall ensure support and interoperability with qualified certificates for website authentication referred to in paragraph 1, with the exception of enterprises, considered to be microenterprises and small enterprises in accordance with Commission Recommendation 2003/361/EC in the first 5 years of operating as providers of web-browsing services.

3. Within 12 months of the entering into force of this Regulation, the Commission

shall, by means of implementing acts, provide the specifications and reference numbers of standards for qualified certificates for website authentication referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).;

Or. en

Amendment 209
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 38
Regulation (UE) No 910/2014
Article 45

Text proposed by the Commission

Amendment

(38) *Article 45 is replaced by the following:*

deleted

‘Article 45

Requirements for qualified certificates for website authentication

1. Qualified certificates for website authentication shall meet the requirements laid down in Annex IV. Qualified certificates for website authentication shall be deemed compliant with the requirements laid down in Annex IV where they meet the standards referred to in paragraph 3.

2. Qualified certificates for website authentication referred to in paragraph 1 shall be recognised by web-browsers. For those purposes web-browsers shall ensure that the identity data provided using any of the methods is displayed in a user friendly manner. Web-browsers shall ensure support and interoperability with qualified certificates for website authentication referred to in paragraph 1, with the exception of enterprises, considered to be microenterprises and

small enterprises in accordance with Commission Recommendation 2003/361/EC in the first 5 years of operating as providers of web-browsing services.

3. Within 12 months of the entering into force of this Regulation, the Commission shall, by means of implementing acts, provide the specifications and reference numbers of standards for qualified certificates for website authentication referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).;

Or. en

Justification

maintain the 2014 eIDAS text.

Amendment 210

Brando Benifei, René Repasi, Tiemo Wölken

Proposal for a regulation

Article 1 – paragraph 1 – point 38

Regulation (UE) No 910/2014

Article 45

Text proposed by the Commission

Amendment

(38) Article 45 is replaced by the following: *deleted*

‘Article 45

Requirements for qualified certificates for website authentication

1. Qualified certificates for website authentication shall meet the requirements laid down in Annex IV. Qualified certificates for website authentication shall be deemed compliant with the requirements laid down in Annex IV where they meet the standards referred to in paragraph 3.

2. Qualified certificates for website

authentication referred to in paragraph 1 shall be recognised by web-browsers. For those purposes web-browsers shall ensure that the identity data provided using any of the methods is displayed in a user friendly manner. Web-browsers shall ensure support and interoperability with qualified certificates for website authentication referred to in paragraph 1, with the exception of enterprises, considered to be microenterprises and small enterprises in accordance with Commission Recommendation 2003/361/EC in the first 5 years of operating as providers of web-browsing services.

3. Within 12 months of the entering into force of this Regulation, the Commission shall, by means of implementing acts, provide the specifications and reference numbers of standards for qualified certificates for website authentication referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).;

Or. en

Amendment 211
Karen Melchior

Proposal for a regulation
Article 1 – paragraph 1 – point 38
Regulation (UE) No 910/2014
Article 45 – paragraph 2

Text proposed by the Commission

2. Qualified certificates for website authentication referred to in paragraph 1 shall be recognised by web-browsers. For those purposes web-browsers shall ensure that the identity data provided using any of the methods is displayed in a user friendly manner. Web-browsers shall ensure support and interoperability with qualified

Amendment

2. Qualified certificates for website authentication referred to in paragraph 1 shall be recognised by web-browsers ***without prejudice to their ability to maintain the security of their services and interoperability on the web.*** For those purposes web-browsers shall ***endeavour to*** ensure that the identity data provided using

certificates for website authentication referred to in paragraph 1, with the exception of enterprises, considered to be microenterprises and small enterprises in accordance with Commission Recommendation 2003/361/EC in the first 5 years of operating as providers of web-browsing services.

any of the methods is displayed in a user friendly manner. Web-browsers shall *endeavour to* ensure support and interoperability with qualified certificates for website authentication referred to in paragraph 1, with the exception of enterprises, considered to be microenterprises and small enterprises in accordance with Commission Recommendation 2003/361/EC in the first 5 years of operating as providers of web-browsing services.

Or. en

Justification

Qualified Certificates for Website Authentication (known as Extended Validation certificates in the industry), initially developed in 2008, are supposed to prove that a website is run by a natural or legal person. They are prohibitively expensive, and have flaws, which mislead users into believing they are on a safe site. No major browser displays them due to these risks. Until these risks can be addressed from a technical perspective, we believe it should be up to browsers to choose how they present Qualified Certificates to the user.

Amendment 212

Karen Melchior

Proposal for a regulation

Article 1 – paragraph 1 – point 38

Regulation (UE) No 910/2014

Article 45 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Web browsers shall not be prevented from taking measures to ensure that qualified certificates for website authentication or trust service providers do not undermine end-user privacy, security, or interoperability, provided such measures are duly justified as necessary and proportionate. Web browsers shall notify such decisions involving qualified trust service providers to the Commission.

Or. en

Justification

When we buy products or send messages online, we take for granted that our interactions are secure. In our web browsers (Firefox, Chrome, Safari, Edge), a carefully curated list of Trust Service providers is used to check the security of connections. The proposal would give member states control over that list, allowing them to spy on Citizens' web usage. After the Pegasus scandal, and considering recent rule of law infringements, and previous cases of government abuse of Certificate authorities by third countries. we do not believe it is safe to give member states this power. It is also a disproportionate measure, as we can reach the goals of the legislation in a less intrusive and safer manner.

Amendment 213 **Karen Melchior**

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45a – Paragraph 1

Text proposed by the Commission

1. An electronic attestation of attributes shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in electronic form.

Amendment

1. An electronic attestation of attributes shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in electronic form ***or that it has been issued by a trust service provider established in a different Member State.***

Or. en

Justification

This change seeks to guarantee the legal effect of electronic attestations of attributes across member states. Ensuring true interoperability and recognition of attributes is vital to make the proposal a success.

Amendment 214 **Patrick Breyer**

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45a – paragraph 1

Text proposed by the Commission

Amendment

1. An electronic attestation of attributes shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in electronic form.

1. An electronic attestation of attributes shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in electronic form, ***or that it does not meet the requirements for qualified electronic attestations of attributes.***

Or. en

Amendment 215
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45a – paragraph 1

Text proposed by the Commission

Amendment

1. An electronic attestation of attributes shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in electronic form.

1. An electronic attestation of attributes shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in electronic form ***or that it does not meet the requirements for qualified electronic attestations of attributes.***

Or. en

Amendment 216
Brando Benifei, René Repasi, Ibán García Del Blanco, Tiemo Wölken

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45a – paragraph 1

Text proposed by the Commission

Amendment

1. An electronic attestation of attributes shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in electronic form.

1. An electronic attestation of attributes shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in electronic form ***or that it does not meet the requirements for qualified electronic***

Amendment 217
Karen Melchior

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) No 910/2014
Article 45a – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. A qualified electronic attestation of attributes shall meet the following requirements:

(a) it is uniquely linked to the person to which the attribute attestation refers;

(b) it is capable of identifying the issuer of the attribute certification;

(c) it is protected by means that the issuer of the attribute attestation can, with a high level of confidence consider under its control;

(d) it is linked to the data to which it relates in such a way that any subsequent change in the data is detectable;

(e) it is issued by a qualified trust service provider.

Justification

The Commission's proposal does not set out security and integrity obligations for qualified electronic attestations of attributes, which would make them significantly less secure than signatures and seals. This amendment brings the obligations in line with the obligations for qualified signatures and seals.

Amendment 218
Brando Benifei, René Repasi, Maria-Manuel Leitão-Marques, Ibán García Del Blanco, Tiemo Wölken

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45a – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Notwithstanding paragraphs 1 and 2, lawfully issued attestations in paper shall in any case always be accepted by relying parties instead of electronic attestation of attributes.

Or. en

Amendment 219
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45a – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Lawfully issued attestations in paper form shall be accepted by relying parties as an alternative to electronic attestation of attributes.

Or. en

Amendment 220
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45a – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Lawfully issued attestations in paper form shall be accepted by relying parties as an alternative to electronic attestation of attributes

Amendment 221

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Article 45c – paragraph 3

Text proposed by the Commission

3. Where a qualified electronic attestation of attributes has been revoked after initial issuance, it shall lose its validity from the moment of its revocation, and its status shall not in any circumstances be reverted.

Amendment

3. Where a qualified electronic attestation of attributes has been revoked after initial issuance, it shall lose its validity from the moment of its revocation, and its status shall not in any circumstances be reverted. ***Only relying parties the user has shared this attribute with shall be able to link the revocation to those attributes, based on cryptographic functions.***

Or. en

Justification

Revocation lists shall never contain the real identification or attestation data, but shall only provide cryptographic one-way hashes or similar techniques.

Amendment 222

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Article 45c – paragraph 4

Text proposed by the Commission

4. Within 6 months of the entering into force of this Regulation, the Commission shall establish reference numbers of standards for qualified electronic attestations of attributes ***by means of an implementing act on the implementation of the European Digital Identity Wallets as*** referred to in Article

Amendment

4. Within 6 months of the entering into force of this Regulation, the Commission shall, ***by means of implementing acts***, establish reference numbers of standards for qualified electronic attestations of attributes. ***Those implementing acts shall be adopted in accordance with the examination***

6a(10).

procedure referred to in Article 48(2).

Or. en

Amendment 223

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Article 45d – paragraph 1a (new)

Text proposed by the Commission

Amendment

1 a. Within 6 months of the entering into force of this Regulation, taking into account relevant international standards, the Commission shall adopt delegated acts in accordance with Article 47 in order to supplement this Regulation by laying down minimum technical specifications with reference to the catalogue of attributes and schemes for the attestation of attributes and verification procedures for qualified electronic attestations of attributes.

Or. en

Amendment 224

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Article 45d – paragraph 2

Text proposed by the Commission

Amendment

2. Within 6 months of the entering into force of this Regulation, taking into account relevant international standards, the Commission shall set out the **minimum technical specifications**, standards and procedures with reference to the catalogue of attributes and schemes for the attestation

2. Within 6 months of the entering into force of this Regulation, taking into account relevant international standards, the Commission shall **by means of implementing acts**, set out the standards and procedures with reference to the catalogue of attributes and schemes for the

of attributes and verification procedures for qualified electronic attestations of attributes *by means of an* implementing *act on the implementation of the European Digital Identity Wallets* as referred to in Article **6a(10)**.

attestation of attributes and verification procedures for qualified electronic attestations of attributes. *Those* implementing *acts shall be adopted in accordance with the examination procedure* referred to in Article **48(2)**.

Or. en

Amendment 225

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Section 10 – numbering of section

Text proposed by the Commission

Amendment

SECTION 10

deleted

Or. en

Justification

Out of scope - archiving has nothing to do with identification. There is no EU harmonisation on safe deposit boxes either.

Amendment 226

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Section 10 – title

Text proposed by the Commission

Amendment

**QUALIFIED ELECTRONIC
ARCHIVING SERVICES**

deleted

Or. en

Justification

Out of scope - archiving has nothing to do with identification. There is no EU harmonisation

on safe deposit boxes either.

Amendment 227

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Section 10 – numbering of article

Text proposed by the Commission

Amendment

Article 45g

deleted

Or. en

Justification

Out of scope - archiving has nothing to do with identification. There is no EU harmonisation on safe deposit boxes either.

Amendment 228

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Article 45g – title

Text proposed by the Commission

Amendment

Qualified electronic archiving services

deleted

Or. en

Justification

Out of scope - archiving has nothing to do with identification. There is no EU harmonisation on safe deposit boxes either.

Amendment 229

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014
Article 45g – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

A qualified electronic archiving service for electronic documents may only be provided by a qualified trust service provider that uses procedures and technologies capable of extending the trustworthiness of the electronic document beyond the technological validity period. ***deleted***

Or. en

Amendment 230
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45g – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

Within 12 months after the entry into force of this Regulation, the Commission shall, by means of implementing acts, establish reference numbers of standards for electronic archiving services. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2). ***deleted***

Or. en

Amendment 231
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) No 910/2014
Section 11 – numbering of section

Text proposed by the Commission

Amendment

SECTION 11

deleted

Or. en

Amendment 232
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) No 910/2014
Section 11 – title of section

Text proposed by the Commission

Amendment

ELECTRONIC LEDGERS

deleted

Or. en

Amendment 233
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Section 11 – title of section

Text proposed by the Commission

Amendment

ELECTRONIC LEDGERS

deleted

Or. en

Justification

Ledgers are immutable and therefore are in systematic conflict with data protection rules such as storage limitation or the right to erasure.

Amendment 234
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014
Article 45h – numbering of the article

Text proposed by the Commission

Amendment

Article 45h

deleted

Or. en

Amendment 235
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) No 910/2014
Article 45h – numbering of the article

Text proposed by the Commission

Amendment

Article 45h

deleted

Or. en

Amendment 236
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45h – title of the article

Text proposed by the Commission

Amendment

Legal effects of electronic ledgers

deleted

Or. en

Amendment 237
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45h –title of article

Text proposed by the Commission

Amendment

Legal effects of electronic ledgers

deleted

Or. en

Amendment 238

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Article 45h – paragraph 1

Text proposed by the Commission

Amendment

1. An electronic ledger shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in an electronic form or that it does not meet the requirements for qualified electronic ledgers.

deleted

Or. en

Amendment 239

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Article 45h – paragraph 1

Text proposed by the Commission

Amendment

1. An electronic ledger shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in an electronic form or that it does not meet the requirements for qualified electronic ledgers.

deleted

Or. en

Amendment 240

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Article 45h – paragraph 2

Text proposed by the Commission

Amendment

2. *A qualified electronic ledger shall enjoy the presumption of the uniqueness and authenticity of the data it contains, of the accuracy of their date and time, and of their sequential chronological ordering within the ledger.* **deleted**

Or. en

Amendment 241

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45h – paragraph 2

Text proposed by the Commission

Amendment

2. *A qualified electronic ledger shall enjoy the presumption of the uniqueness and authenticity of the data it contains, of the accuracy of their date and time, and of their sequential chronological ordering within the ledger.* **deleted**

Or. en

Amendment 242

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Article 45i – numbering of the article

Text proposed by the Commission

Amendment

Article 45i

deleted

Or. en

Amendment 243
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) No 910/2014
Article 45i – numbering of the article

Text proposed by the Commission

Amendment

Article 45i

deleted

Or. en

Amendment 244
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45i – title

Text proposed by the Commission

Amendment

Requirements for qualified electronic ledgers

deleted

Or. en

Amendment 245
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) No 910/2014
Article 45i – title

Text proposed by the Commission

Amendment

Requirements for qualified electronic ledgers

deleted

Or. en

Amendment 246
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) No 910/2014
Article 45i – paragraph 1

Text proposed by the Commission

Amendment

1. Qualified electronic ledgers shall meet the following requirements: **deleted**

(a) they are created by one or more qualified trust service provider or providers;

(b) they ensure the uniqueness, authenticity and correct sequencing of data entries recorded in the ledger;

(c) they ensure the correct sequential chronological ordering of data in the ledger and the accuracy of the date and time of the data entry;

(d) they record data in such a way that any subsequent change to the data is immediately detectable.

Or. en

Amendment 247
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45i – paragraph 1

Text proposed by the Commission

Amendment

1. Qualified electronic ledgers shall meet the following requirements: *deleted*

(a) they are created by one or more qualified trust service provider or providers;

(b) they ensure the uniqueness, authenticity and correct sequencing of data entries recorded in the ledger;

(c) they ensure the correct sequential chronological ordering of data in the ledger and the accuracy of the date and time of the data entry;

(d) they record data in such a way that any subsequent change to the data is immediately detectable.

Or. en

Amendment 248
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 45i – paragraph 2

Text proposed by the Commission

Amendment

2. Compliance with the requirements laid down in paragraph 1 shall be presumed where an electronic ledger meets the standards referred to in paragraph 3. *deleted*

Or. en

Amendment 249
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) No 910/2014
Article – paragraph 2

Text proposed by the Commission

Amendment

2. Compliance with the requirements laid down in paragraph 1 shall be presumed where an electronic ledger meets the standards referred to in paragraph 3. *deleted*

Or. en

Amendment 250

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Article 45i – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission may, by means of implementing acts, establish reference numbers of standards for the processes of execution and registration of a set of data into, and the creation, of a qualified electronic ledger. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).; *deleted*

Or. en

Amendment 251

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (UE) No 910/2014

Article 45i – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission may, by means of implementing acts, establish reference numbers of standards for the processes of execution and registration of a set of data *deleted*

into, and the creation, of a qualified electronic ledger. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).;

Or. en

Amendment 252
Patrick Breyer

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (UE) No 910/2014
Article 47

Text proposed by the Commission

Amendment

3 a. Article 47 is amended as follows:

(a) the following paragraph is inserted:

‘2a. The power to adopt delegated acts referred to in Article 6a(10a), Article 6b(4), Article 6c(6), Article 10a(5), Article 11a(3), Article 12b(5), Article 17(8), Article 24 (1a), Article 24(6), Article 29a(1a), Article 45(2a) and Article 45d(1a) shall be conferred on the Commission for an indeterminate period of time from ... [date of entry into force of this Regulation].’;

(b) paragraph 3 is replaced by the following:

‘3. The delegation of power referred to in Article 6a(10a), Article 6b(4), Article 6c(6), Article 10a(5), Article 11a(3), Article 12b(5), Article 17(8), Article 24 (1a), Article 24(6), Article 29a(1a), Article 30(4), Article 45(2a) and Article 45d(1a) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein.

It shall not affect the validity of any delegated acts already in force.'

(c) paragraph 5 is replaced by the following:

'5. A delegated act adopted pursuant to Article 6a(10a), Article 6b(4), Article 6c(6), Article 10a(5), Article 11a(3), Article 12b(5), Article 17(8), Article 24(1a), Article 24(6), Article 29a(1a), Article 30(4), Article 45(2a) or Article 45d(1a) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.';

Or. en

Justification

linked to the amendments in operative Articles which distinguish between delegated and implementing acts.

Amendment 253
Emmanuel Maurel

Proposal for a regulation
Article 1 – paragraph 1 – point 40
Regulation (EU) No 910/2014
Article 48a – paragraph 1

Text proposed by the Commission

1. Member States shall ensure the collection of statistics in relation to the functioning of the European Digital Identity Wallets and the qualified trust services.

Amendment

1. Member States shall ensure the collection of statistics in relation to the functioning of the European Digital Identity Wallets and the qualified trust services ***including the number of rejected applications including their reasoning.***

Amendment 254

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) 910/2014

Article 48a – paragraph 2 – point b

Text proposed by the Commission

(b) the type and number of services accepting the use of the European Digital Wallet;

Amendment

(b) the type and number of services accepting the use of the European Digital Wallet, ***including the type and number of rejected applications of relying parties and the reasons for that;***

Or. en

Amendment 255

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) No 910/2014

Article 48a – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

2 a. (ca) the type and number of security incidents, suspected data breaches and affected users

Or. en

Amendment 256

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (UE) No 910/2014

Article 48a – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(c a) the type and number of security incidents, suspected data breaches and affected users;

Or. en

Amendment 257

Patrick Breyer

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (UE) No 910/2014

Article 48a – paragraph 2 – point c b (new)

Text proposed by the Commission

Amendment

(c b) the number of user complaints and suspected consumer protection or data protection incidents relating to relying parties.

Or. en

Amendment 258

Emmanuel Maurel

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) No 910/2014

Article 48a – paragraph 2 – point c b (new)

Text proposed by the Commission

Amendment

2 b. (cb) the number of user complaints and suspected consumer protection or data protection incidents relating to relying parties

Or. en

Amendment 259

Geoffroy Didier

Proposal for a regulation
Annex VI – paragraph 1 – point 2

Text proposed by the Commission

Amendment

2. *Age;*

2. *Date of birth;*

Or. fr

Justification

Date of birth is more useful information than age.

Amendment 260
Patrick Breyer

Proposal for a regulation
Annex VI – paragraph 1 – point 3

Text proposed by the Commission

Amendment

3. *Gender;*

deleted

Or. en

Amendment 261
Patrick Breyer

Proposal for a regulation
Annex VI – paragraph 1 – point 4

Text proposed by the Commission

Amendment

4. *Civil status;*

deleted

Or. en

Amendment 262
Patrick Breyer

Proposal for a regulation
Annex VI – paragraph 1 – point 5

Text proposed by the Commission

Amendment

5. **Family composition;** **deleted**

Or. en

Amendment 263

Geoffroy Didier

Proposal for a regulation
Annex VI – paragraph 1 – point 5

Text proposed by the Commission

Amendment

5. **Family composition;** 5. **Marital status;**

Or. fr

Justification

Family composition would seem difficult to implement since there is no European family register. This new attribute should specify whether the person is married, in a civil partnership, widowed, divorced and whether there is a marriage contract.

Amendment 264

Geoffroy Didier

Proposal for a regulation
Annex VI – paragraph 1 – point 6

Text proposed by the Commission

Amendment

6. **Nationality;** 6. **Nationalities;**

Or. fr

Justification

Some citizens hold several nationalities. As the number of European digital wallets per Member State is not fixed, we should envisage the hypothesis that a binational/trinational European citizen would need to indicate this double/triple status, to be able to vote on line, for instance.

Amendment 265

Geoffroy Didier

Proposal for a regulation
Annex VI – paragraph 1 – point 10 a (new)

Text proposed by the Commission

Amendment

10a. 11. Activation of legal protection arrangements and name of trusted third party;

12. Ancestry and progeny

Or. fr

Justification

A compulsory field should be provided to indicate whether the person is under legal protection arrangements and the details of the trusted third party if one is appointed. An ancestry and progeny attribute is proposed. It would contain details on the wallet holder's parents and children.

Amendment 266
Patrick Breyer

Proposal for a regulation
Annex VI – paragraph 1 – point 10 a (new)

Text proposed by the Commission

Amendment

10 a. Activation of a legal protection regime and name of the trusted third party.

Or. en