



2021/0136(COD)

13.6.2022

AMENDMENTS

17 - 274

Draft opinion

Cristian Terheş

(PE732.601v01-00)

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 17
Harald Vilimsky

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.

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 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. ***However, users should not be obliged to use a digital identification portfolio to access private or public services. The use of digital key generator or ID card readers should, for example, remain possible.*** 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. en

Amendment 18
Harald Vilimsky

Proposal for a regulation
Recital 5 a (new)

Text proposed by the Commission

Amendment

(5 a) It is necessary to clarify that the recognition of an electronic attestation qualified as attributes in a Member State is limited to confirmation of the facts. The recognition of an electronic attestation qualified as attributes in any other Member State shall be limited to confirming the factual circumstances relating to the attribute concerned, and shall not produce legal effects therein, unless the attested attributes comply with its national law.

Or. en

Amendment 19
Cornelia Ernst

Proposal for a regulation
Recital 6

Text proposed by the Commission

Amendment

(6) Regulation (EU) No 2016/679¹⁹ 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.

(6) Regulation (EU) No 2016/679¹⁹, **or Regulation 2018/1725, as the case may be**, 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. **This Regulation should also further specify the principles of purpose limitation, data minimisation, and data protection by design and by default, for the specific use-cases set out in this Regulation. These specifications should be without prejudice to the other principles, rules and obligations stemming from Regulation (EU) No 2016/679.**

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

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. en

Amendment 20

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) Regulation (EU) No 2016/679¹⁹ 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.

Amendment

(6) Regulation (EU) No 2016/679¹⁹ 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. ***This Regulation should also further specify the principles of purpose limitation, data minimisation, and data protection by design and by default, for the specific use-cases set out in this Regulation. These specifications should be without prejudice to the other principles, rules and obligations stemming from Regulation (EU) No 2016/679.***

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

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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

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. en

Amendment 21

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) Regulation (EU) No 2016/679¹⁹ 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 2016/679¹⁹ 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. ***Data protection by design and by default, as well as data minimisation, as foreseen in Regulation (EU) 2016/679, should be leading principles in the set-up of this European Digital Identity Wallet.***

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. en

Amendment 22

Yana Toom, Lucia Ďuriš Nicholsonová, Maite Pagazaurtundúa, Olivier Chastel

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 *with* Union law or national law, service providers should *have to register with the Member States before they are able* to rely on the European Digital Identity Wallets. *Any natural or legal persons should be able to submit a complaint if they have concerns regarding the use by a relying party of the European Digital Identity Wallets*. 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. *In order to facilitate the registration procedure, a successful registration for using the European Digital Identity Wallets should enable expedited processing of registrations for similar uses.*

Or. en

Justification

The sensitive nature of the data stored in the Wallet warrants a high degree of protection from excessive requests for personal data or use of personal data for abusive purposes. In order to truly prevent the unlawful or abusive use of personal data and protect the users from fraud, relying parties should only be allowed to use data from the Wallet if they are registered with the Member States.

Amendment 23

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation
Recital 8

Text proposed by the Commission

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.

(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. ***Member States should prevent the unlawful use of identity, and ensure that the relying parties only require data that is strictly necessary for the provision of the service.***

Or. en

Amendment 24

Patrick Breyer

on behalf of the Verts/ALE Group

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.

Or. en

Justification

No need to refer to verification of sensitive data in accordance with the law. This is covered by “prevent unlawful use” and could otherwise create confusion.

Amendment 25 **Cornelia Ernst**

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’ **supervisory authorities for data protection**. That will allow **Data Protection Authorities (DPAs)** to protect users from fraud and prevent the unlawful use of identity data and electronic attestations of attributes.

Or. en

Amendment 26 **Yana Toom, Lucia Ďuriš Nicholsonová, Maite Pagazaurtundúa, Olivier Chastel**

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

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.

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. ***The users should have access to a simple interface that would allow them to have an overview over their current and previous authorisations of sharing of personal data or electronic attestation of attributes and have the possibility to withdraw their consent.*** 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.

Or. en

Justification

The Digital Wallet should contain a simple interface where users should get an overview of all the data and attributes they have shared with relying parties and have the possibility to revoke the access to this data.

Amendment 27 **Cornelia Ernst**

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

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, ***where the verification of certain attributes is 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 technology*** such as secure elements, to comply with the security ***and integrity*** requirements under this Regulation. The European Digital Identity Wallets should

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.

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 *for certain use cases* 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 28

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) The European Digital Identity Wallet should be developed in a manner that ensures a high level of security, including the encryption of content. The Wallet should also allow the user to consult the history of the transactions,

export the wallet's data, restore the access on a different device and block access to the wallet in case of a security breach, allowing for the data suspension, revocation or withdrawal, and offer the possibility to contact support services of the wallet's issuer.

Or. en

Amendment 29

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Recital 9 b (new)

Text proposed by the Commission

Amendment

(9 b) One of the objectives of the European Digital Identity Wallet should be to improve the possibilities of citizens to make their own choices about what data they share, to minimise the amount of shared data for the service they want to use and to better manage and control the shared data.

Or. en

Amendment 30

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Recital 10

Text proposed by the Commission

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 or private sector bodies designated by Member

(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 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

States. Relying on a certification scheme based on the availability of commonly agreed standards with Member States should ensure a high level of trust, interoperability **and data protection**. 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

Or. en

Amendment 31

Cornelia Ernst

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

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 or private sector bodies designated by Member States. Relying on a certification scheme based on **state of the art technology and** commonly agreed standards with Member States should ensure a high level of trust

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

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. en

Amendment 32

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

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

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 *or on a combination of both*, 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. ***Nevertheless, it should not be a precondition for using the European Digital Identity Wallet.*** Since biometrics represents a unique characteristic of a person, the use of biometrics requires

in accordance with Regulation 2016/679.

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. ***Storing information from the European Digital Identity Wallet in the cloud, including biometric data, has to be an optional feature only active after the user has given explicit consent and should be revocable at all times. Personal data used for authentication should always be encrypted, regardless of whether they are stored locally or on cloud-based solutions.***

Or. en

Amendment 33
Cornelia Ernst

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. Since biometrics represents a unique, ***immutable*** characteristic of a person, the use of biometrics ***required for authentication is not appropriate. Storing information from the European Digital Identity Wallet in the cloud has to be an optional feature only active after the user has given explicit consent. Member States should offer at least one European Digital Identity Wallet that stores cryptographic material and handles transactions on the user device without requiring cloud services. Where the European Digital Identity Wallet is provided on the Smartphone of the user its cryptographic material should be stored in the secure***

elements of the device.

Or. en

Amendment 34

Marina Kaljurand, Paul Tang

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 is one of the identifications methods providing a high level of confidence when used in combination with *two-factor* 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. *Authentication via biometrics should not be a precondition for using the European Digital Identity Wallet.*

Or. en

Justification

Biometrics should not be considered a cure-for-all.

Amendment 35

Patrick Breyer

on behalf of the Verts/ALE Group

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 . Using biometrics to authenticate is one of the identifications methods, in particular when used in combination with other elements of authentication. Since biometrics represents a unique characteristic of a person, the use of ***biometric data is limited to specific scenarios pursuant to Article 9 of Regulation (EU) 2016/679,*** and requires ***technical and*** organisational 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.***

Or. en

Amendment 36

Marina Kaljurand, Birgit Sippel

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) The obligation on the European Digital Identity Wallet to ensure effective portability of data under this Regulation complements the right to data portability under Regulation (EU) 2016/679.

Or. en

Amendment 37

Cornelia Ernst

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

deleted

Or. en

Amendment 38

Patrick Breyer

on behalf of the Verts/ALE Group

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

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,

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 39
Harald Vilimsky

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* electronic identity *cards* under Regulation 910/2014.

Or. en

Amendment 40
Harald Vilimsky

Proposal for a regulation
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14 a) Sanctions for negligence in the protection of personal data by private identity providers or on consumer or

consumer use platforms and sites should be dissuasive in order to promote access to practical, reliable, secure and innovative authentication and identification solutions.

Or. en

Amendment 41

Patrick Breyer

on behalf of the Verts/ALE Group

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

(linked to deletion of Article 11a)

Or. en

Amendment 42
Cornelia Ernst

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 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.***

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. 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 43
Cristian Terheş

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.***

(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.

Or. en

Amendment 44

Yana Toom, Lucia Ďuriš Nicholsonová, Maite Pagazaurtundúa, Olivier Chastel

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

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.

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 *cross-border* cases where it is necessary to legally identify the user upon his/her request in a unique and persistent way. ***However, given the potential risks to privacy inherent to a unique and persistent identifier, its use shall be restricted in all other cases.***

Or. en

Justification

Justification: A unique and persistent identifier can help reduce the amount of data necessary to produce an accurate identity match, but it comes with risks if it is used in inappropriate scenarios. In order to mitigate the potentials risks, it is necessary to limit its use to only the situations where it can provide concrete benefits.

Amendment 45

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

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

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.

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 ***and targeted*** 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. ***Such process should be driven by the data minimisation principle.***

Or. en

Amendment 46
Cornelia Ernst

Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) In order to streamline the cybersecurity obligations imposed on trust service providers, as well as to enable these providers and their respective competent authorities to benefit from the legal framework established by Directive XXXX/XXXX (NIS2 Directive), trust services are required to take appropriate technical and organisational measures pursuant to Directive XXXX/XXXX (NIS2 Directive), such as measures addressing system failures, human error, malicious actions or natural phenomena in order to manage the risks posed to the security of network and information systems which those providers use in the provision of their services as well as to notify significant incidents and cyber threats in accordance with Directive XXXX/XXXX (NIS2

Amendment

(22) In order to streamline the cybersecurity obligations imposed on trust service providers, as well as to enable these providers and their respective competent authorities to benefit from the legal framework established by Directive XXXX/XXXX (NIS2 Directive), trust services are required to take appropriate technical and organisational measures pursuant to Directive XXXX/XXXX (NIS2 Directive), such as measures addressing system failures, human error, malicious actions or natural phenomena in order to manage the risks posed to the security of network and information systems which those providers use in the provision of their services as well as to notify significant incidents and cyber threats in accordance with Directive XXXX/XXXX (NIS2

Directive). With regard to the reporting of incidents, trust service providers should **notify** any incidents having a significant impact on the provision of their services, including such caused by theft or loss of devices, network cable damages or incidents occurred in the context of identification of persons. The cybersecurity risk management requirements and reporting obligations under Directive XXXXXX [NIS2] should be considered complementary to the requirements imposed on trust service providers under this Regulation. Where appropriate, established national practices or guidance in relation to the implementation of security and reporting requirements and supervision of compliance with such requirements under Regulation (EU) No 910/2014 should continue to be applied by the competent authorities designated under Directive XXXX/XXXX (NIS2 Directive). Any requirements pursuant to this Regulation do not affect the obligation to notify personal data breaches under Regulation (EU) 2016/679.

Directive). With regard to the reporting of incidents, trust service providers should **treat** any incidents **as** having a significant impact on the provision of their services, including such caused by theft or loss of devices, network cable damages or incidents occurred in the context of identification of persons. The cybersecurity risk management requirements and reporting obligations under Directive XXXXXX [NIS2] should be considered complementary to the requirements imposed on trust service providers under this Regulation. Where appropriate, established national practices or guidance in relation to the implementation of security and reporting requirements and supervision of compliance with such requirements under Regulation (EU) No 910/2014 should continue to be applied by the competent authorities designated under Directive XXXX/XXXX (NIS2 Directive). Any requirements pursuant to this Regulation do not affect the obligation to notify personal data breaches under Regulation (EU) 2016/679.

Or. en

Amendment 47

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) In most cases, citizens and other residents cannot digitally exchange, across borders, information related to their identity, such as addresses, age and professional qualifications, driving licenses and other permits and payment data, securely and with a high level of data protection.

Amendment

(25) ***In the European single market, citizens need to have the opportunity to exchange information about their identity across borders. However,*** in most cases, citizens and other residents cannot digitally exchange, across borders, information related to their identity, such as addresses, age and professional qualifications, driving licenses and other permits and payment data, securely and with a high level of data

protection. *This may result in the fact that they are transferring this data in a less secure and disorganised manner.*

Or. en

Amendment 48
Cornelia Ernst

Proposal for a regulation
Recital 25

Text proposed by the Commission

(25) In most cases, citizens and other residents cannot digitally exchange, across borders, information related to their identity, such as addresses, age and professional qualifications, driving licenses and other permits and payment data, securely and with a high level of data protection.

Amendment

(25) In most cases, citizens and other residents cannot digitally exchange, across borders, ***officially certified*** information related to their identity, such as addresses, age and professional qualifications, driving licenses and other permits and payment data, securely and with a high level of data protection.

Or. en

Amendment 49
Patrick Breyer
on behalf of the Verts/ALE Group

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

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 of European Digital Identity Wallets for

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.

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 50
Cornelia Ernst

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 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

Amendment

(28) Wide availability and usability of the European Digital Identity Wallets require their acceptance by ***citizens as a trusted means of sharing their personal data with*** private service providers. Private relying parties should ***be required to provide a data protection impact assessment according to Article 35 of Regulation 2016/679 to the Member State they seek approval by the relevant national supervisory authority from, for their 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. The information requested from the user via the European Digital Identity Wallet has to be necessary and proportionate for the intended use case of the relying party and follow the principle of data minimisation.*** Users should be under no obligation to use the wallet to access private services. 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

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.

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 51

Yana Toom, Lucia Ďuriš Nicholsonová, Olivier Chastel

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]

Amendment

(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 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.

require users to ***identify themselves*** 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 ***the electronic identification of users***. 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 52

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation
Recital 28 a (new)

Text proposed by the Commission

Amendment

(28 a) Unless specific rules of Union law or national law require users to identify themselves for legal purposes, the use of services anonymously or under a pseudonym should be allowed and should not be restricted by Member States, for example by imposing a general obligation on service providers to limit the pseudonymous or anonymous use of their services.

Or. en

Amendment 53
Cornelia Ernst

Proposal for a regulation
Recital 29

Text proposed by the Commission

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.

(29) The European Digital Identity Wallet should technically enable the selective disclosure of attributes to relying parties. It should also ensure that no attributes are disclosed to parties that are not by law entitled to receive such attributes. 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 in particular privacy by design and by default. Mechanisms for the validation of the European Digital Identity Wallet, selective disclosures and authentication of users to access online services shall be privacy-preserving thereby preventing the tracking of the user and respecting the principle of

purpose limitation, which implies a right to pseudonymity to ensure the user cannot be linked across several relying parties.

Or. en

Amendment 54

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

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 possibility for users to disclose their data in a selective way, so that the user can decide to share only the minimum amount of data really needed to make use of the service, must become one of the key features and advantages of the European Digital Identity Wallet.*** The European Digital Identity Wallet should, ***therefore***, technically enable the selective disclosure of attributes to relying parties ***in a secure and user-friendly manner***. This feature should become a basic design feature thereby reinforcing convenience and personal data protection including minimisation of processing of personal data. ***The European Digital Wallet should prevent the tracking of the user and respect the principle of purpose limitation, which implies a right to pseudonymity to ensure the user cannot be linked across several relying parties.***

Or. en

Amendment 55

Marina Kaljurand, Birgit Sippel, Paul Tang

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. ***The data requested from the user via the European Digital Identity Wallet have to be strictly necessary and proportionate for the intended use case of the relying party and follow the principle of data minimisation.***

Or. en

Amendment 56
Cristian Terheş

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. ***The technical architecture and implementation of the European Digital Identity Wallet should be in full compliance with the provisions of Regulation (EU) 2016/679.***

Or. en

Amendment 57
Patrick Breyer
on behalf of the Verts/ALE Group

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. ***In addition, the decentralised nature of the wallet should enable self-signing and revocability of attributes and identifiers.***

Or. en

Amendment 58
Cornelia Ernst

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 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

Amendment

deleted

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 59

Patrick Breyer

on behalf of the Verts/ALE Group

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 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

deleted

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.

(linked to deletion of amendment to Article 45)

Or. en

Amendment 60
Patrick Breyer
on behalf of the Verts/ALE Group

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

(linked to deletion of Article 45g)

Or. en

Justification

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

Amendment 61
Cornelia Ernst

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

Amendment 62
Patrick Breyer
on behalf of the Verts/ALE Group

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*

deleted

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.

(Linked to deletion of Articles 45h and 45i.)

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 63
Cornelia Ernst

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* **deleted**

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.

Or. en

Amendment 64
Cornelia Ernst

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

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.

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 65

Patrick Breyer

on behalf of the Verts/ALE Group

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

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.

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 66

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

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

Amendment

(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.

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 the future Markets in Crypto Assets Regulation²⁵, ***Funds Transfer Regulation***^{25a}.

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.

^{25a} Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on information accompanying transfers of funds and certain crypto-assets (recast) (Text with EEA relevance) 2021/0241(COD).

Or. en

Amendment 67
Cornelia Ernst

Proposal for a regulation
Recital 35 a (new)

Text proposed by the Commission

Amendment

(35 a) The recording of personal data in public and append-only data structures, such as permissionless distributed ledgers should not be considered to comply with the requirements of Union legislation for the protection of personal data. Due to the immutable nature of such ledgers, anonymity of the data contained cannot be guaranteed either.

Or. en

Amendment 68
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 36

Text proposed by the Commission

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, a set of common standards and technical references and a set of guidelines and descriptions of best

(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

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]

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]

Or. en

Amendment 69
Harald Vilimsky

Proposal for a regulation
Recital 36 a (new)

Text proposed by the Commission

Amendment

(36 a) The issuance and systematic use of persistent unique identifiers at EU level creates risks for the protection of personal data and privacy. Therefore, the use of privacy-by-design architectures (privacy by design) must be promoted by the Member States and the Commission.

Or. en

Amendment 70
Patrick Breyer

on behalf of the Verts/ALE Group

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 71

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EU) 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

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;

and seal creation devices, *and electronic ledgers*;

(linked to deletion of Articles 45(new), 45g, 45h, 45i)

Or. en

Amendment 72
Cornelia Ernst

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 73
Yana Toom, Lucia Ďuriš Nicholsonová, Olivier Chastel

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point b a (new)
Regulation (EU) No 910/2014
Article 3 – point 5 a

Text proposed by the Commission

Amendment

(b a) the following point (5a) is inserted:
(5a) ‘user’ means a natural or legal person or a natural person representing a legal person using trust services,

*electronic identification means or
European Digital Identity Wallets
provided according to this Regulation;*

Or. en

Amendment 74
Marina Kaljurand, Paul Tang

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point b a (new)
Regulation (EU) No 910/2014
Article 3 – point 5

Present text

Amendment

(5) ‘authentication’ means an electronic process that enables *the electronic identification of a natural or legal person, or the origin and integrity of data in electronic form to be confirmed;*

"(5) ‘authentication’ means an electronic process that enables *to verify the data presented*"

Or. en

(32014R0910)

Justification

Authentication should be defined as separate from identification since these are different parts of the process. Authentication means verifying data or claim presented by the user, it should not imply their identification. This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.

Amendment 75
Cornelia Ernst

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

Amendment

(14) ‘certificate for electronic signature’

(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;;

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;;

Or. en

Amendment 76

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point d

Regulation (EU) 910/2014

Article 3 – point 16 (d)

Text proposed by the Commission

Amendment

(d) the electronic archiving of electronic documents;

deleted

Or. en

Amendment 77

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point d

Regulation (EU) 910/2014

Article 3 – point 16

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. Linked to deletion of Articles 45h and 45i

Amendment 78
Cornelia Ernst

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point d
Regulation (EU) No 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

Amendment 79
Cornelia Ernst

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

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 of that person.;

(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 80
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point g
Regulation (EU) 910/2014
Article 3(29)

Text proposed by the Commission

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 of that person;;

(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

Justification

Aligned with Article 3(14)

Amendment 81

Yana Toom, Lucia Ďuriš Nicholsonová, Olivier Chastel

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point h

Regulation (EU) No 910/2014

Article 3 – point 41

Text proposed by the Commission

Amendment

(41) ‘validation’ means the process of verifying ***and confirming that an*** electronic ***signature or a seal or person identification data or an electronic attestation of attributes*** is valid;

(41) ‘validation’ means the process of verifying ***that data in*** electronic ***form are*** valid ***according to the requirements of this regulation***;

Or. en

Amendment 82

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

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

Amendment

(42) ‘European Digital Identity Wallet’ is a product and service that allows the user

(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;

to store *and manage* identity *data, confirmations of consent to share personal* 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 83
Cornelia Ernst

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’ is a product and service that allows the user to store identity data, credentials and attributes linked to her/his identity, to provide them *selectively to duly authorized* 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 84
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point i
Regulation (EU) 910/2014
Article 3(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 that allows the user, ***on a device under their 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 electronic signatures and seals;

Or. en

Amendment 85

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) 910/2014

Article 3(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 86

Cornelia Ernst

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

Amendment

(43) ‘attribute’ is ***a representation of*** a feature, characteristic or quality of a

an entity, in electronic form;

natural or legal person or of an entity, in electronic form;

Or. en

Amendment 87
Cornelia Ernst

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

Text proposed by the Commission

Amendment

(45 a) ‘zero knowledge attestation’ means an anonymous electronic attestation;

Or. en

Amendment 88
Cornelia Ernst

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

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 national law;

(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 as authentic in national law;

Or. en

Amendment 89
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point i
Regulation (EU) 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 about a natural or legal person and is considered to be the primary source of that information or recognised as authentic in *Union and Member State* law;

Or. en

Amendment 90
Harald Vilimsky

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, 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. en

Amendment 91
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point i
Regulation (EU) 910/2014

Article 3(47)(new)

Text proposed by the Commission

Amendment

(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;

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 92
Cornelia Ernst

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

Amendment

(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;

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

Or. en

Amendment 93
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) 910/2014
Article 3(48)

Text proposed by the Commission

Amendment

(48) ‘*qualified electronic archiving service*’ means a service that meets the requirements laid down in Article 45g;

deleted

Or. en

Amendment 94
Cornelia Ernst

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

Amendment

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

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

Or. en

Amendment 95
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 3 – point i
Regulation (EU) 910/2014
Article 3(52)

Text proposed by the Commission

Amendment

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

(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 96

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) 910/2014

Article 3(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

(linked to deletion of Articles 45h, 45i)

Amendment 97

Cornelia Ernst

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 98
Cristian Terheş

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Article 1 – paragraph 1 – point 3 – point i

Article 3 – paragraph 1 – point 54 a (new)

Text proposed by the Commission

Amendment

(54 a) Digital Identity Subject means the physical or legal person to which the Person Identification Data belong.

Or. en

Amendment 99
Cristian Terheş

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Article 1 – paragraph 1 – point 3 – point i

Article 3 – paragraph 1 – point 54 b (new)

Text proposed by the Commission

Amendment

(54 b) Self-Sovereign Identity means an identity system architecture based on the core principle that Digital Identity Subjects have the right to fully and permanently control the use of the Electronic Identification Means together with the usage of the associated Person Identification Data.

Or. en

Amendment 100
Cornelia Ernst

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

Amendment 101
Cristian Terheş

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Article 1 – paragraph 1 – point 3 – point i

Article 3 – paragraph 1 – 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

Amendment 102

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) 910/2014

Article 3(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**

Justification

linked to deletion of Article 11a

Amendment 103

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) No 910/2014

Article 5

Text proposed by the Commission

Pseudonyms in electronic transaction

Amendment

Processing and protection of personal data, and pseudonyms in electronic transaction

Amendment 104

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) 910/2014

Article 5

Text proposed by the Commission

Pseudonyms in electronic ***transaction***

Amendment

Personal data protection and pseudonyms in electronic ***transactions***

Justification

based on eIDAS 2014 text

Amendment 105

Cornelia Ernst

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

Text proposed by the Commission

Amendment

Pseudonyms in electronic transaction

Personal data protection

Or. en

Amendment 106
Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

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

Text proposed by the Commission

Amendment

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

Or. en

Amendment 107
Cornelia Ernst

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.***

1. Processing of personal data shall be carried out in accordance with Regulation 2016/679, as well as Regulation 2018/1725, and Directive 2002/58, where

relevant.

1a. Provisions on the processing of personal data contained in this Regulation shall be understood as applying the provisions of the instruments in paragraph 1 to the particular measures of this Regulation.

1b. The interoperability framework in accordance with Article 12 shall enable and facilitate the implementation of the principle of privacy by design;

2. Without prejudice to the legal effect given to pseudonyms under national law, the use of pseudonyms shall ***be enabled under this Regulation***

Or. en

Amendment 108

Yana Toom, Lucia Ďuriš Nicholsonová, Olivier Chastel

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) No 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 not be prohibited. ***The use of pseudonyms shall in particular be allowed in all transactions with private relying parties and where identification of the user is not required by law.***;

Or. en

Justification

Use of pseudonyms is a privacy enhancing technique that can be employed for the purpose of data minimisation. It should therefore be explicitly allowed for all situations where identification is not mandated by law.

Amendment 109

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) 910/2014

Article 5(2)

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

2. 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 110

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) No 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 ***or their anonymous use shall be permitted without restrictions***.

Or. en

Amendment 111

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) No 910/2014

Article 5a (new)

the following Article 5a (new) is inserted:

‘Article 5a: Specific provisions to safeguard fundamental rights of natural persons’

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

2. Electronic identification of natural persons shall only take place where required by national or Union law; where identification of natural persons is not required by national or union law, no personal identification data shall be disclosed.

3. Relying parties shall use only that data which is necessary for the function and which has a legal necessity. The European Digital Identity Wallets shall only provide minimal selective disclosure of data to relying parties.

Or. en

Amendment 112

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) 910/2014

Article 5(1)(new)

1. The 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. To be inserted before the previous paragraph

Amendment 113
Harald Vilimsky

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) 910/2014
Article 6a(2)(b)

Text proposed by the Commission

(b) ***under*** a mandate from a Member State;

Amendment

(b) ***on*** a mandate from a Member State ***by a European public organisation or company, based in Europe, which employs and pays significant taxes in Europe;***

Or. en

Amendment 114
Yana Toom, Lucia Ďuriš Nicholsonová, Maite Pagazaurtundúa, Olivier Chastel

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 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, ***while ensuring that selective disclosure is possible;***

Amendment 115

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6a(3)(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 ***controlled by***, 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;

Or. en

Amendment 116

Yana Toom, Lucia Ďuriš Nicholsonová, Maite Pagazaurtundúa, Olivier Chastel

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 3 – point aa

Text proposed by the Commission

Amendment

(a a) view and manage the transactions or uses of person identification data and electronic attestation of attributes that the user has agreed to;

Or. en

Justification

The Digital Wallet should contain a simple interface where users should get an overview of all the data and attributes they have shared with relying parties and have the possibility to

revoke the access to this data.

Amendment 117

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6a(3)(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 118

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6a(3)(b a)(new)

Text proposed by the Commission

Amendment

(b a) make an informed decision about the sharing of personal information with relying parties. This includes identification of the relying party, the possibility for the user to completely or partially refuse information requests from relying parties, and a full transaction history stored locally on the device holding the wallet.

Or. en

Amendment 119
Cornelia Ernst

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

Amendment

(b a) make an informed decision about the sharing of personal information with relying parties. This includes identification of the relying party, the possibility for complete or partial refusal of information requests from relying parties, a full transaction history.

Or. en

Amendment 120
Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 4 (a) – point 2

Text proposed by the Commission

Amendment

(2) for relying parties to request and validate person identification data and electronic attestations of attributes;

(2) for relying parties to request and validate person identification data and electronic attestations of attributes ***and to be uniquely identified and limited to only request information based on their intended use of the European Digital Identity Wallet in accordance with Article 6b(1);***

Or. en

Amendment 121
Cristian Terheş

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a. 4.a.2

Text proposed by the Commission

(2) for relying parties to request and validate person identification data and electronic attestations of attributes;

Amendment

(2) for ***qualified and non-qualified electronic authentication trust services*** and relying parties to request and validate person identification data and electronic attestations of attributes ***in full compliance to the GDPR and in particular to article 32 thereof***;

Or. en

Amendment 122
Yana Toom, Lucia Ďuriš Nicholsonová, Maite Pagazaurtundúa, Olivier Chastel

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 4 – point a – subpoint 2

Text proposed by the Commission

(2) for relying parties to request and validate person identification data and electronic attestations of attributes;

Amendment

(2) for relying parties to request and validate person identification data and electronic attestations of attributes ***in accordance with the registration procedure outlined in Article 6b(1)***;

Or. en

Justification

The sensitive nature of the data stored in the Wallet warrants a high degree of protection from excessive requests for personal data or use of personal data for abusive purposes. In order to truly prevent the unlawful or abusive use of personal data and protect the users from fraud, relying parties should only be allowed to use data from the Wallet if they are registered with the Member States.

Amendment 123

Marina Kaljurand, Birgit Sippel, Paul Tang

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 4 – point a – point 2 a (new)

Text proposed by the Commission

Amendment

(2 a) for relying parties to be uniquely identified in order to be able to include their identification data, use cases and user data requests in a public register overseen by supervisory authorities established under Regulation (EU) 2016/679;

Or. en

Justification

This approach to relying parties guarantees a diligent oversight of the implementation of the principle of data minimisation by data protection authorities, civil society, media and the public.

Amendment 124

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a paragraph 4 point a

Text proposed by the Commission

Amendment

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

Or. en

Amendment 125

Marina Kaljurand, Birgit Sippel, Paul Tang

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 4 – point a – point 3

Text proposed by the Commission

(3) for the presentation to relying parties of person identification data, electronic attestation of attributes or other data **such as credentials**, in local mode not requiring internet access for the wallet;

Amendment

(3) for the presentation to relying parties of person identification data **such as credentials**, electronic attestation of attributes or other data, in local mode not requiring internet access for the wallet **and for the user to make an informed decision about the sharing of personal information with relying parties. This includes identification of the relying party, complete or partial refusal of information requests from relying parties, a full transaction history, the possibility to withdraw previously given consent to information requests and information about the exercise of rights as data subject**;

Or. en

Justification

This amendment adds the possibility for the user to withdraw consent to the changes already proposed by the rapporteur.

Amendment 126

Cristian Terheş

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a. 4.a.3

Text proposed by the Commission

(3) for the presentation **to** relying parties of person identification data, electronic attestation of attributes or other data such as credentials, in local mode not requiring internet access for the wallet;

Amendment

(3) for the presentation **in full compliance to the GDPR and in particular to article 32 thereof to qualified electronic authentication trust services and** relying parties of person identification

data, electronic attestation of attributes or other data such as credentials, in local mode not requiring internet access for the wallet;

Or. en

Amendment 127

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6a(4) point (a) subpoint (4a) (new)

Text proposed by the Commission

Amendment

(4 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 128

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a paragraph 4 point a

Text proposed by the Commission

Amendment

(4 a) Proxies that act as intermediaries between relying parties and European Digital Identity Wallets shall not obtain knowledge about the contents of the transaction

Or. en

Amendment 129
Cornelia Ernst

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

Text proposed by the Commission

(b) ensure that **trust service** providers of qualified attestations of attributes **cannot receive** any information about the use of these attributes;

Amendment

(b) ensure that providers of qualified **and non-qualified** attestations of attributes **are technologically prevented from receiving** any information about the use of these attributes;

Or. en

Amendment 130
Yana Toom, Lucia Ďuriš Nicholsonová, Olivier Chastel

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

Text proposed by the Commission

(b) ensure that trust service providers of qualified attestations of attributes cannot receive any information about the use of these attributes;

Amendment

(b) ensure that trust service providers of qualified **and non-qualified electronic** attestations of attributes cannot receive any information about the use of these attributes;

Or. en

Amendment 131
Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

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

Text proposed by the Commission

Amendment

(b) ensure that trust service providers of qualified attestations of attributes cannot receive any information about the use of these attributes;

(b) ensure that trust service providers of qualified **and non-qualified** attestations of attributes cannot receive any information about the use of these attributes;

Or. en

Amendment 132

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6a(4)(b)

Text proposed by the Commission

Amendment

(b) ensure **that trust service** providers of qualified attestations of attributes cannot receive any information about the use of these attributes;

(b) ensure providers of qualified **and non-qualified** attestations of attributes cannot receive any information about the use of these attributes;

Or. en

Justification

To prohibit tracking also for lower trust levels.

Amendment 133

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 4(b a) new

Text proposed by the Commission

Amendment

(b a) enable the user to transfer and restore the European Digital Identity Wallet's data, and to block the access to it

in case of a security breach, allowing for the data suspension, revocation or withdrawal.

Or. en

Amendment 134
Cornelia Ernst

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

Text proposed by the Commission

Amendment

(b a) allow for zero knowledge attestations of attributes

Or. en

Amendment 135
Cornelia Ernst

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

Text proposed by the Commission

Amendment

(b b) ensure an appropriate level of privacy

Or. en

Amendment 136
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) 910/2014

Article 6a(4)(d)

Text proposed by the Commission

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

Amendment

(d) provide a mechanism to ensure that the relying party is able to authenticate the user and to receive electronic attestations of attributes ***in the form of selective disclosures that are unlinkable to the user and minimise the processing of personal data. Where attestations of attributes are sufficient for the purposes of the relying party, no prior electronic authentication or identification shall take place;***

Or. en

Amendment 137

Cornelia Ernst

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

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

Amendment

(d) provide a mechanism to ensure that the relying party is able to authenticate the user ***or*** to receive electronic attestations of attributes ***in the form of selective disclosures that are unlinkable to the user and minimise the processing of personal data.***

Or. en

Amendment 138

Yana Toom, Lucia Ďuriš Nicholsonová, Olivier Chastel

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6a – paragraph 4 – point b

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 **validate the identity of** the user and to receive electronic attestations of attributes;

Or. en

Justification

In order to ensure the principle of data minimisation, it is necessary to clarify that sharing electronic attestations of attributes does not require the full personal identification of the user.

Amendment 139
Cornelia Ernst

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 140
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) 910/2014
Article 6a(4)(e)

Text proposed by the Commission

Amendment

(e) ensure that the person identification

(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*.

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 141

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 4 (e a) new

Text proposed by the Commission

Amendment

(e a) enable the user to access and request a copy, in a readable format, of the list of actions, transactions or uses of electronic attestations of attributes or person identification data, that have been authorized by the user.

Or. en

Amendment 142

Cornelia Ernst

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 a) Make it impossible for the issuer of the European Digital Identity Wallet or third-party services connected to them or the Member State to receive any information about the use of the European Digital Identity Wallet;

Or. en

Amendment 143
Cristian Terheş

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

Text proposed by the Commission

Amendment

(e a) The use of the European Digital Identity Wallets shall be optional, provided free of charge and in no circumstance create any grounds for any type of discrimination.

Or. en

Amendment 144
Marina Kaljurand, Birgit Sippel, Paul Tang

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 910/2014
Article 6a – paragraph 5a (new)

Text proposed by the Commission

Amendment

5 a. Member States shall ensure that relevant information on the European Digital Identity Wallet is publicly

available, including privacy protective settings, technical architecture, security frameworks, and where the processing of personal data is carried out.

Or. en

Justification

This amendment is to enable the users to make informed decisions that they can base on the security and privacy characteristics of the European Digital Identity Wallet.

Amendment 145

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6a(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 the Digital Services Act or to the labour market by natural persons shall not be made conditional on using the European Digital Identity Wallet, nor should 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 146
Cornelia Ernst

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, to the labour market and the freedom obtaining goods and services shall not be restricted or hindered for natural persons not using the European Digital Identity Wallet.***

Or. en

Amendment 147
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) 910/2014
Article 6a(7)

Text proposed by the Commission

7. The user shall be in full control of the European Digital Identity Wallet. The issuer of the European Digital Identity Wallet ***shall not*** collect information about the use of the wallet ***which are not necessary for the provision of the wallet***

Amendment

7. ***The technical framework for the European Digital Identity Wallet shall be subject to the following principles:***

services, nor shall it combine person identification data and any other personal data stored or relating to the use of the European Digital Identity Wallet with personal data from any other services offered by this issuer or from third-party services which are not necessary for the provision of the wallet services, unless the user has expressly requested it. Personal data relating to the provision of European Digital Identity Wallets shall be kept physically and logically separate from any other data held. If the European Digital Identity Wallet is provided by private parties in accordance to paragraph 1 (b) and (c), the provisions of article 45f paragraph 4 shall apply mutatis mutandis.

(a) It shall use a decentralised identity architecture, including decentralised identifiers, and store electronic identification means, attributes and certificates securely and exclusively on devices controlled by the user, unless the user optionally consents to storage on third-party devices for the purpose of data recovery;

(b) It shall provide cryptographically verifiable, specific parts of the wallet and personal identity;

(c) It shall allow creation of unique, private and secure peer-to-peer connections between two parties;

(d) The user shall be in full control of the European Digital Identity Wallet and their data, including revocability and self certification as well as the ability to create copies of their data on other devices controlled by the user for the purpose of data recovery;

(e) The technical architecture shall make it impossible for the issuer of the European Digital Identity Wallet or other parties to collect or obtain electronic identification means, attributes, electronic documents and information about the use of the wallet by the user. The exchange of information via the European Digital Identity Wallet

shall not allow providers of electronic attestation of attributes or other parties to track, link, correlate or otherwise obtain knowledge of transactions or user behaviour;

(f) Personal data relating to the provision of European Digital Identity Wallets shall be kept physically and logically separate from any other data held;

(g) If the European Digital Identity Wallet is provided by private parties in accordance to paragraph 1 (b) and (c), the provisions of article 45f paragraph 4 shall apply mutatis mutandis.

Or. en

Amendment 148
Cornelia Ernst

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

Text proposed by the Commission

7. The user shall be in full control of the European Digital Identity Wallet. The issuer of the European Digital Identity Wallet *shall not* collect information about the use of the wallet *which are not necessary for the provision of the wallet services, nor shall it combine person identification data and any other personal data stored or relating to the use of the European Digital Identity Wallet with personal data from any other services offered by this issuer or from third-party services which are not necessary for the provision of the wallet services, unless the user has expressly requested it.* Personal data relating to the provision of European Digital Identity Wallets shall be kept physically and logically separate from any other data held. If the European Digital

Amendment

7. The user shall be in full control of the European Digital Identity Wallet *and their data. The technical architecture shall make it impossible for the issuer of the European Digital Identity Wallet or third-party services connected to them or the Member State to collect or obtain information about the use of the wallet by the user. The exchange of information via the European Digital Identity Wallet shall not allow to providers of electronic attestation of attributes to track, link, correlate or otherwise obtain knowledge of transactions or user behaviour.* Personal data relating to the provision of European Digital Identity Wallets shall be kept physically and logically separate from any other data held. If the European Digital Identity Wallet is

Identity Wallet is provided by private parties in accordance to paragraph 1 (b) and (c), the provisions of article 45f paragraph 4 shall apply mutatis mutandis.

provided by private parties in accordance to paragraph 1 (b) and (c), the provisions of article 45f paragraph 4 shall apply mutatis mutandis. ***The issuer of the European Digital Identity Wallet is the controller according to Regulation (EU) 2016/679 regarding the processing of personal data in the European Digital Identity Wallet.***

Or. en

Amendment 149

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 7

Text proposed by the Commission

7. The user shall be in full control of the European Digital Identity Wallet. The issuer of the European Digital Identity Wallet shall not collect information about the use of the wallet ***which are not necessary for the provision of the wallet services, nor shall it combine person identification data and any other personal data stored or relating to the use of the European Digital Identity Wallet with personal data from any other services offered by this issuer or from third-party services which are not necessary for the provision of the wallet services, unless the user has expressly requested it.*** Personal data relating to the provision of European Digital Identity Wallets shall be kept physically and logically separate from any other data held. If the European Digital Identity Wallet is provided by private parties in accordance to paragraph 1 (b) and (c), the provisions of article 45f paragraph 4 shall apply mutatis mutandis.

Amendment

7. The user shall be in full control of the European Digital Identity Wallet ***and the data it stores.*** The issuer of the European Digital Identity Wallet, ***as well as related third-party services or Member States,*** shall not ***have any technical possibility to*** collect information about the use of the wallet ***by the user. Moreover, providers of electronic attestation of attributes shall not have any possibility to track, link, correlate or otherwise obtain knowledge of transactions or user behaviour.*** The European Digital Identity Wallet ***shall always provide the user an easily accessible possibility to withdraw their consent or to request the removal of their personal data, in line with Regulation (EU) 2016/679. Should such action lead to the cessation of the wallet service, the user shall receive a warning beforehand.*** Personal data relating to the provision of European Digital Identity Wallets shall be kept physically and logically separate from any other data held. If the European Digital Identity Wallet is provided by private parties in accordance to paragraph 1 (b)

and (c), the provisions of article 45f paragraph 4 shall apply mutatis mutandis. ***The issuer of the European Digital Identity Wallet shall be regarded as the controller according to Regulation (EU) 2016/679 when it comes to the processing of personal data.***

Or. en

Amendment 150

Marina Kaljurand, Birgit Sippel

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 7

Text proposed by the Commission

7. The user shall be in full control of the European Digital Identity Wallet. The issuer of the European Digital Identity Wallet shall not collect information about the use of the wallet which are not necessary for the provision of the wallet services, nor shall it combine person identification data and any other personal data stored or relating to the use of the European Digital Identity Wallet with personal data from any other services offered by this issuer or from third-party services which are not necessary for the provision of the wallet services, unless the user has expressly requested it. Personal data relating to the provision of European Digital Identity Wallets shall be kept physically and logically separate from any other data held. If the European Digital Identity Wallet is provided by private parties in accordance to paragraph 1 (b) and (c), the provisions of article 45f paragraph 4 shall apply mutatis mutandis.

Amendment

7. The user shall be in full control of the European Digital Identity Wallet ***and their personal data***. The issuer of the European Digital Identity Wallet ***or third-party services or the Member State*** shall not collect information about the use of the wallet ***by the user*** which are not ***strictly necessary and proportionate solely*** for the provision of the wallet services, nor shall it combine person identification data and any other personal data stored or relating to the use of the European Digital Identity Wallet with personal data from any other services offered by this issuer or from third-party services which are not ***strictly necessary and proportionate solely*** for the provision of the wallet services, unless the user has expressly requested it. ***The exchange of information via the European Digital Identity Wallet shall not allow providers of electronic attestations of attributes to track, link, correlate or otherwise obtain knowledge of transactions or user behaviour.*** Personal data relating to the provision of European Digital Identity Wallets shall be kept physically and logically separate from any other data held.

If the European Digital Identity Wallet is provided by private parties in accordance to paragraph 1 (b) and (c), the provisions of article 45f paragraph 4 shall apply mutatis mutandis.

Or. en

Amendment 151

Harald Vilimsky

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Article I — paragraph 1 — point 7

Article I — paragraph 1 — point 7

Text proposed by the Commission

7. The user shall be in full control of the European Digital Identity Wallet. The issuer of the European Digital Identity Wallet shall not collect information about the use of the wallet which are not necessary for the provision of the wallet services, nor shall it combine person identification data and any other personal data stored or relating to the use of the European Digital Identity Wallet with personal data from any other services offered by this issuer or from third-party services which are not necessary for the provision of the wallet services, unless the user has expressly requested it. Personal data relating to the provision of European Digital Identity Wallets shall be kept physically and logically separate from any other data held. If the European Digital Identity Wallet is provided by private parties in accordance to paragraph 1 (b) and (c), the provisions of article 45f paragraph 4 shall apply mutatis mutandis.

Amendment

7. The user shall be in full control of the European Digital Identity Wallet. The issuer of the European Digital Identity Wallet shall not collect information about the use of the wallet which are not necessary for the provision of the wallet services, nor shall it combine person identification data and any other personal data stored or relating to the use of the European Digital Identity Wallet with personal data from any other services offered by this issuer or from third-party services which are not necessary for the provision of the wallet services, unless the user has expressly requested it. ***The European Digital Identity Wallet must not contain health data and all other*** personal data relating to the provision of European Digital Identity Wallets shall be kept physically and logically separate from any other data held. If the European Digital Identity Wallet is provided by private parties in accordance to paragraph 1 (b) and (c), the provisions of article 45f paragraph 4 shall apply mutatis mutandis.

Or. en

Amendment 152

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6a(7a)(new)

Text proposed by the Commission

Amendment

7 a. The issuer of the European Digital Identity Wallet shall be the controller pursuant to Regulation (EU) 2016/679 regarding the processing of personal data in the European Digital Identity Wallet.

Or. en

Justification

to clarify responsibilities under GDPR

Amendment 153

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a paragraph 7

Text proposed by the Commission

Amendment

7 a. Where attestation of attributes does not require the identification of the user, only zero knowledge attestation shall be performed.

Or. en

Amendment 154

Marina Kaljurand, Birgit Sippel, Paul Tang

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014
Article 6a – paragraph 7a (new)

Text proposed by the Commission

Amendment

7 a. The European Digital Identity Wallet shall request explicit prior consent of the user to perform any operations.

Or. en

Justification

This amendment ensures that the European Digital Identity Wallet cannot perform any operations without the explicit consent of the user.

Amendment 155

Marina Kaljurand, Birgit Sippel, Paul Tang

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 7b (new)

Text proposed by the Commission

Amendment

7 b. The European Digital Identity Wallet shall provide a state of the art mechanism to transmit all of the user's data in the wallet from one device to another and from one wallet to another upon the user's request and free of charge.

Or. en

Justification

The European Digital Identity Wallet architecture should ensure data portability.

Amendment 156

Marina Kaljurand, Birgit Sippel, Paul Tang

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014
Article 6a – paragraph 7c (new)

Text proposed by the Commission

Amendment

7 c. The European Digital Identity Wallet shall provide a mechanism for the user to inform directly the supervisory body and the supervisory authorities established under Regulation (EU) 2016/679 about any relying party that appears to request a disproportionate amount of data.

Or. en

Justification

This amendment adds a flagging mechanism to increase the public oversight of the implementation of data minimisation by the relying parties.

Amendment 157

Marina Kaljurand, Birgit Sippel, Paul Tang

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 7d (new)

Text proposed by the Commission

Amendment

7 d. Access to public and private services shall not be denied, hindered or made more costly for natural persons who choose not to use the European Digital Identity Wallet.

Or. en

Amendment 158

Marina Kaljurand, Birgit Sippel

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 7e (new)

Text proposed by the Commission

Amendment

7 e. The user shall be entitled to request a backup function of the data they have in their European Digital Identity Wallet from the wallet issuer in situations of unavailability of the wallet, and in case of loss or theft of their device. This backup function shall be enabled only with the explicit prior consent of the user and it shall be complemented with reinforced identity checks.

Or. en

Justification

If the user wishes, they should be entitled to have a backup function of the data they have in the European Digital Identity Wallet. Should the wallet be successful and increasingly used by citizens in the majority of their daily operations, it will be important for the users to have access to fall back procedures in case of failure. However, this backup function should not be a standard setting of the wallet and enabling it should require explicit consent.

Amendment 159

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6a(10 a)(new)

Text proposed by the Commission

Amendment

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.

Or. en

Amendment 160

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6a(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. ***Those*** implementing ***acts*** shall be adopted in accordance with the examination procedure referred to in Article 48(2).

Or. en

Amendment 161

Yana Toom, Lucia Ďuriš Nicholsonová, Maite Pagazaurtundúa, Olivier Chastel

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***

Amendment

1. ***Relying parties shall not rely upon European Digital Identity Wallets unless they have registered in accordance with the provisions of this Paragraph.*** Where relying parties intend to rely upon European Digital Identity Wallets issued in accordance with this Regulation, they shall ***register with*** the Member State where the relying party is established, ***which shall*** ensure compliance with requirements set

shall **also** inform about the intended use of the European Digital Identity Wallet.

out in Union law or national law for the provision of **the specific service for which registration is requested. When submitting their registration for relying upon** European Digital Identity wallets, **relying parties** shall inform about the intended use of the European Digital Identity Wallet. **The registration system shall allow for an expedited procedure for cases where a similar use of the European Digital Identity wallets has previously been registered. Member States shall provide a mechanism that allows for the reception and investigation of complaints regarding the compliance of relying parties with the Union or national law for the provision of a service. Where relying upon the European Digital Identity Wallets for the provision of a specific service violates Union or national law, registration shall be revoked.**

Or. en

Justification

The sensitive nature of the data stored in the Wallet warrants a high degree of protection from excessive requests for personal data or use of personal data for abusive purposes. In order to truly prevent the unlawful or abusive use of personal data and protect the users from fraud, relying parties should only be allowed to use data from the Wallet if they are registered with the Member States.

Amendment 162 **Cornelia Ernst**

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

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 **parties**

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.***

are 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. ***Member States shall scrutinize requested use cases of the European Digital Identity proportionate to the potential privacy implications of the data exchanged and the purpose of the processing of personal information, thereby distinguishing between:***

(a) anonymous use for selective disclosures;

(b) pseudonym use for authentication;

(c) unique identification use;

(d) attribute attestation of special categories of personal data in accordance with Article 9 of Regulation (EU) 2016/679;

Or. en

Amendment 163

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6b(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

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.

the European Digital Identity *Wallet*.

When deciding about approval, Member States shall scrutinize the intended use cases of the European Digital Identity to assess proportionality in light of the potential security and data protection implications of the data exchanged and the purpose of the processing of personal information, with particular attention to distinguishing between:

- (a) anonymous use for selective disclosures;*
- (b) pseudonymous use for authentication;*
- (c) unique identification use;*
- (d) attribute attestation of special categories of personal data in accordance with Article 9 of Regulation (EU) 2016/679;*

Or. en

Amendment 164
Cornelia Ernst

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 unique identification* 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 165
Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6b(2)

Text proposed by the Commission

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

Amendment

2. 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 166

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 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 unique 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 167

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7
Regulation (EU) 910/2014
Article 6b(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 168
Yana Toom, Lucia Ďuriš Nicholsonová, Olivier Chastel

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) No 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 carrying out the procedure for ***validating*** person identification data and electronic attestation of attributes originating from European Digital Identity Wallets.

Or. en

Amendment 169
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 7
Regulation (EU) 910/2014
Article 6b(3a)(new)

Text proposed by the Commission

Amendment

3 a. *Relying parties shall not collect or store information about the use of the wallet beyond what is strictly necessary for access to the services provided by the respective party, nor shall they combine person identification data and any other personal data stored or relating to the use of the European Digital Identity Wallet with personal data from any other services which are not necessary for the provision of the wallet services, unless the user has explicitly requested it.*

Or. en

Amendment 170

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6b(3b)(new)

Text proposed by the Commission

Amendment

3 b. *Providers of information society services as defined in Directive (EU) 2015/1535 of the European Parliament and of the Council shall make reasonable efforts to enable the use of and payment for that service without collecting personal data of the recipient.*

Or. en

Justification

European Parliament position on the DSA, in line with data minimisation and in order to prevent unauthorised disclosure and identity theft. Also following the principle of "what is possible anonymously offline should also be possible anonymously online".

Amendment 171

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6b(4)

Text proposed by the Commission

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)**.

Amendment

4. 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 1 and 2.

Or. en

Amendment 172

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6c(3)

Text proposed by the Commission

3. The conformity of European Digital Identity Wallets with the requirements laid down in article 6a **paragraphs 3, 4 and 5** shall be certified by accredited public or private bodies designated by Member States.

Amendment

3. The conformity of European Digital Identity Wallets with the requirements laid down in article 6a shall be certified by accredited public or private bodies designated by Member States.

Or. en

Justification

All the requirements should be met.

Amendment 173

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6c(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. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).***

Or. en

Amendment 174

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) 910/2014

Article 6d(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. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).***

Or. en

Amendment 175

Yana Toom, Lucia Ďuriš Nicholsonová, Olivier Chastel, Maite Pagazaurtundúa

Proposal for a regulation

Article 1 – paragraph 1 – point 11

Regulation (EU) No 910/2014

Article 10a – paragraph 1

Text proposed by the Commission

1. Where European Digital Wallets issued pursuant to Article 6a and the validation mechanisms referred to in Article 6a(5) points (a), (b) and (c) are breached or partly compromised in a manner that affects their reliability or the reliability of the other European Digital Identity Wallets, the issuing Member State shall, without delay, suspend the issuance and revoke the validity of the European Digital Identity Wallet and inform the other Member States and the Commission accordingly.

Amendment

1. Where European Digital Wallets issued pursuant to Article 6a and the validation mechanisms referred to in Article 6a(5) points (a), (b) and (c) are breached or partly compromised in a manner that affects their reliability or the reliability of the other European Digital Identity Wallets, the issuing Member State shall, without delay, suspend the issuance and revoke the validity of the European Digital Identity Wallet and inform the other Member States and the Commission accordingly. ***The issuing Member State shall endeavour to remedy the breach or compromise as soon as possible.***

Or. en

Amendment 176

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 11

Regulation (EU) 910/2014

Article 10a(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***

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

Identity Wallets as referred to in Article 6a(10).

paragraphs 1 and 3.

Or. en

Amendment 177

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) 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
Cornelia Ernst

Proposal for a regulation
Article 1 – paragraph 1 – point 12
Regulation (EU) No 910/2014
Article 11

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 179
Marina Kaljurand, Birgit Sippel

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) No 910/2014

Article 11a – paragraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Justification

To guarantee the security of the unique identifier, it should be used only in those use cases where identification is mandated by law, not for authentication.

Amendment 180

Yana Toom, Lucia Ďuriš Nicholsonová, Olivier Chastel

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, 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 **cross-border** cases where identification of the user is required by law. ***The unique and persistent identifier shall not be shared with or accessible to relying parties in cases other than where identification of the user is required by law.***

Or. en

Justification

Justification: A unique and persistent identifier can help reduce the amount of data necessary to produce an accurate identity match, but it comes with risks if it is used in inappropriate scenarios. In order to mitigate the potentials risks, it is necessary to limit its use to only the situations where it can provide concrete benefits.

Amendment 181

Marina Kaljurand, Birgit Sippel

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) No 910/2014

Article 11 – 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, 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 ***and only*** in those cases where identification of the user is required by law. ***Unique and persistent identifiers shall not be accessed for the purpose of user authentication.***

Or. en

Justification

To guarantee the security of the unique identifier, it should be used only in those use cases where identification is mandated by law, not for authentication.

Amendment 182

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) No 910/2014

Article 11a – paragraph 2

Text proposed by the Commission

Amendment

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.

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 **and national** law, to identify the user upon their request in those **cross-border** cases where identification of the user is required by law.

Or. en

Amendment 183

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) No 910/2014

Article 11a – Paragraph 3

Text proposed by the Commission

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)***.

Amendment

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 ***a delegated act***.

Or. en

Amendment 184

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 13 – point a

Regulation (EU) No 910/2014

Article 12

Text proposed by the Commission

(a) in paragraph 3, points (c) and (d)

Amendment

deleted

are deleted;

Or. en

Amendment 185

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 13 – point a

Regulation (EU) 910/2014

Article 12(3)(c) and (d)

Text proposed by the Commission

(a) in paragraph 3, *points (c) and (d) are deleted;*

Amendment

(a) in paragraph 3, *point (c) is replaced with the following:*

'(c) it facilitates the implementation of the principle of data protection by design; and'

in paragraph 3, point (d) is replaced with the following:

'(d) it ensures that personal data is processed in accordance with Regulation (EU) 2016/679.'

Or. en

Justification

Maintained 2014 eIDAS text, but aligned it with GDPR.

Amendment 186

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 13 – point b

Regulation (EU) 910/2014

Article 12(4)(d)

Text proposed by the Commission

Amendment

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

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

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 effect as Article 11a.

Amendment 187
Cornelia Ernst

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 set of person identification data necessary to uniquely **representing** a natural or legal person, **which is available from electronic identification schemes**;

Or. en

Amendment 188
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 13 – point c
Regulation (EU) 910/2014
Article 12(6)(a)

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 effect as Article 11a.

Amendment 189
Cornelia Ernst

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 190
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 16
Regulation (EU) 910/2014
Article 12b(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 191
Cornelia Ernst

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

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.

accordance with Article 6a.

Or. en

Amendment 192
Cornelia Ernst

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

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. ***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. The combination of person identification data and any other personal data and identifiers linked to the European Digital Identity Wallets with personal or non-personal data from any other services which are not necessary for the provision of the authentication or use of core***

services, is prohibited unless the user has expressly requested it.

Or. en

Amendment 193

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) 910/2014

Article 12b(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 online platforms as defined in Regulation [reference DSA Regulation] accept the use of European Digital Identity Wallets issued in accordance with Article 6a, **they shall do so only** 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 shall be generated and used in connection to an identifiable European Digital Identity Wallet. The combination of person identification data and any other personal data and identifiers linked to the European Digital Identity Wallets with personal or non-personal data from any other services which are not necessary for the provision of the authentication or use of core services, is prohibited unless the user has expressly requested it.***

Or. en

Justification

When eID wallets are accepted by online platforms, they shall do so with un-linkable pseudonyms and not combine the data with other personal data. Online platforms shall however not be obliged to accept the eID.

Amendment 194

Paul Tang

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b(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 online platforms as defined in Regulation [reference DSA Regulation] Article 2 **first paragraph point (h)** require users to authenticate to access online services, they shall also accept **and promote** 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 **to verify whether a user meets the applicable age criterion**.

Or. en

Justification

To curb the sharing of huge sets of one's personal data, such as name, date of birth and address, by creating an online profile for using online platforms, the Wallet should allow users to share less personal data. For instance, if users of very large online platform voluntarily use the wallet to verify their age, they should not be obliged to give their specific date of birth or age. Instead, the Wallet should verify whether the user is old enough to use the platform in accordance with the terms and conditions of the platform or article 8 paragraph 1 of the GDPR.

Amendment 195

Yana Toom, Lucia Ďuriš Nicholsonová, Olivier Chastel

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b – paragraph 3

Text proposed by the Commission

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.

3. Where very large online platforms as defined in Regulation [reference DSA Regulation] Article 25.1. require **the electronic identification of** users 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.

Or. en

Amendment 196
Paul Tang

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

Text proposed by the Commission

Amendment

3 a. Where Crypto Asset Service Providers as defined in Regulation [reference Transfer of Funds Regulation^{1a}] Article 3 paragraph 16 are required to verify the accuracy of the information in accordance with Article 14 or article 16, they shall also accept the use of European Digital Identity Wallets issued in accordance with Article 6a of this Regulation. The use of the Wallet for these purposes shall take place strictly upon voluntary request of the user and in respect of the minimum attributes necessary for which verification is requested.

^{1a} 2021/0241 (COD) Legislative proposal on Information accompanying transfers of funds and certain crypto-assets

Or. en

Amendment 197

Paul Tang

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12(b) paragraph 3b (new)

Text proposed by the Commission

Amendment

3 b. Very large online platforms as defined in Regulation [reference DSA Regulation] Article 25.1. are required to offer users to make use of the platform anonymously or authenticated. Users who voluntarily authenticate shall be rewarded by the content recommender systems, as defined in Regulation [reference DSA Regulation] Article 2 first paragraph (o), with a more prominent visibility compared to anonymous users.

Where those users voluntarily authenticate to access online services, the very large online platform shall also accept the use of European Digital Identity Wallets issued in accordance with Article 6a and in respect of the minimum attributes necessary for the specific online service for which authentication is requested.

Or. en

Amendment 198

Yana Toom, Lucia Ďuriš Nicholsonová, Olivier Chastel

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b – paragraph 4

Text proposed by the Commission

Amendment

4. The Commission shall encourage and facilitate the development of self-regulatory codes of conduct at Union level

4. The Commission shall encourage and facilitate the development of self-regulatory codes of conduct at Union level

(‘codes of conduct’), in order to contribute to wide availability and usability of European Digital Identity Wallets within the scope of this Regulation. These codes of conduct shall ensure acceptance of electronic identification means including European Digital Identity Wallets within the scope of this Regulation in particular by service providers relying on third party electronic identification services for **user authentication**. The Commission will facilitate the development of such codes of conduct in close cooperation with all relevant stakeholders and encourage service providers to complete the development of codes of conduct within 12 months of the adoption of this Regulation and effectively implement them within 18 months of the adoption of the Regulation.

(‘codes of conduct’), in order to contribute to wide availability and usability of European Digital Identity Wallets within the scope of this Regulation. These codes of conduct shall ensure acceptance of electronic identification means including European Digital Identity Wallets within the scope of this Regulation in particular by service providers relying on third party electronic identification services for **the electronic identification of users**. The Commission will facilitate the development of such codes of conduct in close cooperation with all relevant stakeholders and encourage service providers to complete the development of codes of conduct within 12 months of the adoption of this Regulation and effectively implement them within 18 months of the adoption of the Regulation.

Or. en

Amendment 199

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) 910/2014

Article 12b(5)

Text proposed by the Commission

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

Amendment

deleted

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 200
Harald Vilimsky

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

Text proposed by the Commission

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

Amendment

5. The Commission shall make an assessment within 18 months after deployment of the European Digital Identity Wallets whether on the basis of evidence showing availability, **security** 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

Amendment 201
Harald Vilimsky

Proposal for a regulation
Article 1 – paragraph 1 – point 17
Regulation (EU) No 910/2014
Article 13(1)

Text proposed by the Commission

1. ***Notwithstanding paragraph 2 of this Article***, trust service providers shall be liable for damage caused intentionally or negligently to any natural or legal person ***due to a failure to comply with*** the obligations under this Regulation and ***with*** the cybersecurity risk management obligations ***under*** Article 18 of ***the*** Directive XXXX/XXXX [NIS2].;

Amendment

1. ***The liability of trust service providers cannot be limited by an internal policy on the provision of services.*** Trust service providers shall be liable for damage caused intentionally or negligently to any natural or legal person ***as a result of a breach of*** the obligations under this Regulation and ***of*** the cybersecurity risk management obligations ***resulting from*** Article 18 of Directive ***(EU) XXXX/XXXX*** [NIS 2].;

Or. en

Amendment 202
Harald Vilimsky

Proposal for a regulation
Article 1 – paragraph 1 – point 17
Regulation (EU) No 910/2014
Article 13, paragraph 1a (new)

Text proposed by the Commission

Amendment

1 a. Users of European Digital Identity Wallets should be assured of receiving compensation for any undesirable situation related to their data, such as theft, loss, disclosure, use for purposes other than those originally intended. This liability should extend to all the above situations, regardless of the intentions or negligence of the supplier (whether at fault or not).

Amendment 203
Harald Vilimsky

Proposal for a regulation
Article 1 – paragraph 1 – point 18
Regulation (EU) No 910/2014
Article 14(1)

Text proposed by the Commission

Amendment

1. The Commission may adopt implementing acts, in accordance with Article 48(2), setting out the conditions under which the requirements of a third country applicable to the trust service providers established in its territory and to the trust services they provide can be considered equivalent to the requirements applicable to qualified trust service providers established in the Union and to the qualified trust services they provide. *deleted*

Amendment 204
Harald Vilimsky

Proposal for a regulation
Article 1 – paragraph 1 – point 18
Regulation (EU) No 910/2014
Article 14(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 *deleted*

services provided by qualified trust service providers established in the Union.;

Or. en

Amendment 205
Cornelia Ernst

Proposal for a regulation
Article 1 – paragraph 1 – point 20 – point a – point 2
Regulation (EU) No 910/2014
Article 17 paragraph 4 point f

Text proposed by the Commission

(f) to cooperate with supervisory authorities established under Regulation (EU) 2016/679, in particular, by informing them without undue delay, about the results of audits of qualified trust service providers, where personal data protection rules have been breached and about security breaches which constitute personal data breaches;;

Amendment

(f) to cooperate with supervisory authorities established under Regulation (EU) 2016/679, in particular, by informing them without undue delay, about the results of audits of qualified trust service providers, where ***there is any reason to believe that*** personal data protection rules have been breached and about security breaches which ***are likely to*** constitute personal data breaches; ***This shall be without prejudice to any further obligations stemming from GDPR.***

Or. en

Amendment 206
Marina Kaljurand, Paul Tang

Proposal for a regulation
Article 1 – paragraph 1 – point 20 – point a – point 2
Regulation (EU) No 910/2014
Article 17 – paragraph 4 – point f

Text proposed by the Commission

(f) to cooperate with supervisory authorities established under Regulation (EU) 2016/679, in particular, by informing them without undue delay, ***about the results of audits of qualified trust service***

Amendment

(f) to cooperate with supervisory authorities established under Regulation (EU) 2016/679, in particular, by informing them without undue delay ***whenever becoming aware of a*** personal data

providers, where personal data protection rules have been breached and about security breaches which constitute personal data breaches;; breach;

Or. en

Justification

This amendment is for aligning the text with GDPR.

Amendment 207

Yana Toom, Lucia Ďuriš Nicholsonová, Maite Pagazaurtundúa, Olivier Chastel

Proposal for a regulation

Article 1 – paragraph 1 – point 20 – point a – point 2

Regulation (EU) No 910/2014

Article 17 – paragraph 4 – point f

Text proposed by the Commission

Amendment

(f) to cooperate with supervisory authorities established under Regulation (EU) 2016/679, in particular, by informing them without undue delay, about ***the results of audits of qualified trust service providers, where personal data protection rules have been breached and about security breaches which constitute personal data breaches;;***

(f) to cooperate with supervisory authorities established under Regulation (EU) 2016/679, in particular, by informing them without undue delay, about ***any breaches of personal data protection rules and security breaches which constitute personal data breaches or suspicion thereof that they become aware of in the performance of their tasks;***

Or. en

Justification

The supervisory authorities of Regulation (EU) 2016/679 are in the best position to assess whether data protection rules have been breached and they should be notified at the slightest suspicion of a breach.

Amendment 208

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 20 – point c

Regulation (EU) 910/2014
Article 17(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.

Or. en

Amendment 209
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 20 – point c
Regulation (EU) 910/2014
Article 17(8a)(new)

Text proposed by the Commission

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. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).

Or. en

Amendment 210
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 21 – point c

Regulation (EU) 910/2014

Article 18(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. **Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).**

Or. en

Amendment 211

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 22 – point b

Regulation (EU) No 910/2014

Article 20 paragraph 2

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

Notwithstanding any further obligations on data controllers or processors resulting from Regulation 2016/679, where there is any reason to believe that data protection rules **could** have been breached, the supervisory body shall inform the supervisory authorities under Regulation (EU) 2016/679 of the results of its audits.;

Or. en

Amendment 212

Yana Toom, Lucia Ďuriš Nicholsonová, Maite Pagazaurtundúa, Olivier Chastel

Proposal for a regulation

Article 1 – paragraph 1 – point 22 – point b

Regulation (EU) No 910/2014

Article 20 – paragraph 2

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 ***there is reason to believe that*** personal data protection rules ***could*** have been breached, the supervisory body shall inform the supervisory authorities under Regulation (EU) 2016/679 ***without undue delay and shall provide*** the results of its audits ***as soon as they are available.***;

Or. en

Justification

The supervisory authorities of Regulation (EU) 2016/679 are in the best position to assess whether data protection rules have been breached and they should be notified at the slightest suspicion of a breach.

Amendment 213

Tom Vandenkendelaere, Lukas Mandl, Emil Radev, Jeroen Lenaers

Proposal for a regulation

Article 1 – paragraph 1 – point 22 – point b

Regulation (EU) No 910/2014

Article 20 – paragraph 2

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, ***without undue delay***;

Or. en

Amendment 214

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 22 – point b

Regulation (EU) 910/2014

Article 20(2)

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 215

Marina Kaljurand, Paul Tang

Proposal for a regulation

Article 1 – paragraph 1 – point 22 – point b

Regulation (EU) No 910/2014

Article 20 – paragraph 2

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.;

Or. en

Justification

This amendment is for aligning the text with GDPR.

Amendment 216

Harald Vilimsky

Proposal for a regulation

Article 1 – paragraph 1 – point 24
Regulation (EU) No 910/2014
Article 23(2a)(new)

Text proposed by the Commission

Amendment

2a. *Paragraph 1 and 2 shall also apply to trust service providers established in third countries and to the services they provide, provided that they have been recognised in the Union in accordance with Article 14.;* **deleted**

Or. en

Amendment 217
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 25 – point a a (new)
Regulation (EU) 910/2014
Article 24(1a)(new)

Text proposed by the Commission

Amendment

(a 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).’;

Or. en

Amendment 218
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point b – introductory part
Regulation (EU) 910/2014
Article 24(1b)

Text proposed by the Commission

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

Amendment

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

Or. en

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

Amendment 219

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point b

Regulation (EU) 910/2014

Article 24(1b)

Text proposed by the Commission

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).;

Amendment

1a. Within 12 months after the entry 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

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

Amendment 220

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point c – point 2

Regulation (EU) No 910/2014
Article 24 paragraph 2

Text proposed by the Commission

(fb) notify the supervisory body and, where applicable, other relevant bodies of any linked breaches or disruptions in the implementation of the measures referred to in paragraph (fa), points (i), (ii) and, (iii) that has **a significant** impact on the trust service provided or on the personal data maintained therein.;

Amendment

(fb) **Notwithstanding any obligations on data controllers or processors resulting from Regulation 2016/679**, notify the supervisory body and, where applicable, other relevant bodies of any linked breaches or disruptions in the implementation of the measures referred to in paragraph (fa), points (i), (ii) and, (iii) that has **an** impact on the trust service provided or on the personal data maintained therein.;

Or. en

Amendment 221

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point f

Regulation (EU) 910/2014

Article 24(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 222

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 27

Regulation (EU) 910/2014

Article 29(1a)

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 management of a remote electronic qualified signature creation device.;

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

Or. en

Amendment 223

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 28

Regulation (EU) 910/2014

Article 29a(1a)(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.

Or. en

Amendment 224

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 28

Regulation (EU) 910/2014

Article 29a(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. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).***

Or. en

Amendment 225
Cornelia Ernst

Proposal for a regulation
Article 1 – paragraph 1 – point 38
Regulation (EU) 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 226

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 38

Regulation (EU) 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 227

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 38

Regulation (EU) 910/2014

Article 47

Text proposed by the Commission

Amendment

(39a) Article 47 is amended as follows:

(a) the following paragraph 2a 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 228

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

Article 45a(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 does not meet the requirements for qualified electronic attestations of attributes.*

Or. en

Amendment 229

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45a paragraph 1

Text proposed by the Commission

1. An electronic attestation of attributes shall not be denied legal effect

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.

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 230
Cornelia Ernst

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) No 910/2014
Article 45a paragraph 3a (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 231
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) 910/2014
Article 45a(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 232

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

Article 45c(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 233

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

Article 45c(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 234

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

Article 45d(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 235

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

Article 45d(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***

2. Within 6 months of the entering into force of this Regulation, taking into account relevant international standards, the Commission shall ***by means of***

technical specifications, standards and procedures with reference to the catalogue of attributes and schemes for the attestation 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)***.

implementing acts, set out the standards and procedures with reference to the catalogue of attributes and schemes for the 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 236

Yana Toom, Lucia Ďuriš Nicholsonová, Olivier Chastel

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45f – paragraph 1a (new)

Text proposed by the Commission

Amendment

1 a. Providers of qualified and non-qualified electronic attestation of attributes services shall not track users across relying parties.

Or. en

Amendment 237

Harald Vilimsky

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45f(3)

Text proposed by the Commission

Amendment

3. Personal data relating to the provision of qualified electronic attestation of attributes services shall be kept physically and logically separate from any other data held.

3. Personal data relating to the provision of qualified electronic attestation of attributes services shall be kept physically ***in Europe*** and logically separate from any other data held.

Amendment 238

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

after Article 45f

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 239

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

after Article 45f

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 240

Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) 910/2014
Article 45g

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 241
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) 910/2014
Article 45g

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 242
Patrick Breyer
on behalf of the Verts/ALE Group

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

Regulation (EU) 910/2014
Article 45g

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 243

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

Article 45g

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 244

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Section 11

Text proposed by the Commission

Amendment

SECTION 11

deleted

Or. en

Amendment 245

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

before Article 45h

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 246

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Section 11

Text proposed by the Commission

Amendment

ELECTRONIC LEDGERS

deleted

Or. en

Amendment 247

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) 910/2014
Article 45h

Text proposed by the Commission

Amendment

Article 45h

deleted

Or. en

Amendment 248
Cornelia Ernst

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

Text proposed by the Commission

Amendment

Article 45h

deleted

Or. en

Amendment 249
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) 910/2014
Article 45h

Text proposed by the Commission

Amendment

Legal effects of electronic ledgers

deleted

Or. en

Amendment 250

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45h

Text proposed by the Commission

Amendment

Legal effects of electronic ledgers

deleted

Or. en

Amendment 251

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

Article 45h

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 252

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45h

Text proposed by the Commission

Amendment

1. An electronic ledger shall not be denied legal effect and admissibility as

deleted

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.

Or. en

Amendment 253

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

Article 45h

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 254

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45h

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 255

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

Article 45i

Text proposed by the Commission

Amendment

Article 45i

deleted

Or. en

Amendment 256

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45i

Text proposed by the Commission

Amendment

Article 45i

deleted

Or. en

Amendment 257

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

Article 45i

Text proposed by the Commission

Amendment

Requirements for qualified electronic ledgers

deleted

Amendment 258
Cornelia Ernst

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

Text proposed by the Commission

Amendment

Requirements for qualified electronic ledgers ***deleted***

Amendment 259
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 39
Regulation (EU) 910/2014
Article 45i

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.

Amendment 260
Cornelia Ernst

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

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 261
Cornelia Ernst

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

Text proposed by the Commission

Amendment

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

meets the standards referred to in paragraph 3.

Or. en

Amendment 262

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

Article 45i

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 263

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45i

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 264

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) 910/2014

Article 45i

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 265

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) 910/2014

Article 48a(2)(b)

Text proposed by the Commission

Amendment

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

(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 266

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) No 910/2014

Article 48 a 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 number of rejected applications including their reasoning;***

Or. en

Amendment 267

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) No 910/2014

Article 48 a paragraph 2 point ba (new)

Text proposed by the Commission

Amendment

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

Or. en

Amendment 268

Cornelia Ernst

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) No 910/2014

Article 48 a paragraph 2 point bb (new)

Text proposed by the Commission

Amendment

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

parties

Or. en

Amendment 269

Harald Vilimsky

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) No 910/2014

Article 48a paragraph 2 point ca (new)

Text proposed by the Commission

Amendment

(c a) The number of persons who have suffered data theft; the number of companies reporting a data theft; the number of complaints to the authorities about an infringement related to data (identity theft, data fraud, etc.).

Or. en

Amendment 270

Patrick Breyer

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 1 – paragraph 1 – point 40

Regulation (EU) 910/2014

Article 48a(2)(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 271

Harald Vilimsky

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

Text proposed by the Commission

Amendment

(c b) The number and extent of sanctions imposed on companies during the year for non-protection of identity data (EU and non-EU).

Or. en

Amendment 272
Patrick Breyer
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 1 – paragraph 1 – point 40
Regulation (EU) 910/2014
Article 48a paragraph cb (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 273
Harald Vilimsky

Proposal for a regulation
Article 1 – paragraph 1 – point 41
Regulation (EU) No 910/2014
Article 49(2)

Text proposed by the Commission

Amendment

2. The evaluation report shall **include an assessment of the** availability and usability of the identification means

2. The evaluation report shall, **in particular, examine the availability, security,** availability and usability of the

including European Digital Identity Wallets in scope of this Regulation and assess whether all online private service providers relying on third party electronic identification services for users authentication, shall be mandated to accept the use of notified electronic identification means and European

identification means including European Digital Identity Wallets in scope of this Regulation and assess whether all online private service providers relying on third party electronic identification services for users authentication, shall be mandated to accept the use of notified electronic identification means and European

Or. en

Amendment 274
Harald Vilimsky

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

Text proposed by the Commission

3. Gender;

Amendment

3. **biological** Gender;

Or. en