



2021/0136(COD)

07.11.2022

OPINION

of the Committee on Legal Affairs

for the Committee on Industry, Research and Energy

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity
(COM(2021)0281 – C9-0200/2021 – 2021/0136(COD))

Rapporteur for opinion: Pascal Arimont

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AMENDMENTS

The Committee on Legal Affairs calls on the Committee on Industry, Research and Energy, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

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

¹⁶ COM/2020/67 final

Amendment

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

¹⁶ COM(2020) 67 final

Amendment 2

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

Amendment

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

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.

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 **harmonised**, clear and uniform set of rules and public administrations should be able to rely on electronic documents in a given format. ***Given the variable impact that such digitalisation of administrative procedures can have on the public budget in different Member States, a harmonised framework should aim at streamlining the economic aspects applicable to the provision of electronic attestations of attributes, and thereby further reduce discrepancies among Member States.***

Amendment 3

Proposal for a regulation

Recital 7

Text proposed by the Commission

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

Amendment

(7) It is necessary to set out the harmonised conditions for the establishment of a framework for European Digital Identity Wallets to be issued by Member States, which should empower all Union citizens and other residents as defined by national law to share securely data related to their identity in a user friendly and convenient way under the sole control of the user. Technologies used to achieve those objectives should be developed aiming towards the highest level of security, user convenience and wide usability. Member States should ensure ***that such framework does not lead to the widening of the digital divide and, to that end, they should ensure the voluntary use***

of, as well as equal and free of charge access to, digital identification to all their nationals and residents, including vulnerable persons, such as persons with disabilities, persons who experience functional limitations, such as elderly persons, persons with limited access to digital technologies and digital skills and migrants.

Amendment 4

Proposal for a regulation

Recital 9

Text proposed by the Commission

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

Amendment

(9) All European Digital Identity Wallets should allow users, ***in a manner that is transparent and traceable by the user, to securely request and obtain, store, select, combine and share the necessary legal person identification data and electronic attestation of attributes, while ensuring that selective disclosure is possible,*** to electronically identify and authenticate online and offline across borders for accessing a wide range of public and private services, ***and to create and use qualified electronic signatures and seals which are accepted across the Union.*** 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. ***The European Digital Identity Wallet should also allow the user to consult the history of the transactions, transfer the wallet's data, restore the***

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.

access on a different device and block access to the wallet in case of a security breach that leads to its suspension, revocation or withdrawal, and offer the possibility to contact support services of the wallet's issuer. 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. 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. **Those European Digital Identity Wallets should be developed in a manner that ensures a high level of security, including the encryption of content. They should ensure seamless interoperability, for instance, by relying on the use of open-source technology, and should be made available on major operating systems. When developed through public procurement or on technologies developed through public-private partnerships with non-profit organisations, the resulting code should be open source.** 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

Amendment 5

Proposal for a regulation

Recital 10

Text proposed by the Commission

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

Amendment 6

Proposal for a regulation

Recital 11

Amendment

(10) In order to achieve a high level of security, **accessibility** 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, **security, accessibility** and interoperability. Certification should in particular rely on the relevant European cybersecurity certifications schemes established pursuant to Regulation (EU) 2019/881²⁰. Such certification should be without prejudice to certification as regards personal data processing pursuant to Regulation (EC) 2016/679

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

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, in particular when used in combination with other elements of authentication. Since biometrics represents a unique characteristic of a person, the use of biometrics requires organisational and security measures, commensurate to the risk that such processing may entail to the rights and freedoms of natural persons and in accordance with **Regulation (EU)2016/679**. ***The use of biometrics is highly recommended; however, there are some hardware solutions that do not allow for the use of biometrics and, in those cases, alternatives should be provided. It should be possible for potential users of these digital wallets who no longer wish to use them to permanently delete their data.***

Amendment 7

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

Amendment

(12) To ensure that the European Digital Identity framework is open to innovation, technological development and future-proof, **thus facilitating the transition to a genuine digital single market**, Member States should be encouraged to set-up jointly **regulatory** sandboxes to test innovative solutions in a controlled and secure environment **under the supervision of competent authorities**, in particular to improve the functionality, security and

requirements. This environment should foster the inclusion of European Small and Medium Enterprises, start-ups and individual innovators and researchers.

interoperability of the solutions, ***to provide safeguards and risk mitigation measures needed to build trust and reliance on the solutions and ensure the effective protection of personal data and other fundamental rights*** and to inform future updates of technical references and legal requirements. This environment should foster the inclusion of European Small and Medium Enterprises, start-ups and individual innovators and researchers, ***without subjecting them to unnecessary administrative and financial burdens, while improving compliance and preventing the placing on the market of solutions not in line with Union legislation on data protection and cybersecurity. Any significant risks identified during the development and testing of innovative solutions shall result in immediate mitigation and, failing that, in the suspension of the development and testing process until such mitigation takes place.***

Amendment 8

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

Amendment

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

correct identity match in the process of *cross-border* electronic identification. *The use of person identification data or a combination of person identification data, including the use of unique and persistent identifiers issued by Member States or generated by the European Digital Identity Wallet, is essential to ensure that the identity of the user, in particular in the public sector and when mandated by Union or national law, can be verified. The law of a Member State may require the use of unique and persistent identifiers issued by that Member State. The European Digital Identity Wallet should, therefore, be capable of storing these identifiers and disclosing them upon request by the user in those cases where the identification of the user is required by law. A persistent and unique identifier may consist of either single or multiple identification data that can be sector- or relying-party-specific as long it serves to uniquely identify the user across the Union. In all cases, the mechanism provided to facilitate record matching should ensure that the user is protected against misuse of personal data, in accordance with this Regulation and applicable Union law, in particular Regulation (EU) 2016/679, including against the risk of profiling and tracking related to the use of the European Digital Identity Wallet.*

Amendment 9

Proposal for a regulation Recital 18

Text proposed by the Commission

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

Amendment

(18) In line with *the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and in accordance with the accessibility requirements under* Directive (EU) 2019/882²², persons with disabilities *and*

services on an equal basis with other users.

persons with functional limitations should be able to use the European digital identity wallets, trust services and end-user products used in the provision of those services on an equal basis with other users.

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

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

Amendment 10

Proposal for a regulation Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) Persons under legal guardianship, such as children and people with mental disabilities, should be able to have a trusted third party in charge of using their European Digital Identity Wallets on their behalf, upon designation by a judicial authority. The modalities of use of European Digital Identity Wallets by the trusted third parties should be determined by Member States.

Amendment 11

Proposal for a regulation Recital 20

Text proposed by the Commission

Amendment

(20) The provision and use of trust services are becoming increasingly important for international trade and cooperation. International partners of the EU are establishing trust frameworks inspired by Regulation (EU) No 910/2014. Therefore, in order to facilitate the recognition of such services and their providers, implementing legislation **may**

(20) The provision and use of trust services are becoming increasingly important for international trade, **competitiveness, innovation, security** and cooperation. International partners of the EU are establishing trust frameworks inspired by Regulation (EU) No 910/2014. Therefore, in order to facilitate the recognition of such services and their

set the conditions under which trust frameworks of third countries could be considered equivalent to the trust framework for qualified trust services and providers in this Regulation, as a complement to the possibility of the mutual recognition of trust services and providers established in the Union and in third countries in accordance with Article 218 of the Treaty.

providers, implementing legislation *sets* the conditions under which trust frameworks of third countries could be considered equivalent to the trust framework for qualified trust services and providers in this Regulation, as a complement to the possibility of the mutual recognition of trust services and providers established in the Union and in third countries in accordance with Article 218 of the Treaty.

Amendment 12

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) This Regulation should ***build on Union acts ensuring contestable and fair markets in the digital sector. In particular, it builds on the Regulation XXX/XXXX [Digital Markets Act], which introduces rules for providers of core platform services designated as gatekeepers and, among others, prohibits gatekeepers to require business users to use, offer or interoperate with an identification service of the gatekeeper in the context of services offered by the business users using the core platform services of that gatekeeper. Article 6(1)(f) of the Regulation XXX/XXXX [Digital Markets Act] requires gatekeepers to allow business users and providers of ancillary services access to and interoperability with the same operating system, hardware or software features that are available or used in the provision by the gatekeeper of any ancillary services. According to Article 2 (15) of [Digital Markets Act] identification services constitute a type of ancillary services. Business users and providers of ancillary services should therefore be able to access such hardware or software features, such as secure elements in smartphones, and to interoperate with them through the***

Amendment

(21) This Regulation should ***rely on*** Regulation XXX/XXXX [Digital Markets Act], which, among others, requires gatekeepers to allow ***its*** business users ***to freely choose the*** identification ***service they want to use or*** interoperate with. ***This should cover*** European Digital Identity Wallets or Member States' notified electronic identification means.

European Digital Identity Wallets or Member States' notified electronic identification means.

Amendment 13

Proposal for a regulation Recital 26

Text proposed by the Commission

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

Amendment

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

Amendment 14

Proposal for a regulation Recital 27

Text proposed by the Commission

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

Amendment

(27) Any entity that collects, creates and issues attested attributes such as diplomas, licences, certificates of birth should be able to become a provider of electronic attestation of attributes ***and should be responsible for revoking the attestation in the event of falsification, identity theft, or any issuance based on an abusive request***. Relying parties should use the electronic attestations of attributes as equivalent to attestations in paper format. ***Nevertheless, lawfully issued attestations of attributes in paper form should continue to be***

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

*accepted by relying parties as an alternative to electronic attestations of attributes. An electronic attestation of attributes should not be denied legal effect solely on the grounds that it is in an electronic form or that it does not meet the requirements of the qualified electronic attestation of attributes. To that effect, general requirements should be laid down to ensure that a qualified electronic attestation of attributes has the equivalent legal effect of lawfully issued attestations in paper form. However, those requirements should apply without prejudice to Union or national law defining additional sector specific requirements as regards form with underlying legal effects and, in particular, the cross-border recognition of qualified electronic attestation of attributes, where appropriate. **The Commission and Member States should involve professional organisations in laying down the attributes that concern them.***

Amendment 15

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 **and trust by citizens regarding the processing of their personal data**. 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 **in an easily accessible and a non-discriminatory manner** where strong user authentication for online identification is required by

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.

national or Union law. **However, unless specific rules of Union or national law require users to identify themselves for legal purposes, the use of services under a pseudonym should always be allowed and should not be prohibited nor restricted by service providers by means of a contract or the terms and conditions applicable to the use of the service.** Where very large online platforms as defined in Article 25.1. of Regulation [reference DSA Regulation], **in accordance with the applicable rules of Union or national law,** 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. **The personal 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. **On the other hand, access to private services should not be restricted or hindered for users not using the wallet.** If they wish to do so, large online platforms should accept the European Digital Identity Wallet for this purpose while respecting the **principles** of data minimisation **and purpose limitation.** 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.

Amendment 16

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 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

deleted

States should consider incorporating Qualified certificates for website authentication in their websites.

Justification

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

Amendment 17

**Proposal for a regulation
Recital 36**

Text proposed by the Commission

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

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 Tool box should include a comprehensive technical architecture and reference framework ***for the decentralised self-sovereign architecture of the European Digital Identity Wallet***, a set of common standards, ***including recognised existing 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

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]

Amendment 18

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 19

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EU) No 910/2014

Article 1 – paragraph 1 – introductory part

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]

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 formal 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).

Text proposed by the Commission

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

Amendment

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

Amendment 20

Proposal for a regulation

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

Text proposed by the Commission

1. This Regulation applies to electronic identification schemes that have been notified by a Member State, European Digital Identity Wallets issued by Member **States** and to trust service providers that are established in the Union.;

Amendment

1. This Regulation applies to electronic identification schemes that have been notified by a Member State, European Digital Identity Wallets issued by **a Member State, under a mandate from a Member State or independently but recognised by a Member State**, and to trust service providers that are established in the Union.

Amendment 21

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point b
Regulation (EU) No 910/2014
Article 2 – paragraph 3

Text proposed by the Commission

3. This Regulation does not affect national or Union law related to **the conclusion and validity of contracts or other legal or procedural obligations relating to sector specific requirements as regards form with underlying legal effects.**

Amendment

3. This Regulation does not affect national or Union law related to:

Amendment 22

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point b

Regulation (EU) No 910/2014

Article 2 – paragraph 3 – point a (new)

Text proposed by the Commission

Amendment

(a) the conclusion and validity of contracts, or other legal or procedural obligations relating to form; or

Amendment 23

Proposal for a regulation

Article 1 – paragraph 1 – point 2 – point b

Regulation (EU) No 910/2014

Article 2 – paragraph 3 – point b (new)

Text proposed by the Commission

Amendment

(b) sector-specific requirements for qualified electronic attestation of attributes as regards form with underlying legal effects, in particular in the context of the cross-border recognition of qualified electronic attestation of attributes.

Amendment 24

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point a

Regulation (EU) No 910/2014

Article 3 – paragraph 1 – point 2

Text proposed by the Commission

Amendment

(2) ‘electronic identification means’ means a material and/or immaterial unit, including European Digital Identity Wallets or ID cards following Regulation 2019/1157, containing person identification data and which is used for authentication **for an** online **or** offline

(2) ‘electronic identification means’ means a material and/or immaterial unit, including European Digital Identity Wallets or ID cards following Regulation 2019/1157, containing person identification data and which is used for authentication, online **and** offline, **for**

service;

public and private services;

Amendment 25

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point g

Regulation (EU) No 910/2014

Article 3 – paragraph 1 – point 29

Text proposed by the Commission

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

Amendment

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

Amendment 26

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – paragraph 1 – point 42

Text proposed by the Commission

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

Amendment

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

Amendment 27

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – paragraph 1 – point 46

Text proposed by the Commission

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

Amendment

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

Amendment 28

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – paragraph 1 – point 47

Text proposed by the Commission

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

Amendment

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

Amendment 29

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

Article 3 – paragraph 1 – point 55

Text proposed by the Commission

(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.

Amendment

(55) ‘***record matching***’ 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;

Amendment 30

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

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

Text proposed by the Commission

Amendment

(55a) ‘unique identifier’ means an identifier, which may consist of either single or multiple national or sectoral identification data and is associated with a single user within a given system;

Amendment 31

Proposal for a regulation

Article 1 – paragraph 1 – point 3 – point i

Regulation (EU) No 910/2014

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

Text proposed by the Commission

Amendment

(55b) ‘trusted third party’ means a natural person designated by a judicial authority within the framework of a legal guardianship regime, who is able to use the European Digital Identity Wallets on behalf of their holders.

Amendment 32

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) No 910/2014

Article 5 – title

Text proposed by the Commission

Amendment

Pseudonyms in electronic *transaction*

Personal data protection and pseudonyms in electronic *transactions*

Amendment 33

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

Text proposed by the Commission

Amendment

1. Processing of personal data under this Regulation 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.

Amendment 34

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

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.

2. Without prejudice to the legal effect given to pseudonyms under national law and unless specific rules of the Union or national law require users to identify themselves for legal purposes, the use of pseudonyms in electronic transactions shall always be allowed and shall not be prohibited or restricted by means of a contract or the terms and conditions applicable to the use of the service.

Amendment 35

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

Text proposed by the Commission

Amendment

3. European Digital Identity Wallets shall enable the user *to*:

3. European Digital Identity Wallets shall enable the user, **in a manner that is**

transparent to, controlled and traceable by the user:

Amendment 36

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) ***to*** securely request and obtain, store, select, combine and share the necessary legal person identification data and electronic attestation of attributes, ***while ensuring that selective disclosure is possible***;

Amendment 37

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 3 – point a (new)

Text proposed by the Commission

(aa) ***to authenticate online and offline in order to use public and private services; and***

Amendment

Amendment 38

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 3 – point b

Text proposed by the Commission

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

Amendment

(b) ***to*** sign by means of electronic signatures ***and to use electronic seals***.

Amendment 39

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, to receive electronic attestations of attributes **or both**;

Amendment 40

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

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

Text proposed by the Commission

Amendment

(da) ensure that relying parties can only request information based on the approval granted by a Member State in accordance with Article 6b(1);

Amendment 41

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 4 – point e

Text proposed by the Commission

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

Amendment

(e) ensure that the person identification data referred to in **Article** 12(4), point (d), **match** the natural or legal person associated with it;

Amendment 42

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

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

Text proposed by the Commission

Amendment

(ea) enable the user to access and retrieve 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;

Amendment 43

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

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

Text proposed by the Commission

Amendment

(eb) 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 that leads to its suspension, revocation or withdrawal pursuant to Article 10a;

Amendment 44

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

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

Text proposed by the Commission

Amendment

(ec) ensure that the user is able to contact support services of the European Digital Identity Wallet issuer.

Amendment 45

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 ***an*** electronic identification scheme of level of assurance ‘high’ ***notified pursuant to Article 9(1) and shall be made available on a wide variety of platforms.*** The use of the European Digital Identity Wallets shall be ***voluntary and*** free of charge to natural persons.

Amendment 46

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Enjoyment of rights and access to services, particularly government services, justice, the labour market and freedom to conduct business shall not be restricted or hindered for natural persons not using the European Digital Identity Wallet. Where essential services are provided and access to those requires the use of the European Digital Identity Wallet, easily accessible alternatives shall be offered by the service provider.

Amendment 47

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. *Upon the death of the user, the authority responsible for settling the succession shall ensure the extinction of the European Digital Identity Wallets and the transmission of the assets to the heirs.*

Amendment 48

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 10 a (new)

Text proposed by the Commission

Amendment

10a. *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.*

Amendment 49

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6a – paragraph 11

Text proposed by the Commission

Amendment

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

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

referred to in Article 48(2).

Amendment 50

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6b – paragraph 1

Text proposed by the Commission

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

Amendment

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

Amendment 51

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014

Article 6b – paragraph 2

Text proposed by the Commission

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

Amendment

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

Amendment 52

Proposal for a regulation

Article 1 – paragraph 1 – point 7

Regulation (EU) No 910/2014
Article 6b – paragraph 4

Text proposed by the Commission

4. Within 6 months of the entering 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.

Amendment 53

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

Text proposed by the Commission

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

Amendment

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

Amendment 54

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

Text proposed by the Commission

3. Within 6 months of the entering into force of this Regulation, the Commission shall define formats and

Amendment

3. Within 6 months of the entering into force of this Regulation, the Commission shall, **by means of**

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).*

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).*

Amendment 55

Proposal for a regulation

Article 1 – paragraph 1 – point 8

Regulation (EU) No 910/2014

Section 2 – title

Text proposed by the Commission

ELECTRONIC IDENTIFICATION
SCHEMES

Amendment

**ELIGIBILITY FOR NOTIFICATION
OF ELECTRONIC IDENTIFICATION
SCHEMES**

Amendment 56

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EU) No 910/2014

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

Pursuant to Article 9(1) Member States shall notify, within 12 months after the entry into force of this Regulation at least one electronic identification scheme including at least *one identification means*:

Amendment

1. Pursuant to Article 9(1) Member States shall notify, within 12 months after the entry into force of this Regulation at least one electronic identification scheme including at least *the European Digital Identity Wallet issued pursuant to Article 6a.*

Amendment 57

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EU) No 910/2014

Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. *Member States may notify other electronic identification schemes, which shall be eligible for notification pursuant to Article 9(1) provided that all of the following conditions are met:*

Amendment 58

Proposal for a regulation

Article 1 – paragraph 1 – point 10

Regulation (EU) No 910/2014

Article 9 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall publish in the Official Journal of the European Union the amendments to the list referred to in paragraph 2 within one month from the date of receipt of **that** notification.;

3. The Commission shall publish in the Official Journal of the European Union the amendments to the list referred to in paragraph 2 within one month from the date of receipt of **a new** notification **by a Member State**.

Amendment 59

Proposal for a regulation

Article 1 – paragraph 1 – point 11

Regulation (EU) No 910/2014

Article 10a – paragraph 5

Text proposed by the Commission

Amendment

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

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

Amendment 60

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

Text proposed by the Commission

Unique Identification

Amendment

Cross-border record matching

Amendment 61

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 ***electronic identification***, Member States shall ensure ***record matching***.

Amendment 62

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. ***In order to identify the user upon their request in those cases where identification of the user is required by law, unique and persistent identifiers issued by a Member State or generated by the European Digital Identity Wallet shall be provided along with the minimum set of person identification data referred to in Article 12(4), point (d). Where provided under national law, unique and persistent identifiers may be sector- or relying-party-specific, as long as they uniquely identify the user across the Union.***

Amendment 63

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) No 910/2014

Article 11a – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall provide for technical and organisational measures in order to ensure a high level of personal data protection pursuant to this Regulation and other applicable Union law, in particular Regulation (EU) 2016/679, and address the risk of tracking and profiling.

Amendment 64

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) No 910/2014

Article 11a – paragraph 3

Text proposed by the Commission

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 an implementing act on the implementation of the European Digital Identity Wallets as referred to in Article 6a(10).**

3. Within 6 months of the entering into force of this Regulation, the Commission shall **adopt delegated acts in accordance with Article 47 in order to supplement this Regulation by** further *specifying* the measures referred to in *paragraphs 1* and 2.

Amendment 65

Proposal for a regulation

Article 1 – paragraph 1 – point 13 – point b

Regulation (EU) No 910/2014

Article 12 – paragraph 4 – point d

Text proposed by the Commission

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

Amendment

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

Amendment 66

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, **record matching** and assurance levels;

Amendment 67

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b – paragraph 2

Text proposed by the Commission

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

Amendment

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

accordance with Article 6a.

Amendment 68

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b – paragraph 3

Text proposed by the Commission

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

Amendment

3. Where very large online platforms as defined in Regulation [reference DSA Regulation] Article 25.1., ***in accordance with the applicable Union or national law,*** 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 69

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b – paragraph 5

Text proposed by the Commission

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

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 ***consumer demand,*** availability and usability of the European Digital Identity Wallet, additional private online service providers shall accept the use of the European Digital identity Wallet strictly upon voluntary request of the user. Criteria of assessment ***shall*** may include extent of user base, cross-border presence

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.

of service providers, technological development, evolution in usage patterns **and consumer demand. Whenever, on the basis of this assessment, the Commission concludes that additional private online service providers shall accept the use of the European Digital Identity Wallet, it shall be empowered to adopt delegated acts in accordance with Article 47** 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 70

Proposal for a regulation

Article 1 – paragraph 1 – point 16

Regulation (EU) No 910/2014

Article 12b – paragraph 6

Text proposed by the Commission

6. **For the purposes of this Article,** European Digital Identity Wallets shall not be subject to the requirements referred to in articles 7 and 9.

Amendment

6. European Digital Identity Wallets shall not be subject to the requirements referred to in articles 7 and 9, **without prejudice to the obligation to notify, pursuant to Article 9(1), the electronic identification scheme under which the European Digital Identity Wallets are issued.**

Amendment 71

Proposal for a regulation

Article 1 – paragraph 1 – point 20 – point c

Regulation (EU) No 910/2014

Article 17 – paragraph 8

Text proposed by the Commission

8. Within 12 months of the entering into force of this Regulation, the Commission shall, **by means of implementing acts,** further **specify** the tasks of the Supervisory **Authorities**

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

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).;**

specifying the tasks of the supervisory bodies referred to in paragraph 4.

Amendment 72

Proposal for a regulation

Article 1 – paragraph 1 – point 20 – point c

Regulation (EU) No 910/2014

Article 17 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8a. 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).

Amendment 73

Proposal for a regulation

Article 1 – paragraph 1 – point 21 – point b

Regulation (EU) No 910/2014

Article 18 – paragraph 1

Text proposed by the Commission

Amendment

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

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

Amendment 74

Proposal for a regulation

Article 1 – paragraph 1 – point 21 – point c

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).**

Amendment 75

Proposal for a regulation

Article 1 – paragraph 1 – point 22 – point c

Regulation (EU) No 910/2014

Article 20 – paragraph 3 – subparagraph 2

Text proposed by the Commission

where that provider does not provide a remedy and, where applicable within the time limit set by the supervisory body, the supervisory body, taking into account in particular, the extent, duration and consequences of that failure, may withdraw the qualified status of that provider or of the service concerned which it provides **and, request it, where applicable within a set time limit, to comply with the requirements of Directive XXXX/XXXX/NIS2].** The supervisory body shall inform the body referred to in Article 22(3) for the purposes of updating the trusted lists referred to in Article 22(1).

Amendment

Where that provider does not provide a remedy and, where applicable within the time limit set by the supervisory body, the supervisory body, taking into account in particular, the extent, duration and consequences of that failure, may withdraw the qualified status of that provider or of the service concerned which it provides. The supervisory body shall inform the body referred to in Article 22(3) for the purposes of updating the trusted lists referred to in Article 22(1).

Amendment 76

Proposal for a regulation

Article 1 – paragraph 1 – point 22 – point c

Regulation (EU) No 910/2014

Article 20 – paragraph 3 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Where the supervisory body is informed by the national competent authorities under Directive (EU) XXXX/XXXX of the European Parliament and of the Council [NIS2] that the qualified trust service provider fails to fulfil any of the requirements set out in Article 18 of that Directive, the supervisory body, taking into account in particular the extent, duration and consequences of that failure, may withdraw the qualified status of that provider or of the service concerned which it provides.

Amendment 77

Proposal for a regulation

Article 1 – paragraph 1 – point 23 – point a

Regulation (EU) No 910/2014

Article 21 – paragraph 2 – subparagraph 3

Text proposed by the Commission

Amendment

Where the supervisory body concludes that the trust service provider and the trust services provided by it comply with the requirements referred to in the first **subparagraph**, the supervisory body shall grant qualified status to the trust service provider and the trust services it provides and inform the body referred to in Article 22(3) for the purposes of updating the trusted lists referred to in Article 22(1), not later than three months after notification in accordance with paragraph 1 of this Article.

Where the supervisory body concludes, ***on the basis of the verification it conducts or the information received from the national competent authorities under Directive (EU) XXXX/XXXX of the European Parliament and of the Council [NIS2]***, that the trust service provider and the trust services provided by it comply with the requirements referred to in the first ***and second subparagraphs***, the supervisory body shall grant qualified status to the trust service provider and the trust services it provides and inform the body referred to in Article 22(3) for the purposes of updating the trusted lists referred to in Article 22(1), not later than three months after notification in accordance with paragraph 1 of this Article.

Amendment 78

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point a a (new)

Regulation (EU) No 910/2014

Article 24 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(aa) the following paragraph 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).’;

Amendment 79

Proposal for a regulation

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

Regulation (EU) No 910/2014

Article 24 – paragraph 1a

Text proposed by the Commission

Amendment

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

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

Amendment 80

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point b

Regulation (EU) No 910/2014

Article 24 – paragraph 1a

Text proposed by the Commission

Amendment

1a. Within 12 months after the entry into force of this Regulation, the Commission shall by means of implementing acts, set out **minimum**

1b. Within 12 months after the entry into force of this Regulation, the Commission shall by means of implementing acts, set out standards and

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).

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 81

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point e

Regulation (EU) No 910/2014

Article 24 – paragraph 5

Text proposed by the Commission

5. Within 12 months of the entering into force of this Regulation, the Commission shall, by means of implementing acts, establish reference numbers of standards for the requirements referred to in paragraph 2. ***compliance with the requirements laid down in this Article shall be presumed, where trustworthy systems and products meet those standards.*** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).

Amendment

5. Within 12 months of the entering into force of this Regulation, the Commission shall, by means of implementing acts, establish reference numbers of standards for the requirements referred to in paragraph 2 ***of this Article.*** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 48(2).

Amendment 82

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point e a (new)

Regulation (EU) No 910/2014

Article 24 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

(ea) the following paragraph is inserted:

‘5a. Compliance with the requirements laid down in this Article shall be presumed where trustworthy systems and products meet the reference numbers of

standards referred to in paragraph 5.;

Amendment 83

Proposal for a regulation

Article 1 – paragraph 1 – point 25 – point f

Regulation (EU) No 910/2014

Article 24 – paragraph 6

Text proposed by the Commission

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

Amendment

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

Amendment 84

Proposal for a regulation

Article 1 – paragraph 1 – point 27

Regulation (EU) No 910/2014

Article 29 – paragraph 1 a

Text proposed by the Commission

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

Amendment 85

Proposal for a regulation

Article 1 – paragraph 1 – point 28

Regulation (EU) No 910/2014

Article 29a – paragraph 1 a (new)

Text proposed by the Commission

Amendment

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 establishing technical specifications for the purposes of paragraph 1.

Amendment 86

Proposal for a regulation

Article 1 – paragraph 1 – point 28

Regulation (EU) No 910/2014

Article 29a – paragraph 2

Text proposed by the Commission

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.

Amendment

2. Within 12 months of the entering into force of this Regulation, the Commission shall, by means of implementing acts, establish 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).***

Amendment 87

Proposal for a regulation

Article 1 – paragraph 1 – point 38

Regulation (EU) No 910/2014

Article 45

Text proposed by the Commission

(38) Article 45 is replaced by the following:

‘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

Amendment

deleted

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).;

Amendment 88

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 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 that it has***

been issued by a trust service provider established in a different Member State.

Amendment 89

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45a – paragraph 2

Text proposed by the Commission

2. A qualified electronic attestation of attributes shall have the same legal effect as lawfully issued *attestations* in paper form.

Amendment

2. A qualified electronic attestation of attributes shall have the same legal effect as *a* lawfully issued *attestation* in paper form. *Relying parties shall continue to accept such attestations in paper form as an alternative to electronic attestation of attributes.*

Amendment 90

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45c – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Where a qualified electronic attestation of attributes has been suspended after initial issuance, it shall lose its validity for the duration of the suspension.

Amendment 91

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45c – paragraph 4

Text proposed by the Commission

4. Within 6 months of the entering

Amendment

4. Within 6 months of the entering

into force of this Regulation, the Commission shall establish 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 6a(10).

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 procedure** referred to in Article 48(2).

Amendment 92

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45d – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. 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.

Amendment 93

Proposal for a regulation

Article 1 – paragraph 1 – point 39

Regulation (EU) No 910/2014

Article 45d – paragraph 2

Text proposed by the Commission

Amendment

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

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

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

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

Amendment 94

Proposal for a regulation

Article 1 – paragraph 1 – point 39 a (new)

Regulation (EU) No 910/2014

Article 47

Present text

Amendment

3. The delegation of power referred to in **Article 30(4)** 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.

(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

5. A delegated act adopted pursuant to **Article 30(4)** 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.

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.’;

Amendment 95

Proposal for a regulation

Annex V – paragraph 1 – introductory part

Text proposed by the Commission

Qualified electronic attestation of attributes shall **contain**:

Amendment

Qualified electronic attestation of attributes shall **meet the following requirements**:

Amendment 96

Proposal for a regulation

Annex V – paragraph 1 – point a

Text proposed by the Commission

(a) an indication, at least in a form suitable for automated processing, that the attestation has been issued as a qualified electronic attestation of attributes;

Amendment

(a) **contain** an indication, at least in a form suitable for automated processing, that the attestation has been issued as a qualified electronic attestation of attributes;

Amendment 97

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

Text proposed by the Commission

Amendment

(aa) *be issued by a qualified trust service provider;*

Amendment 98

Proposal for a regulation Annex V – paragraph 1 – point b – introductory part

Text proposed by the Commission

Amendment

(b) a set of data unambiguously representing the qualified trust service provider issuing the qualified electronic attestation of attributes including at least, the Member State in which that provider is established and:

(b) **contain** a set of data unambiguously representing the qualified trust service provider issuing the qualified electronic attestation of attributes including at least, the Member State in which that provider is established and:

Amendment 99

Proposal for a regulation Annex V – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) a set of data unambiguously representing the entity to which the attested attributes is referring to; if a pseudonym is used, it shall be clearly indicated;

(c) **contain** a set of data unambiguously representing the entity to which the attested attributes is referring to; if a pseudonym is used, it shall be clearly indicated;

Amendment 100

Proposal for a regulation Annex V – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the attested attribute or attributes,

(d) **contain** the attested attribute or

including, where applicable, the information necessary to identify the scope of those attributes;

attributes, including, where applicable, the information necessary to identify the scope of those attributes;

Amendment 101

Proposal for a regulation Annex V – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) details of the beginning and end of the attestation's period of validity;

(e) **contain** details of the beginning and end of the attestation's period of validity;

Amendment 102

Proposal for a regulation Annex V – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) the attestation identity code, which must be unique for the qualified trust service provider and if applicable the indication of the scheme of attestations that the attestation of attributes is part of;

(f) **contain** the attestation identity code, which must be unique for the qualified trust service provider and if applicable the indication of the scheme of attestations that the attestation of attributes is part of;

Amendment 103

Proposal for a regulation Annex V – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) the advanced electronic signature or advanced electronic seal of the issuing qualified trust service provider;

(g) **contain** the advanced electronic signature or advanced electronic seal of the issuing qualified trust service provider;

Amendment 104

Proposal for a regulation Annex V – paragraph 1 – point h

Text proposed by the Commission

Amendment

(h) the location where the certificate supporting the advanced electronic signature or advanced electronic seal referred to in point (f) is available free of charge;

(h) ***contain*** the location where the certificate supporting the advanced electronic signature or advanced electronic seal referred to in point (f) is available free of charge;

Amendment 105

Proposal for a regulation

Annex V – paragraph 1 – point h a (new)

Text proposed by the Commission

Amendment

(ha) be protected by means that the issuer of the qualified electronic attestation of attribute can, with a high level of confidence, consider under its control;

Amendment 106

Proposal for a regulation

Annex V – paragraph 1 – point h b (new)

Text proposed by the Commission

Amendment

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

Amendment 107

Proposal for a regulation

Annex VI – paragraph 1 – point 2

Text proposed by the Commission

Amendment

2. ***Age;***

2. ***Date of birth;***

Justification

Date of birth is more useful information than age.

Amendment 108

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

Text proposed by the Commission

Amendment

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

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity		
References	COM(2021)0281 – C9-0200/2021 – 2021/0136(COD)		
Committee responsible Date announced in plenary	ITRE 8.7.2021		
Opinion by Date announced in plenary	JURI 8.7.2021		
Associated committees - date announced in plenary	16.12.2021		
Rapporteur for the opinion Date appointed	Pascal Arimont 12.7.2021		
Discussed in committee	28.2.2022	2.6.2022	30.6.2022
Date adopted	27.10.2022		
Result of final vote	+: –: 0:	20 2 2	
Members present for the final vote	Pascal Arimont, Ilana Cicurel, Geoffroy Didier, Pascal Durand, Angel Dzhambazki, Ibán García Del Blanco, Virginie Joron, Sergey Lagodinsky, Gilles Lebreton, Karen Melchior, Sabrina Pignedoli, Franco Roberti, Raffaele Stancanelli, Marie Toussaint, Axel Voss, Marion Walsmann, Tiemo Wölken, Javier Zarzalejos		
Substitutes present for the final vote	Patrick Breyer, Theresa Muigg, Luisa Regimenti		
Substitutes under Rule 209(7) present for the final vote	Barry Andrews, Isabel Carvalhais, Pierre Larrouturou, Andrey Novakov, Anne-Sophie Pelletier		

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

20	+
PPE	Pascal Arimont, Geoffroy Didier, Ljudmila Novak, Luisa Regimenti, Axel Voss, Marion Walsmann, Javier Zarzalejos
S&D	Isabel Carvalhais, Ibán García Del Blanco, Pierre Larrourou, Franco Roberti, Tiemo Wölken
Renew	Barry Andrews, Ilana Cicurel, Pascal Durand, Karen Melchior
Verts/ALE	Sergey Lagodinsky, Marie Toussaint
The Left	Anne-Sophie Pelletier
NI	Sabrina Pignedoli

2	-
ID	Virginie Joron, Gilles Lebreton

2	0
ECR	Angel Dzhambazki, Raffaele Stancanelli

Key to symbols:

+ : in favour

- : against

0 : abstention