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**COMMISSION IMPLEMENTING REGULATION (EU) .../...**

**of XXX**

**laying down rules for the application of Regulation (EU) No 910/2014 of the European Parliament and of the Council as regards notifications to the Commission concerning the European Digital Identity Wallet ecosystem**

*This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.*

# COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

## laying down rules for the application of Regulation (EU) No 910/2014 of the European Parliament and of the Council as regards notifications to the Commission concerning the European Digital Identity Wallet ecosystem

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC<sup>1</sup>, and in particular Article 5a(23) thereof,

Whereas:

- (1) The European Digital Identity Framework established by Regulation (EU) No 910/2014, is a crucial component in the establishment of a secure and interoperable digital identity ecosystem across the Union. With the European Digital Identity Wallets ('wallets') being the cornerstone of the framework, it aims at facilitating access to services across Member States, for citizens, residents, and businesses, while ensuring the protection of personal data and privacy.
- (2) Article 5a(23) of Regulation (EU) No 910/2014 mandates the Commission, where necessary, to establish relevant specifications and procedures. This is achieved by means of four implementing Regulations, dealing with protocols and interfaces [Commission Implementing Regulation 2024/XXX<sup>2</sup>], integrity and core functionalities [Commission Implementing Regulation 2024/XXX<sup>3</sup>], person identification data and electronic attestation of attributes [Commission Implementing Regulation 2024/XXX<sup>4</sup>], as well as the trust framework [Commission Implementing Regulation 2024/XXX<sup>5</sup>]. This Regulation lays down the relevant requirements for Member States notifications of trusted entities that establish trustworthiness of the European Digital Identity Framework.
- (3) To meet the objective of establishing a transparent and reliable source of information for authenticating entities in the European Digital Identity Wallet ecosystem, such as wallet providers, providers of person identification data and wallet relying parties, Member States should notify the relevant and precise information to the electronic system provided by the Commission. In line with the approach taken by Commission

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<sup>1</sup> OJ L 257, 28.8.2014, p.73, ELI: <http://data.europa.eu/eli/reg/2014/910/oj>.

<sup>2</sup> OJ ..., ELI: XXX.

<sup>3</sup> OJ ..., ELI: XXX.

<sup>4</sup> OJ ..., ELI: XXX.

<sup>5</sup> OJ ..., ELI: XXX.

Implementing Decision (EU) 2015/1984<sup>6</sup> defining the circumstances, formats and procedures of notification with respect to electronic identification schemes applicable to electronic identification means, information should be provided by the Member States to the Commission in English. In this manner, descriptions of electronic identification schemes are available in English for all such schemes, irrespective of whether they relate to electronic identification means or to wallets.

- (4) For the same purpose, the Commission should establish a trust framework in order to make the information available to the public in a secure, human-readable, clear, and easily accessible manner, as well as in an electronically signed or sealed form suitable for automated processing, including by exposing an application programming interface.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 48 of Regulation (EU) No 910/2014,

HAS ADOPTED THIS REGULATION:

### *Article 1*

#### **Subject matter and scope**

This Regulation establishes the trust framework for the validation of:

- (1) the electronic registers used by a Member State to publish information on wallet relying parties registered in that Member State in accordance with Article 5b(5) of Regulation (EU) No 910/2014 ('registers'), the location of the registers, and the identification of the registrars;
- (2) the identity of the registered wallet relying parties;
- (3) the authenticity and validity of wallet units;
- (4) the identification of the wallet providers;
- (5) the authenticity of person identification data;
- (6) the identification of the providers of person identification data.

### *Article 2*

#### **Definitions**

For the purpose of this Regulation, the following definitions apply:

- (1) 'wallet provider' means a natural or legal person who provides wallet solutions;
- (2) 'wallet solution' means a combination of software, hardware, services, settings, and configurations, including wallet instances, one or more wallet secure cryptographic applications and one or more wallet secure cryptographic devices, and which is managed and operated by a wallet provider;

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<sup>6</sup> OJ 289, 5.11.2015, p.18, ELI: [http://data.europa.eu/eli/dec\\_impl/2015/1984/oj](http://data.europa.eu/eli/dec_impl/2015/1984/oj).

- (3) 'wallet instance' means the application installed and configured on a wallet user's device or environment, which is part of a wallet unit, and that the wallet user uses to interact with the wallet unit;
- (4) 'wallet secure cryptographic application' means an application that manages critical assets by using the cryptographic functions provided by the wallet secure cryptographic device;
- (5) 'wallet secure cryptographic device' means an environment that hosts the wallet secure cryptographic application and provides cryptographic functions;
- (6) 'critical assets' means information that would put a wallet unit in a critical state in case the assets get compromised and therefore needs protection against duplication and tampering;
- (7) 'wallet cryptographic operation' means a cryptographic mechanism necessary in the context of authentication of the wallet user and the issuance or presentation of person identification data or electronic attestations of attributes;
- (8) 'provider of person identification data' means a natural or legal person responsible for ensuring that the person identification data of a user is cryptographically bound to a wallet unit;
- (9) 'wallet relying party' means a relying party that intends to rely upon wallet units for the provision of public or private services by means of digital interaction;
- (10) 'wallet unit' means a unique configuration of a wallet solution that includes wallet instances, wallet secure cryptographic applications and wallet secure cryptographic devices provided by a wallet provider to an individual wallet user;
- (11) 'wallet user' means a natural or legal person who is the subject of the person identification data associated with the wallet unit that they are in control of;
- (12) 'register' means an electronic register used by a Member State to make information on wallet relying parties registered in that Member State publicly available as set out in Article 5b(5) of Regulation (EU) No 910/2014;
- (13) 'registrar' means a natural or legal person mandated by a Member State to establish a register;
- (14) 'provider of wallet relying party access certificates' means a natural or legal person mandated by a Member State to issue relying party access certificates to wallet relying parties registered in that Member State;
- (15) 'wallet relying party access certificate' means a certificate for electronic seals or signatures authenticating and validating the wallet relying party issued by a provider of wallet relying party access certificates.

### *Article 3*

#### **Notifications system**

- 1. The Commission shall make available to Member States a secure electronic notification system, enabling Member States to notify the information on the bodies and mechanisms referred to in Article 5a(18) of Regulation (EU) No 910/2014.
- 2. The secure electronic notification system shall comply with the technical requirements laid down in Annex I.

## *Article 4*

### **Notifications by Member States**

1. Member States shall submit, through the secure electronic notification system referred to in Article 3(1), at least the information specified in Annex II.
2. Member States shall make the notifications at least in English. Member States shall not be obliged to translate any document supporting the notifications where this would create an unreasonable administrative or financial burden.
3. The Commission may request additional information or clarifications from the Member States for the purpose of verifying the completeness and consistency of the notified information.

## *Article 5*

### **Publications by the Commission**

1. The Commission shall establish, maintain and publish a list compiling the necessary information notified by Member States on registrars and registers as referred to in Annex II section 1.
2. The Commission shall establish, maintain and publish a list compiling the necessary information notified by Member States on wallet providers, providers of person identification data and providers of wallet relying party access certificates, as referred to in Annex II sections 2, 3 and 4.
3. The Commission shall ensure the lists referred to in paragraphs 1 and 2 of this Article can be accessed:
  - (a) in both electronically signed or sealed form suitable for automated processing and through a human readable website available in at least English;
  - (b) without the need to register or to be authenticated to obtain or read the lists;
  - (c) securely by using state of the art transport layer encryption.
4. In addition to the publications of the lists referred to in paragraphs 1 and 2, the Commission shall publish:
  - (a) the technical specifications the Commission uses for the structure of the lists;
  - (b) the details of the URL where the lists are published;
  - (c) the certificates to be used to verify the signature or seal on the lists;
  - (d) the details on mechanisms used to validate future changes to the location referred to in point (b) or to the certificates referred to in point (c).

## *Article 6*

### **Entry into force**

This Regulation shall enter into force 12 months following the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission*  
*The President*  
*Ursula VON DER LEYEN*

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