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ILNAS/PSCQ/A005

Rights and responsibilities of QTSPs


Modifications: Header & reference changed

1, avenue du Swing
L-4367 Belvaux
Tél.: (+352) 247 743 50
Fax: (+352) 247 943 50

confiance-numerique@ilnas.etat.lu
www.portail-qualite.public.lu

Checked by Alain Wahl


Approved by Jean-Philippe Humbert

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Responsibilities of ILNAS

ILNAS publishes the QTSP status on the trust list that contains the following information:

- The registered name and address of the supervised QTSP together with the scope of activities
- A supervision number
- The stated term of validity of the supervision
- The issue date (date the supervision issue takes effect)
- A brief description of the supervision
- Standards related and regulatory documents that are the basis for QTSP's services


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Responsibilities of supervised QTSPs

Maintaining the QTSP status

As part of maintaining the QTSP status, the QTSP must:

- Adhere to legal requirements, especially concerning right of domicile.
- Meet requirements of the European Regulation for certifying Qualified Trust Service Providers (QTSPs).
- Agree to supervision and to cooperate verifying conformity to certification standards. This cooperation includes, among other items, the following:
 - Authorizing assessment teams to be present at tests or verification trials;
 - Allowing the supervision organization to carry out any reasonable checks of the QTSP's capacity to perform tests or checks;
 - Guaranteeing Digital trust department supervision teams access to their subcontractors' premises as part of checks conducted for supervision programs;
 - Providing a copy of their certificate of the conformity assessment and of the final conformity assessment report;
 - Providing the dates of the conformity assessment;
 - Providing information, documents and records necessary to the assessment and to maintain the QTSP status.
 - Adhere to the supervision program.
 - Authorize supervision visits outside of the Digital trust department program undertaken as a result of a complaint. Such visits may not occur within five working days of digital trust department notifying the QTSP of this type of site visit.
 - Facilitate cooperation with the Digital trust department in the observation of services performed by the QTSP.
- Settle application fees and assessment fees, including travel and lodging fees, regardless of assessment results and settle fees for subsequent Digital trust department supervision visits.
- Agree to include the organization's name in the national trusted list published on the Digital trust department site following acceptance of notification.

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Supervised QTSP, in dealing with third parties

- May not use its supervision in a manner detrimental to the reputation of the supervision organization, nor make statements relating to their supervision that could reasonably be considered misleading or that could mislead a third party.
- Must conform not only to the directives contained in this document but also to any ethical rules that apply in a particular area of activity.
- Shall immediately desist from the use of its supervision status on the expiration date and halt all type of advertising that refers to this supervision in any manner whatsoever.
- Shall clearly state in contracts with its customers that the organization's supervision or any link to a test or control procedure can never be construed as an approval of a product by the Digital trust department.

Major changes, events, incidents or complaints

The supervised QTSP must inform the ILNAS – Digital trust department immediately of all major changes, events, incidents and complaints relating to its supervision that may arise in any aspect of the organisation's status or operations that have a bearing on the following events. The notification of one of these events shall lead to a supervision review requiring either a full conformity assessment or a surveillance conformity assessment depending on the criticality, the implications and the nature of the notified event:

- Its legal, commercial, ownership or organizational status;
- Structure, management and staff in key positions;
- Key policies or practices;
- Resources and premises;
- Scope of supervision;
- Security breach or any incident with regards to the QTSP;
- Complaints by third parties;
- Intention to cease one or more of QTSP services (note that such a notification will lead to the change of the actual QTSP status into "supervisionin cessation" in the Trusted list);
- Expected or unexpected termination of a QTSP service;
- All other areas that may impact the capability of the QTSP to meet supervision requirements.

The ILNAS – Digital trust department can initiate a supervision review at any time on its sole discretion.