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	<b>ILNAS/PSDC/A005</b>	
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# **ILNAS/PSDC/A005**

## **Rights and responsibilities of PSDCs**

Modifications: refer to the national standard ILNAS 106

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### **Responsibilities of ILNAS**

**ILNAS publishes the PSDC status on a list that contains the following information:**

- The registered name and address of the supervised PSDC 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 PSDC's services.

**All information provided to ILNAS will be treated as strictly confidential.**


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## Responsibilities of supervised PSDCs

### Maintaining the PSDC status

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

- Adhere to legal requirements, especially concerning right of domicile;
- Meet requirements of the national standard ILNAS 106 or of the technical regulation requirements and controls for certifying Digitisation or archiving service providers (PSDCs);
- 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 PSDC'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 against the national standard ILNAS 106 or against the technical regulation requirements and controls for certifying Digitisation or archiving service providers (PSDCs);
  - Providing a copy of the accreditation certificate of the conformity assessment body against the national standard ILNAS 106 or against the technical regulation requirements and controls for certifying Digitisation or archiving service providers (PSDCs);
  - Providing the dates of the conformity assessment;
  - Providing information, documents and records necessary to the assessment and to maintain the PSDC 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 PSDC of this type of site visit;
  - Facilitate cooperation with the Digital trust department in the observation of services performed by the PSDC.
- 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 PSDC list published on the Digital trust department site following acceptance of notification.

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### **Supervised PSDC, in dealing with third parties**

- May not use its supervision in a manner detrimental to the reputation of the supervision body, 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 PSDC 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 PSDC;
- Complaints by third parties;
- Intention to cease one or more of PSDC services (note that such a notification will lead to the change of the actual PSDC status into “supervision in cessation” in the list of PSDCs);
- Expected or unexpected termination of a PSDC service;
- All other areas that may impact the capability of the PSDC to meet supervision requirements.

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