

IMI Notification Number: 186483.1 – Rules on the provision and use of trust services

On 15 March 2021, Croatia notified the provisions of the 'Rules on the provision and use of trust services'. **Article 9 of the notified act** contains requirements for the qualified trust service provider to employ the following persons on a permanent basis:

- at least two experts holding a higher level degree in technology, mathematics or computer science and specialised in working with cryptographic technologies;
- at least three highly educated technical experts in the protection of computer systems and information databases with experience of working with systems for issuing, revoking and maintaining certificates;
- at least one highly educated law graduate with knowledge of systems for personal data protection and the use and legal compliance of electronic signatures.

The notified requirement falls **under Article 15(2) (f) of the Services Directive** and applies both to establishment and cross-border provision of services.

The Commission services would like to ask the Croatian authorities the following questions in relation to this requirement.

- 1) With regard to the obligation for the trust service provider to employ *a minimum number of technology experts* (first and second indent), did the Croatian authorities consider an alternative solution to the employment of such experts, for example by outsourcing that expertise to another service provider? Could the Croatian authorities explain on which basis they concluded on a necessary minimum number of experts?
- 2) With regard to the obligation for the trust service provider to employ '*at least one highly educated law graduate*' (third indent), could the Croatian authorities clarify how that requirement is related to the objective of ensuring the security of the system? Did the Croatian authorities consider an alternative solution to the employment of such a law-graduated person, for example by outsourcing that expertise to another service provider?