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**REPUBLIC OF ALBANIA**  
**NATIONAL AUTHORITY FOR ELECTRONIC CERTIFICATION**

**GUIDANCE NO. 3**

**FOR GENERAL TERMS**

Based on Law no. 9880, dated 25.2.2008 "On Electronic Signature", as amended, Law no. 107/2015, dated 1.10.2015 "On electronic identification and trusted services", as well as in the Decision of the Council of Ministers no. 69, dated 27.1.2016 "On the adoption of the Regulation on electronic identification and trusted services", the National Authority for Electronic Certification (hereinafter the Authority),

**INSTRUCTS**

All natural or legal persons who wish to exercise activity as a Qualified Trusted Service Providers (QTSP) or Conformity and Assessment Bodies (CAB) must comply with the following terms:

1. The Authority shall take a decision and notify the subjects that have applied for accreditation to it within 15 (fifteen) days of the submission of the application by the Trusted Service Provider or Conformity and Assessment Bodies (CAB) .

When additional documentation or information is required during the registration phase, the subject must complete their completion within 20 (twenty) days of receiving the notification.

If the required documentation is not completed within this deadline, then the subject request is canceled and the registration procedure has to be redeemed.

The Authority takes the decision and notifies the subject within 15 (fifteen) days from the date of submission of additional documentation.

2. In any case where information is requested from the Authority and the deadline is not specified in the request, the QTSP must reply within 5 (five) days of the receipt of the request.

3. In the case of the transfer of duties or activity of the QTSP to third parties, the latter shall notify the Authority no later than the day of the beginning of the transfer. The notice details the causes and consequences of this transfer.

4. The QTSP creates an Archive of Qualified Certificates by documenting qualified certificates issued in such a way that their data and accuracy are verifiable at any time.

The Archive of Qualified Certificates must be retained by the QTSP for not less than 20 (twenty) years from the date of the revocation or termination of the validity of the certificate.

5. If the signature code owner seeks to be acquainted with the data and related procedural steps that are stored by the QTSP, the latter shall be obliged to reply within 15 (fifteen) days from the moment of delivery of demand.

6. Whenever there are changes in the system that require verification of confidentiality retention after the change, the QTSP within a term of 15 (fifteen) days is obliged to notify the Authority and CAB by submitting to them any changes to the details / technical specifications of the system.

CAB within a period of 20 (twenty) days, control these modifications, conducts assessments, confirms technical compatibility and submits a report to the Authority. Depending on the changes and the substantiated request, this deadline may be extended.

7. The Trusted Service Provider who begins the activity must prove that it complies the legal, technical and financial requirements set out in the Regulation "On electronic identification and trusted services". These requirements must be fulfilled throughout the duration of the activity as QTSP.

8. The subjects seeking to be recognized as a Conformity and Assessment Bodies must submit an application to the Authority to request recognition by submitting at the same time all the documentation listed in the Regulation "On Electronic Identification and Trusted Services ". The deadlines set out above will apply. The CAB activity should be re-evaluated at least once every 2 (two) years.

9. Conflicts that may arise between QTSP and CAB are solved by the intervention of the Authority and / or in court. The Authority takes a decision within 30 (thirty) days of the submission of the complaint by the parties. If the parties do not agree with the Authority's decision, they may appeal to the court to resolve the case.

10. The deadlines set out in this guidance are calculated on a working day. Failure to observe the deadlines set out above, the finding of non-fulfillment of all types of deadlines set out in the law, regulations and instructions responsibly places the subjects that want to register, are registered or those who want to transfer or discontinue the activity.

11. Failure to observe the deadlines set out in this Guidance by QTSP and CAB is accompanied by administrative measures according to the provisions of Clause 57 of Law no. 9880, dated 25.2.2008 "On Electronic Signature" and Clause 37 of Law no. 107/2015, dated 1.10.2015 "On electronic identification and trusted services".

**Tiranë, on 8.2.2016**