



REPUBLIC OF ALBANIA
**NATIONAL AUTHORITY ON ELECTRONIC CERTIFICATION AND CYBER
SECURITY**

GUIDANCE

**For some changes in guidance No.1, dated 15.03.2023 "On the termination of the activity of
the qualified provider of the trusted service and the transfer of the service**

In support of Law no. 9880 of 25.2.2008 "On Electronic Signature", as amended, Law no. 107/2015, dated 1.10.2015 "On electronic identification and trusted services" and Decision of the Council of Ministers no. 69, dated 27.1.2016 "On the Approval of the Regulation on Electronic Identification and Trusted Services", the National Authority on Electronic Certification and Cyber Security.

INSTRUCTS:

1. In instruction No. 1, dated 15.03.2023 "On the termination of the activity of the qualified trusted service provider and the transfer of the service" the following changes should be made:

- 1.1 Point 1 to be changed with the following content:

"1. Verifies the final activity plans in cases where the qualified trusted service provider interrupts the activity, including:

The way in which the information is kept accessible for a period of at least 7 years after the completion of the certificate validation for the purpose of using them as evidence in legal proceedings, as well as to ensure the continuity of the service.

- 1.2 Point 3 shall be amended with the following content:

"3. In cases of transfer of trusted services to third parties, when this end does not have the status of "qualified, the authority considers the documentation of we need to obtain the status "qualified" for a period of 3 months from the application. Even if the verification of the documentation shows that they are needed additional information from TSP, the authority extends the deadline for its review documentation for another 30 days. The authority gives the qualified status at the end of the 3-month period if from the examination it turns out that there is no need for additional documentation or at the end of the period additional 30 days when the documentation fulfills the requirements of legal and by-laws in power.

- 1.3 Point 4 of the section "Obligations of the QTSP when terminating the activity or transferring the service to another QTSP " should be amended with the following content:
"4. QTSP records and keeps accessible for a period of at least 7 years after the end of the certificate's validity, all the relevant information on the released and collected data, with the purpose of using them in legal procedures, as well as to ensure continuity of the service when transferring it to another QTSP. Such a register can be kept electronically.

- 1.4 The first paragraph of the section "Duties of the new entity to which the service is transferred" is amended as follows:
"The new subject who does not have the status of "qualified" must undergo the process of obtaining the status of "qualified" for the exercise of activity as an QTSP, a process which must be undertaken before providing the trusted service'.

2. The National Authority on Electronic Certification and Cyber Security is charged with the implementation of this guidance.
3. This guidance takes effect immediately.