

Regulation (EU) No 910/2014 of the European Parliament and of the Council  
of 23 July 2014 on electronic identification and trust services for electronic  
transactions in the internal market and repealing Directive 1999/93/EC

CHAPTER III  
TRUST SERVICES

SECTION 5  
*Electronic seals*

Article 35

**Legal effects of electronic seals**

1 An electronic seal shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in an electronic form or that it does not meet the requirements for qualified electronic seals.

2 A qualified electronic seal shall enjoy the presumption of integrity of the data and of correctness of the origin of that data to which the qualified electronic seal is linked.

F13 .....

**Textual Amendments**

**F1** [Art. 35\(3\)](#) omitted (31.12.2020) by virtue of [The Electronic Identification and Trust Services for Electronic Transactions \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/89\)](#), reg. 1(2), **Sch. para. 30**; 2020 c. 1, Sch. 5 para. 1(1)

Article 36

**Requirements for advanced electronic seals**

An advanced electronic seal shall meet the following requirements:

- (a) it is uniquely linked to the creator of the seal;
- (b) it is capable of identifying the creator of the seal;
- (c) it is created using electronic seal creation data that the creator of the seal can, with a high level of confidence under its control, use for electronic seal creation; and
- (d) it is linked to the data to which it relates in such a way that any subsequent change in the data is detectable.

*Changes to legislation:* There are currently no known outstanding effects for the Regulation (EU) No 910/2014 of the European Parliament and of the Council, SECTION 5. (See end of Document for details)

Article 37

**Electronic seals in public services**

[<sup>F21</sup> If a public sector body requires an advanced electronic seal for the use of an online service offered by or on behalf of that body (but does not require it to be based on a qualified certificate for electronic seal), the body must recognise any advanced electronic seal (whether or not based on a qualified certificate for electronic seal) that complies with the Implementing Decision.

2 If a public sector body requires an advanced electronic seal based on a qualified certificate for electronic seal to use an online service offered by or on behalf of that body, the body must recognise any advanced electronic seal based on a qualified certificate for electronic seal, or any qualified electronic seal, that complies with the Implementing Decision.

3 If a public sector body requires an electronic seal to use an online service offered by or on behalf of that body, the body may not, for the use of that service from a place outside the United Kingdom, require the seal to be at a higher security level than that of a qualified electronic seal.]

<sup>F34</sup> .....

[<sup>F45</sup> In this Article “the Implementing Decision” means Commission Implementing Decision (EU) 2015/1506 laying down specifications relating to formats of advanced electronic signatures and advanced seals to be recognised by public sector bodies.]

**Textual Amendments**

**F2** Art. 37(1)-(3) substituted (31.12.2020) by The Electronic Identification and Trust Services for Electronic Transactions (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/89), reg. 1(2), **Sch. para. 31(2)**; 2020 c. 1, Sch. 5 para. 1(1)

**F3** Art. 37(4) omitted (31.12.2020) by virtue of The Electronic Identification and Trust Services for Electronic Transactions (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/89), reg. 1(2), **Sch. para. 31(3)**; 2020 c. 1, Sch. 5 para. 1(1)

**F4** Art. 37(5) substituted (31.12.2020) by The Electronic Identification and Trust Services for Electronic Transactions (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/89), reg. 1(2), **Sch. para. 31(4)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 38

**Qualified certificates for electronic seals**

1 Qualified certificates for electronic seals shall meet the requirements laid down in Annex III.

<sup>F52</sup> .....

3 Qualified certificates for electronic seals may include non-mandatory additional specific attributes. Those attributes shall not affect the interoperability and recognition of qualified electronic seals.

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 910/2014 of the European Parliament and of the Council, SECTION 5. (See end of Document for details)

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4 If a qualified certificate for an electronic seal has been revoked after initial activation, it shall lose its validity from the moment of its revocation, and its status shall not in any circumstances be reverted.

F<sup>6</sup>5 .....

F<sup>7</sup>6 .....

#### Textual Amendments

- F5** Art. 38(2) omitted (31.12.2020) by virtue of [The Electronic Identification and Trust Services for Electronic Transactions \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/89\)](#), reg. 1(2), **Sch. para. 32**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Art. 38(5) omitted (31.12.2020) by virtue of [The Electronic Identification and Trust Services for Electronic Transactions \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/89\)](#), reg. 1(2), **Sch. para. 32**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Art. 38(6) omitted (31.12.2020) by virtue of [The Electronic Identification and Trust Services for Electronic Transactions \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/89\)](#), reg. 1(2), **Sch. para. 32**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 39

#### Qualified electronic seal creation devices

1 Article 29 shall apply mutatis mutandis to requirements for qualified electronic seal creation devices.

2 Article 30 shall apply mutatis mutandis to the certification of qualified electronic seal creation devices.

3 Article 31 shall apply mutatis mutandis to the publication of a list of certified qualified electronic seal creation devices.

### Article 40

#### Validation and preservation of qualified electronic seals

Articles 32, 33 and 34 shall apply mutatis mutandis to the validation and preservation of qualified electronic seals.

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) No 910/2014 of the European Parliament and of the Council, SECTION 5.