

NOTIFICATION FORM FOR ELECTRONIC IDENTITY SCHEME UNDER ARTICLE 9(5) OF REGULATION (EU) No 910/2014

The Portuguese Republic hereby notifies the European Commission of an electronic identification scheme to be published in the list referred to in Article 9(3) of Regulation (EU) No 910/2014 and confirms the following:

— the information communicated in this notification is consistent with the information which has been communicated to the Cooperation Network in accordance with Article 7(g) of Regulation (EU) No 910/2014, and

— the electronic identification scheme can be used to access at least one service provided by a public sector body in the Portuguese Republic.

30-05-2018

Pedro Dias
President of Administrative Modernization Agency

1. General information

Title of scheme (if any)	Level(s) of assurance (low, substantial or high)
Cartão de Cidadão (CC ¹)	High
Chave Móvel Digital (CMD ²)	High
Sistema de Certificação de Atributos Profissionais (SCAP ³)	High

2. Authority(ies) responsible for the scheme

Name(s) of authority(ies)	Postal address(es)	E-mail address(es)	Telephone No
AMA - Agência para a Modernização Administrativa, I.P.	Rua Abranches Ferrão n.º 10, 3º 1600 - 001 Lisboa	ama@ama.pt	217 231 200

AMA is responsible for the CC, CMD and SCAP scheme, as stated in [L 7/2007⁴], [L 37/2014⁵] and [L 7/2007⁴] respectively.

3. Information on relevant parties, entities and bodies (where there are multiple parties, entities or bodies, please list them all, in accordance with Article 3(2) and (3))

3.1. Entity which manages the registration process of the unique person identification data

Name of entity which manages the registration process of the unique person identification data
<p>CC scheme:</p> <p>IRN – Instituto dos Registos e do Notariado, I.P., manages the registration process of the unique person identification data, if the registration process takes place in Portugal.</p> <p>The registration process is managed by the Ministério dos Negócios Estrangeiros⁶ (MNE) in cooperation with IRN, if the registration process of the unique person identification data takes place in a foreign country.</p> <p>CMD scheme:</p> <p>The registration process is managed by AMA.</p> <p>SCAP scheme:</p>

¹ Portuguese national identity card (eID card).

² Digital Mobile Key.

³ Professional Attributes Certification System.

⁴ With the wording given in [L 91/2015] and [L 32/2017].

⁵ With the wording given in [L 32/2017].

⁶ Ministry of Foreign Affairs.

The registration process is managed by AMA.

3.2. Party issuing the electronic identification means

Name of the party issuing the electronic identity means and indication of whether the party is referred to in Article 7(a)(i), (ii) or (iii) of Regulation (EU) No 910/2014

The electronic identity means are issued, according to article 7(a)(i) of Regulation (EU) no. 910/2014, by the notifying Member State, the Portuguese Republic, in particular managed by:

- IRN, for the CC scheme;
- AMA, for the CMD scheme;
- AMA for the SCAP scheme.

Article 7(a)(i)

Article 7(a)(ii)

Article 7(a)(iii)

3.3. Party operating the authentication procedure

Name of party operating the authentication procedure

The authentication procedure is managed by:

- AMA, for the CC scheme, under the “Cartão de Cidadão” qualified trust service provider, operated by IRN;
- AMA for the CMD scheme, under the “Chave Móvel Digital” qualified trust service provider, operated by AMA;
- AMA for the SCAP scheme, operated by itself.

The national eIDAS node is operated by AMA.

3.4. Supervisory body

Name of the supervisory body
(provide the name(s) where applicable)

The political coordination of the Portuguese electronic identification schemes is performed by the Ministry of the Presidency and Administrative Modernization (MPMA).

The single point of contact for notification of electronic identification schemes is AMA regarding article 9 of Regulation (EU) no. 910/2014.

Gabinete Nacional de Segurança (GNS) is the supervisory body regarding the article 17 of Regulation (EU) no. 910/2014.

4. Description of the electronic identification scheme

Document(s) may be enclosed for each of the following descriptions.

(a) Briefly describe the scheme including the context within which it operates and its scope

CC scheme:

The Portuguese CC eID card (Portuguese national identity card or Portuguese eID card) is a chip-based card issued to Portuguese nationals (natural persons), which serves as primary administrative proof of identity and nationality of its holder – it's both a physical identification document and a digital identity document. The card is mandatory for each Portuguese national aged 20 days. The activation of the authentication certificate is mandatory but the activation of the qualified signature certificate is an opt-in choice (the qualified signature certificate can only be activated and used if the eID card holder is aged 16 years or older).

Under the Porto Seguro Treaty [RAR 83/2000, DL 154/2003], the Portuguese eID card can be issued to nationals of the Federative Republic of Brazil, who enjoy equal rights and duties (with exception to freedom of movement within the European Union for Brazilian nationals, and to freedom of movement within the Mercosur for Portuguese nationals). The issuance of the Portuguese eID card is an opt-in choice for Brazilian nationals with Portuguese residence permit.

CMD scheme:

The Portuguese CMD eID is an online digital identity service, which serves to (i) authenticate Portuguese and foreign nationals (natural persons) when accessing services in portals and websites of public and private entities, and to (ii) digitally sign documents with the (remote) CMD qualified signature certificate (where the private key is on a remote electronic signature creation environment managed by AMA, under sole control of its owner, compliant with [CEN/TS 419241] and [prEN 419241-1]). The activation of the authentication and/or qualified signature service is an opt-in choice for Portuguese and foreign nationals aged 16 years or older.

SCAP scheme:

The Portuguese SCAP eID is an online digital identity service, which serves to (i) authenticate the functions that the owner (natural person) of a Portuguese CC eID card or CMD eID perform in society as qualified professional and/or the powers and capacities in the context of a public/private company, when accessing services in portals and websites of public and private entities, and to (ii) add qualified electronic seal(s) to a digitally signed document (signed with a CC or CMD qualified signature certificate by its owner (natural person)), with the function(s) the signee/citizen performs in society as qualified professional and/or the power(s) and capacity(ies) of the signee/citizen in the context of a public/private company. The usage of the SCAP eID is an opt-in choice for owners of a valid Portuguese CC eID card or CMD eID, aged 16 years or older.

An overview of the Portuguese electronic identity schemes is provided in [PT_eID_Whitepaper_CC], [PT_eID_Whitepaper_CMD], [PT_eID_Whitepaper_SCAP].

(b) Where applicable, list the additional attributes which may be provided for natural persons under the scheme if requested by a relying party

CC scheme:

If requested by a relying party and authorized by the citizen, the mandatory attributes ([eIDAS Attribute]) "FamilyName", "FirstName", "DateOfBirth" and "PersonIdentifier" are provided. The following optional attributes ([eIDAS Attribute]), if authorized by the citizen, can be provided:

- “CurrentAddress”,
- “Gender”.

Furthermore, under the Autenticação.GOV ([Autenticação.GOV]) service (Authentication provider of the Portuguese Public Administration), the following attributes can be provided, if authorized by the citizen:

- “Civil PersonIdentifier”,
- “FirstName”,
- “FamilyName”,
- “FullName”,
- “Tax PersonIdentifier”,
- “Social security PersonIdentifier”,
- “National health service PersonIdentifier”,
- “Nationality”,
- “Age”,
- “Height”,
- “Certificate Serial Number”,
- “Photo”,
- “Expiration Date”,
- “DateOfBirth”,
- “Father’s FirstName”,
- “Father’s FamilyName”,
- “Mother’s FirstName”,
- “Mother’s FamilyName”,
- “Special details”,
- “Document number”,
- “Machine-readable area 1”
- “Machine-readable area 2”,
- “Machine-readable area 3”,
- “Version of the eID card”,
- “Issuance date”,
- “Issuing Authority”,
- “Document type”,
- “eID card request place”,
- “Version”,
- “District”,
- “Municipality”,
- “Parish”,
- “Address”.

CMD scheme:

If requested by a relying party and authorized by the citizen, the mandatory attributes ([eIDAS Attribute]) “FamilyName”, “FirstName”, “DateOfBirth” and “PersonIdentifier” are provided. The following optional attributes ([eIDAS Attribute]), if authorized by the citizen, can be provided:

- “CurrentAddress”,
- “Gender”.

Furthermore, under the Autenticação.GOV ([Autenticação.GOV]) service (Authentication provider of the Portuguese Public Administration), the following attributes can be provided, if authorized by the citizen:

- “Civil PersonIdentifier”,

- “FirstName”,
- “FamilyName”,
- “FullName”,
- “Tax PersonIdentifier”,
- “Social security PersonIdentifier”,
- “National health service PersonIdentifier”,
- “Nationality”,
- “Age”,
- “Photo”,
- “Expiration Date”,
- “DateOfBirth”,
- “Address”.

SCAP scheme:

If requested by a relying party and authorized by the citizen, the mandatory attributes ([eIDAS Attribute]) “FamilyName”, “FirstName”, “DateOfBirth” and “PersonIdentifier” are provided. The following optional attributes ([eIDAS Attribute]), if authorized by the citizen, can be provided:

- “CurrentAddress”,
- “Gender”.

Furthermore, under the Autenticação.GOV ([Autenticação.GOV]) service (Authentication provider of the Portuguese Public Administration), the following attributes can be provided, if authorized by the citizen:

- “Civil PersonIdentifier”,
- “FirstName”,
- “FamilyName”,
- “FullName”,
- “Tax PersonIdentifier”,
- “Social security PersonIdentifier”,
- “National health service PersonIdentifier”,
- “Nationality”,
- “Age”,
- “Photo”,
- “Expiration Date”,
- “DateOfBirth”,
- “Address”.

In addition, under the Autenticação.GOV ([Autenticação.GOV]) service, the functions performed in society as qualified professional by the citizen can be provided if authorized by the citizen.

Note: The functions performed by the citizen as qualified professional are provided/verified by the professional associations.

(c) Where applicable, list the additional attributes which may be provided for legal persons under the scheme if requested by a relying party

CC scheme:

Not applicable, the CC scheme is only useable to identify natural persons.

CMD scheme:

Not applicable, the CMD scheme is only useable to identify natural persons.

SCAP scheme:

If requested by a relying party and authorized by the natural person (the citizen, in the context of validating the powers or capacities of the citizen to the legal person), the legal person mandatory attribute ([eIDAS Attribute]) “LegalName” and optional attribute “VATRegistration” are provided, as part of the attribute linking between the natural person (citizen) and the legal person.

In addition, under the Autenticação.GOV ([Autenticação.GOV]) service, the powers and capacities of the citizen in the context of a public/private company can be provided if authorized by the citizen.

Note: The powers and capacities of the citizen in the context of a public/private company are provided/verified by those companies, or must be previously requested by the citizen and verified by IRN (case of powers and capacities in the context of private companies) or verified in the Official Gazette of the Portuguese Republic (case of powers and capacities in the context of public companies).

4.1. Applicable supervisory, liability and management regime

4.1.1. Applicable supervisory regime

Describe the supervisory regime of the scheme with respect to the following:

(where applicable, information shall include the roles, responsibilities and powers of the supervising body referred to in point 3.4, and the entity to which it reports. If the supervising body does not report to the authority responsible for the scheme, full details of the entity to which it reports shall be provided)

(a) supervisory regime applicable to the party issuing the electronic identification means

The Portuguese eID card (CC scheme) was introduced by the Law of 5 February 2007 on the Cartão de Cidadão (identity card) and governing its issuance and usage ([L 7/2007⁴]), and is further specified in subsequent legal acts (Portuguese regulation of 6 October [P 1018/2010], Portuguese regulation of 28 September 2017 [P 285/2017] and Portuguese regulation of 28 September 2017 [P 286/2017, P 287/2017, P 291/2017]).

The Portuguese CMD scheme was introduced by the Law of 26 June 2014 on the alternative and voluntary system of authentication of citizens in the portals and Internet sites of the Public Administration, named *Chave Móvel Digital* ([L 37/2014⁵]), and is further specified in subsequent legal acts (Portuguese regulation of 16 March 2018 [P 77/2018]).

The Portuguese SCAP scheme was introduced by the Law of 5 February 2007 on the Cartão de Cidadão (identity card) and governing its issuance and usage ([L 7/2007⁴]), and is further specified in subsequent legal acts (Portuguese regulation of 12 March 2018 [P 73/2018]).

The entities involved in the management of the Portuguese ID card act on the basis of this national legal framework.

The supervisory body of the Portuguese electronic identification schemes referred to in point 3.4 (MPMA – Ministério da Presidência e da Modernização Administrativa^{Error! Bookmark not defined.}) has the supervisor control of AMA (the authority responsible for the electronic identification schemes referred to in point 2), as AMA is an agency under MPMA.

The parties issuing the electronic identification means are AMA and IRN as referred to in point 3.2.:

- AMA is the public institute that exercises the powers of the Prime Minister's Office in the fields of administrative modernization, simplification and digital administration, under the supervision and tutelage of the Deputy Secretary of State for Administrative Modernization, as established in [DL 43/2012] with the wording given in [DL 126/2012] and [DL 20/2018].
- IRN is the public institute that executes and monitors policies related to registration, under the supervision and tutelage of the Ministry of Justice, to ensure the provision of services to citizens and companies in the field of civil identification and civil registration, nationality, land, commercial, natural and legal persons, and ensures regulation, control and supervision of the notarial activity, as established in [DL 148/2012].

(b) supervisory regime applicable to the party operating the authentication procedure

The parties operating the authentication procedure are AMA and IRN as referred to in point 3.3.:

- AMA is the public institute that exercises the powers of the Prime Minister's Office in the fields of administrative modernization, simplification and digital administration, under the supervision and tutelage of the Deputy Secretary of State for Administrative Modernization, according to [DL 43/2012] with the wording given in [DL 126/2012] and [DL 20/2018].
- IRN is the public institute that executes and monitors policies relating to registration, under the supervision and tutelage of the Ministry of Justice, to ensure the provision of services to citizens and companies in the field of civil identification and civil registration, nationality, land, commercial, natural and legal persons, and ensures regulation, control and supervision of the notarial activity, according to [DL 148/2012].

4.1.2. Applicable liability regime

Describe briefly the applicable national liability regime for the following scenarios:

(a) liability of the Member State under Article 11(1) of Regulation (EU) No 910/2014

According to Article 11(1) of Regulation 910/2014, the notifying Member State shall be liable for damage caused intentionally or negligently to any natural or legal person due to a failure to comply with its obligations under points (d) and (f) of Article 7 in a cross-border transaction.

The registration process is managed by IRN, Ministério dos Negócios Estrangeiros⁶ and AMA. The issuance of electronic identification means and the authentication procedure are managed by AMA and IRN. Both AMA and IRN are public institutes directly under the supervision and tutelage of a Ministry of the government of the Portuguese Republic. Therefore, it's a liability of the government of the Portuguese Republic, and the general national Law and eIDAS Regulation applies.

(b) liability of the party issuing the electronic identification means under Article 11(2) of Regulation (EU) No 910/2014

According to Article 11(2) of Regulation 910/2014, the party issuing the electronic identification means shall be liable for damage caused intentionally or negligently to any natural or legal person

due to a failure to comply with the obligation referred to in point (e) of Article 7 in a cross-border transaction.

The parties issuing the electronic identification means are AMA and IRN. Both AMA and IRN are public institutes directly under the supervision and tutelage of a Ministry of the government of the Portuguese Republic. Therefore, it is a liability of the Portuguese Republic, and the general national Law applies.

(c) liability of the party operating the authentication procedure under Article 11(3) of Regulation (EU) No 910/2014

According to Article 11(3) of Regulation 910/2014, the party operating the authentication procedure shall be liable for damage caused intentionally or negligently to any natural or legal person due to a failure to ensure the correct operation of the authentication referred to in point (f) of Article 7 in a cross-border transaction.

Liability for operating the authentication procedure is held by AMA and the qualified trust service provider (in accordance with the eIDAS Regulation). The liability is stated by the national legislation and by the eIDAS Regulation.

4.1.3. Applicable management arrangements

Describe the arrangements for suspending or revoking of either the entire identification scheme or authentication, or their compromised parts

CC scheme:

The certificates of the Portuguese eID card can be suspended or revoked according to the rules laid out in the Law of 5 February 2007 on the Cartão de Cidadão (identity card) and governing its issuance and usage ([L 7/2007⁴]), and the arrangements described in [PT_eID_Whitepaper_CC] and [PT_eID_LoA_mapping_CC].

The suspension or revocation of the entire Portuguese CC scheme is not foreseen in the national legislation. However, the CC scheme can be suspended by revoking the certificate of the Certification Authority that issues qualified signature certificates (*EC de Assinatura Digital Qualificada do Cartão de Cidadão*) and revoking the certificate of the Certification Authority that issues the authentication certificates (*EC de Autenticação do Cartão de Cidadão*), thus leading to a revocation of all eID cards.

CMD scheme:

The certificates of the Portuguese CMD scheme can only be revoked according to the rules laid out in the Portuguese regulation of 16 March 2018 on the *Chave Móvel Digital* [P 77/2018], and the arrangements described in [PT_eID_Whitepaper_CMD] and [PT_eID_LoA_mapping_CMD].

The suspension or revocation of the entire Portuguese CMD scheme is not foreseen in the national legislation. However, the CMD scheme can be suspended by revoking the certificate of the Certification Authority that issues qualified signature certificates (*EC de Chave Móvel Digital de Assinatura Qualificada do Cartão de Cidadão*), or by suspending the access to the CMD online digital identity service.

SCAP scheme:

The information on the functions performed by the citizen as qualified professional and the powers and capacities of the citizen in the context of a public/private company can only be revoked according to the rules laid out in the Portuguese regulation of 12 March 2018 on the *Sistema de Certificação de Atributos Profissionais* (SCAP) [P 73/2018], and the arrangements described in [PT_eID_Whitepaper_SCAP] and [PT_eID_LoA_mapping_SCAP].

The suspension or revocation of the entire Portuguese SCAP scheme is not foreseen in the national legislation. However, the SCAP scheme can be suspended by revoking SCAP service electronic seal, or by suspending the access to the SCAP online digital identity service.

4.2. Description of the scheme components

Describe how the following elements of Commission Implementing Regulation (EU) 2015/1502 ⁽⁷⁾ have been met in order to reach a level of assurance of an electronic identification means under the scheme the Commission is being notified of:

(include any standards adopted)

4.2.1. Enrolment

(a) Application and registration
Application and registration is described in section 2.1.1. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).
(b) Identity proofing and verification (natural person)
Identity-proofing and verification (natural person) is described in section 2.1.2. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).
(c) Identity proofing and verification (legal person)
Not applicable, the Portuguese eID schemes are only useable to identify natural persons.
(d) Binding between the electronic identification means of natural and legal persons
Binding between the electronic identification means of natural and legal persons is described in section 2.1.4. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).

4.2.2. Electronic identification means management

⁷ Commission Implementing Regulation (EU) 2015/1502 of 8 September 2015 on setting out minimum technical specifications and procedures for assurance levels for electronic identification means pursuant to Article 8(3) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (OJ L 235, 9.9.2015, p. 7).

(a) Electronic identification means characteristics and design (including, where appropriate, information on security certification)
Electronic identification means characteristics and design are described in section 2.2.1. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]). The description includes information on the security certifications.
(b) Issuance, delivery and activation
Issuance, delivery, and activation is described in section 2.2.2. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).
(c) Suspension, revocation and reactivation
Suspension, revocation, and reactivation is described in section 2.2.3. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).
(d) Renewal and replacement
Renewal and replacement is described in section 2.2.4. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).

4.2.3. Authentication

Describe the authentication mechanism including terms of access to authentication by relying parties other than public sector bodies
<p>In general, there are no restrictions for the use of the authentication mechanisms of the Portuguese electronic identity schemes:</p> <ul style="list-style-type: none"> • Both the OCSP and CRL are publicly available for all certificates issued under the CC, CMD and SCAP schemes. • For the implementation of online authentication for private sector entities established in Portugal, access to authentication is possible through a connexion to the national eIDAS connector node. This access is provided free of charge by AMA, except when SMS are used, and is subject to a specific agreement. <p>In this scenario the SAML request received by the national eIDAS node is routed to the Autenticação.GOV ([Autenticação.GOV]) service, enabling the authentication of the Portuguese citizen before the private sector entity.</p> <p>For a more detailed explanation, see [PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP], section 2.3.1.</p>

4.2.4. Management and organisation

Describe the management and organisation of the following aspects:
(a) General provisions on management and organisation

General provisions on management and organisation is described in section 2.4.1. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).
(b) Published notices and user information
Published notices and user information are described in section 2.4.2. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).
(c) Information security management
Information security management is described in section 2.4.3. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).
(d) Record keeping
Record-keeping is described in section 2.4.4. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).
(e) Facilities and staff
Facilities and staff are described in section 2.4.5. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).
(f) Technical controls
Technical controls are described in section 2.4.6. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).
(g) Compliance and audit
Compliance and audit is described in section 2.4.7. of the LoA mapping documents ([PT_eID_LoA_mapping_CC], [PT_eID_LoA_mapping_CMD], [PT_eID_LoA_mapping_SCAP]).

4.3. Interoperability requirements

Describe how the interoperability and minimum technical and operational security requirements under Commission Implementing Regulation (EU) 2015/1501 ⁽⁸⁾ are met. List and attach any document that may give further information on compliance, such as the opinion of the Cooperation Network, external audits, etc.
[PT_eID_IF_mapping] describes how the Portuguese electronic identity schemes meet the interoperability and minimum technical and operational security requirements under Commission Implementing Regulation (EU) 2015/1501.

⁸ Commission Implementing Regulation (EU) 2015/1501 of 8 September 2015 on the interoperability framework pursuant to Article 12(8) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (OJ L 235, 9.9.2015, p. 1).

4.4. Supporting documents

List here all supporting documentation submitted and state to which of the elements above they relate. Include any domestic legislation which relates to the electronic identification provision relevant to this notification. Submit an English version or English translation whenever available.

The relevant supporting documents, including national laws and technical guidelines are listed in [PT_eID_Supporting_documentation].