

ZealiD AB		Document name Policy Processing Dutch citizen service number		
Owner Compliance Manager	Class P (public)	Category Steering	Date 2021-07-15	Revision 01

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1. Introduction

ZealiD AB (ZealiD) is an authorized eIDAS trust service provider issuing qualified certificates to natural persons. In order for ZealiD to issue certificates, ZealiD needs to perform an eIDAS certified remote identification process. This identification process is ultimately defined and approved according to EU and national eIDAS law following certification by eIDAS conformity assessment bodies and authorization by Swedish government bodies.. As part of ZealiD's authorized processes for remote identification, ZealiD processes ID documents containing a number of personal data attributes.

The purpose of this document is to describe for the public in general, and in specific data subjects, how ZealiD remote identification and verification practices relate to national Dutch law and the general limitation not to use the Burgerservicenummer (BSN) except where legally required.

This document outlines:

1. The information security policy and legal obligations observed by ZealiD
2. Data type and ZealiD legal grounds of processing personal data
3. Legal assessment and consultation of BSN limitations
4. ZealiD risk assessment of BSN processing

2. The information security policy and legal obligations

ZealiD's information security policy mirrors the regulatory and legal requirements placed by EU regulations, ETSI standards (including requirements to meet GDPR legislation), Swedish Law and German law. In specific, ZealiD abides to the following:

- eIDAS regulation (EU 2014/910) in general and in specific article 24, 1d;
- ETSI standards 319 401, 319 411-1, 319 411-2;
- CEN standards 419 241-1 (qualified remote signature creation);
- Swedish Post and Telecoms Authority Guidelines for Qualified Trust Service Providers;

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- EU State-of-the-art legislation on remote identification (Bundesnetzagentur VDG (Verfügung gemäß § 11 Absatz 1 VDG, Mitteilung Nr. 208 des Amtsblatts-Nr. 11/2018 der Bundesnetzagentur));
- General Data Protection Regulation (EU 2016/679);
- Swedish Law on Payment Service Provisioning (2010:751).

3. Data type and ZealiD legal grounds on processing personal data

ZealiD processes data on two legal grounds:

1. Legal obligation (please refer to the paragraph on information security policy and legal obligations above);
2. Explicit consent from the data subject (end user).

ZealiD App is built with user consent by design, all actions leading to personal data processing require active acceptance of terms & conditions and active provisioning of ID documents, liveness checks and where applicable identity proofing using bank data. Please refer to the ZealiD GDPR Policy on www.zealid.com/respository for further information.

4. Legal assessment and consultation of BSN limitations

Based on the above scope of applicable legislation, ZealiD conducted a legal assessment of the BSN processing in May 2021. The process included:

1. Seeking legal advice from
 - eIDAS trust service supervisory authorities (Swedish Post and Telecoms Authority and Dutch Radiocommunications Agency);
 - Data protection authorities (Dutch Autoriteit Persoonsgegevens and Swedish Datainspektionen);
2. Conducting a dedicated Data Protection Impact Assessment for processing of the BSN and subsequent usage of the BSN in issued user certificates;
3. Benchmarking partners and customers e.g. Dutch banks' and qualified trust service providers' practices on BSN processing for customer due diligence (identification and verification) purposes.

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5. Legal obligation and data processing risk assessment for BSN

ZealiD has after extensive consultation come to the conclusion that it cannot fulfill its legal obligations for identity and ID document verification unless it processes the full ID document photo copies including the BSN (please refer to the paragraph on the Information security policy and legal obligations above).

However, ZealiD recognizes its duties to minimize the risks for the data subjects and has performed in depth risk assessments for the BSN data processing. ZealiD came to the following conclusions:

1. Not processing the ID documents including the BSN poses a greater threat to data subjects than processing it in accordance with the law due to fraud vectors and risks.
2. More in depth information on the BSN processing shall be given to the data subject both at the time of registration (terms and conditions) and at the time of e-signature certificate acceptance.
3. Risks can further be minimized for the data subject by omitting the BSN reference from the Certificate.

As a direct result, ZealiD Management Board decided to implement the appropriate mitigating measures and accept residual risks for the data subject.

6. Limitations

If the data subject denies processing of the BSN, ZealiD cannot perform certified eIDAS remote identification and follow issuing of an eIDAS qualified certificate to Dutch citizens (and signatures derived from such certificate).

7. Responsibility

The Compliance Manager is responsible for this Policy Processing Dutch citizen service number.

This policy is published on the ZealiD website.

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8. Contact information

You can contact our Data Protection Officer email dpo@zealid.com for more information about what personal data is processed as part of the ZealiD Service.

Any complaints regarding the service can be made via email (legal@zealid.com), or via the online complaint form <https://www.zealid.com/contact>.

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