

# PKI Disclosure Statement of the Certification Body of the German Federal Chamber of Notaries for qualified certificates

**Version**

**2.5**

**Date**

**13 July 2022**

## Document history

Version	Comment	Date
1.0	Creation of the document as part of the verification of compliance with the requirements of 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 ( <b>eIDAS Regulation</b> ) by an accredited conformity assessment body.	20 June 2017
1.1	Editorial changes in connection with the publication of the English-language version of the document	27 July 2017
2.0	Update due to the conversion of the PKI infrastructure of the certification body of the Federal Chamber of Notaries to a native eIDAS PKI as well as editorial changes as a result of the entry into force of the German Trust Services Act [ <i>Vertrauensdienstegesetz - VDg</i> ]	18 September 2017
2.1	Editorial changes	13 August 2018
2.2	Editorial changes as well as updating	27 May 2019
2.3	Editorial changes as well as extension by contents for the introduction of remote signature pursuant to EN 319 411-2.	24 November 2020
2.4	Annual Review	15 March 2021
2.5	Annual Review	13 July 2022

## Name and identification of the document

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Only the German version of this PKI Disclosure Statement is authoritative. In case of discrepancies between the German and the English version of this document, only the German version shall apply.

This PKI Disclosure Statement is not legally binding. Instead, the relationship between VDA BNotK and the certificate holder or the relying third party shall be governed exclusively by the contractual provisions or, in the absence of a contractual relationship, by the statutory provisions. Unless expressly stated otherwise, the Disclosure Statement does not contain any assurances, guarantees or warranties.

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## 1. Contact information

### 1.1. General contact information

Zertifizierungsstelle der Bundesnotarkammer  
(Certification Body of the German Federal Chamber of Notaries)  
Burgmauer 53  
50667 Cologne

Tel.: +49 (2 21) 27 79 35-0

Fax: +49 (2 21) 27 79 35-20

Email: zs@bnotk.de

### 1.2. Revocation of certificates

Certificate holders are obliged to have issued certificates revoked if

- ▶ the QSCD or certificate has been lost, misused or possibly compromised,
- ▶ there is a suspicion that the signature creation data can be used by third parties,
- ▶ the information contained in the certificate no longer corresponds to the facts (e.g. change of name due to marriage), in particular if its continued use would constitute a breach of professional and/or ethical law or other legal provisions.

Furthermore, have your certificates revoked if they are no longer needed before their validity expires. Signature cards can be rendered unusable by mechanical destruction of the chip on them or by entering the PIN incorrectly several times.

Revocation requests can

- ▶ by telephone on the number: **(0800) 3550 400** and
- ▶ in the case of signature cards, be submitted in writing with a handwritten signature  
to the following address: **Certification Body (Zertifizierungsstelle) of the BNotK, Burgmauer 53, 50667 Cologne**

Certificate holders who wish to submit a revocation request by telephone must authenticate themselves by naming the agreed revocation password and providing further personal details.

A written revocation request must be signed in person and must clearly identify the certificate to be revoked by providing information on the certificate and certificate holder.

In addition to the certificate holder, the following persons are also entitled to request revocation of the certificate:

- ▶ the VDA BNotK,
- ▶ third parties who have confirmed information in the certificate concerning the power of representation or professional or other information (Third Parties Entitled to Revocation) as well as
- ▶ the BNetzA.

Please note that the revocation of a certificate cannot be reversed.

## 2. Qualified trust services

### 2.1. Type of qualified trust services

Trust services	Applicable guidelines	Relevant OID
Qualified personal certificates for natural persons on a secure signature creation device (signature card; remote signature)	▶ Certificate Policy of the Certification Body of the German Federal Chamber of Notaries	▶ 1.3.6.1.4.1.41460.5.1.1.1.2.1.5
	▶ Certification concept of the Certification Body of the German Federal Chamber of Notaries.	▶ 1.3.6.1.4.1.41460.5.2.1.1.2.3.0
	▶ ETSI EN 319 401, 319 411-1 and 319 411-2 (QCP-n-qscd)	

The VDA BNotK has a conformity assessment for the trust services mentioned by a recognised conformity assessment body (TÜV Informationstechnik GmbH), which confirms compliance with the requirements laid down in the eIDAS Regulation and the standards ETSI EN 319 401, 319 411-1 and 319 411-2 (QCP-n-qscd).

### 2.2. Limitations of qualified certificates

Qualified certificates subject to the Certificate Policy of the VDA BNotK are used to create qualified electronic signatures.

The certificate holders are responsible for ensuring that the certificates issued by the VDA BNotK are used in accordance with the contractual and legal provisions.

The use of the certificate may be restricted generally or financially. Possible restrictions of the certificate are evident in the certificate itself (e.g. restriction of the certificate holder's power of representation).

A qualified signature creation device (**QSCD**) is required to use the certificates.

### 2.3. Retention period

The VDA BNotK archives all legally required documents for the complete documentation of the certificate life cycle for qualified certificates. The qualified certificates issued by the VDA BNotK are also kept beyond the period of their validity together with the associated revocation information and

the associated records in accordance with Article 24 Para. 2 lit. h of Regulation (EU) No. 910/2014 for the entire period of the VDA BNotK's operation.

#### **2.4. Reliance on qualified certificates**

Certificate holders and relying third parties may only rely on the public key and the certificate if the following prerequisites are met:

- ▶ the certificate is used in accordance with the permitted types of use and any restrictions in the certificate have been observed,
- ▶ the certificate chain can be successfully verified up to a trustworthy root certificate,
- ▶ the validity of the certificate has been confirmed via the status request service (OCSP),
- ▶ all other agreements and other precautions have been observed.



### 3. Obligations of the certificate holders

In addition to § 5 of the VDA BNotK General Terms and Conditions, the certificate holder is obliged:

- ▶ not to use the certificate to be used in legal transactions until the data contained therein has been checked for correctness,
- ▶ not to use the certificate if there have been changes to the certificate data (e.g. change of name as a result of marriage),
- ▶ to have sole control over the signature creation data, to keep it securely in his immediate possession when it is provided and not to make it accessible to employees or third parties,
- ▶ to notify the German Federal Chamber of Notaries immediately of any obvious defects or damage to the system or procedure (malfunction notification),
- ▶ to have certificates revoked immediately if one of the 1.2 reasons mentioned below occurs,
- ▶ to check a pseudonym used for its compatibility with the rights of third parties, e.g. name rights, trademark rights, copyrights or other property rights, as well as with the general laws, to observe the restrictions (e.g. restrictions of the certificate holder's power of representation) of the certificate known to him and to use it in accordance with the usage specifications in the certification concept,
- ▶ not to use the certificate if he knows that the certificate has been revoked, the root certificate has been compromised or the end date of the certificate validity has passed,
- ▶ in the case of signature cards, not to export the private key from the smart card or QSCD (qualified signature creation device).

Furthermore, the certificate holder is subject to the obligations arising from the statutory regulations and, if applicable, to further-reaching or deviating obligations based on individual contractual provisions.

## 4. General information

### 4.1. Applicable agreements

The respective General Terms and Conditions of the VDA BNotK as well as any individual contractual provisions shall apply.

### 4.2. Exclusion of liability

An exclusion of liability is regulated in the GTC or in individual contractual.

### 4.3. Data protection concept

Cf. No. 9.4. of the Certificate Policy of the VDA BNotK.

### 4.4. Revocation

The declaration of intent to conclude a contract for the provision of certification services by the VDA BNotK cannot be revoked.

### 4.5. Dispute resolution procedure

Complaints can be submitted in writing (Zertifizierungsstelle der Bundesnotarkammer (Certification Body of the German Federal Chamber of Notaries), Burgmauer 53, 50667 Cologne) or by email ([zs@bnotk.de](mailto:zs@bnotk.de) or [bea@bnotk.de](mailto:bea@bnotk.de)) to the VDA BNotK.

### 4.6. Applicable law

German law shall apply unless foreign law is mandatory.

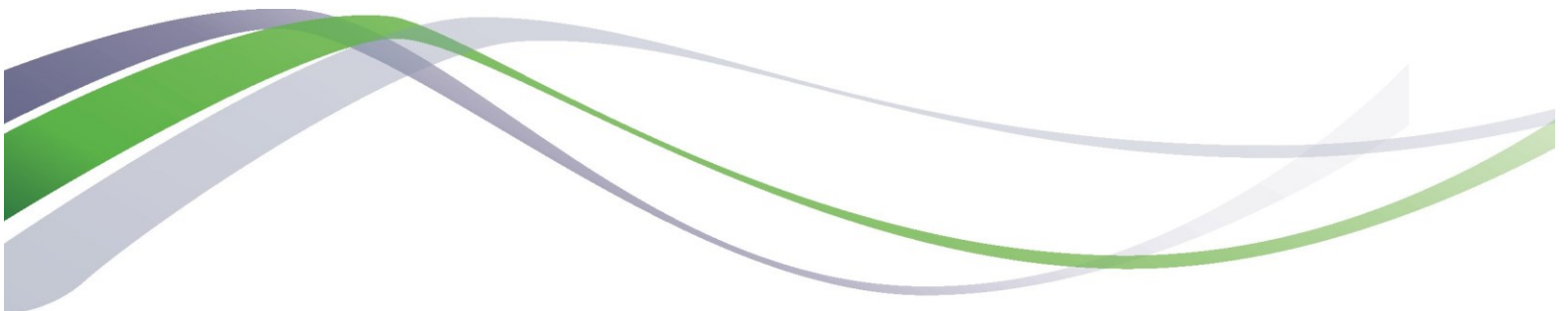
### 4.7. Publications and directories

The certificates issued by the VDA BNotK shall be kept publicly retrievable if the certificate holder agrees to their publication. For this purpose, the VDA BNotK publishes the certificates in a publicly available LDAP directory. In addition, the VDA BNotK provides an online service (OCSP) for querying the validity of the certificates issued by the VDA. The qualified certificates are published under the addresses <ldap://ldap.zs.bnotk.de> and <ldap://ldap.bnotk.de>.

The status of the qualified certificates issued by the VDA BNotK can be retrieved at least 10 years after the end of the validity of the respective certificate.

You can access the List of Trust of the BNetzA via <https://www.elektronische-vertrauensdienste.de> or the new website of the EU Commission at <https://signature.ec.europa.eu/efda/home/#/screen/home>.

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<https://zertifizierungsstelle.bnotk.de/>