Consolidated version from 10/01/2016

The Order is published: Official Gazette 2011, No 115-5444, ID 1112310ISAK001V-697

New revision as of 10/01/2016:
No 1V-640, 14/09/2016, published in TAR on 30/09/2016, ID 2016-24291

THE MINISTER OF THE INTERIOR OF THE REPUBLIC OF LITHUANIA

ORDER
ON THE APPROVAL OF THE REGULATIONS OF THE CERTIFICATE MANAGEMENT INFORMATION SYSTEM

19 September 2011 No 1V-697
Vilnius

Pursuant to Articles 8(3), 30(1) and (2) of the Law of the Republic of Lithuania on Management of State Information Resources, Clause 11 of the Description of the Procedure of Establishment, Development, Modernisation and Liquidation of State Information Systems approved by Resolution No 180 of the Government of the Republic of Lithuania of 27 February 2013 "On the Approval of the Description of the Procedure of Establishment, Development, Modernisation and Liquidation of State Information Systems":

1. I hereby approve the Regulations of the Certificate Management Information System (enclosed).

2. I hereby authorise the Director of the Identity Documents Personalisation Centre Under the Ministry of the Interior to appoint the data management agent of the Certificate Management Information System within two weeks from the moment on which this order comes into force.

THE MINISTER OF THE INTERIOR   RAIMUNDAS PALAITIS

THE REGULATIONS OF THE CERTIFICATE MANAGEMENT INFORMATION SYSTEMS

CHAPTER I
GENERAL PROVISIONS

1. The Regulations of the Certificate Management Information System (hereinafter – the "Regulations") regulate the purpose, tasks and main functions of the Certificate Management Information System (hereinafter – "CMIS"), the organizational, informational and functional structures of CMIS (Certificate Management Information System), provision and data usage, the requirements for data security, financing, modernization and liquidation.

2. The definitions used in these Regulations shall be understood in accordance with the definitions used in the Law of the Republic of Lithuania on the Management of State Information Resources In, Law on Legal Protection of Personal Data of the Republic of Lithuania, 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 (OL 2014 L 257, p. 73) (hereinafter – the "eIDAS Regulation"), and repealing Directive 1999/93/EC (hereinafter – the "eIDAS Regulation"), Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC **(OL 2016 L 119, p. 1)** (hereinafter – the "General Data Protection Regulation"), the Description of the General Requirements for Electronic Information Security approved by Resolution No 716 of the Government of the Republic of Lithuania of 24 July 2013 "On the Approval of the Description of the General Requirements for Electronic Information Safety, the Description of the Guidelines for the Content of Safety Documents and the Description of the Guidelines for the Classification of State Information Systems, Registers and Other Information systems and Determination of the Importance of Electronic Information" (hereinafter – the "Description of the General Requirements for Electronic Information Safety").

3. Legal basis for the establishment of CMIS are subclauses 16.2-16.4 of the Regulations on the Identity Documents Personalisation Centre Under the Ministry of the Interior of the Republic of Lithuania approved by Order No 681 of the Minister of the Ministry of the Interior of the Republic of Lithuania of 28 December 2001 "On the Approval of the Regulations of the Identity Documents Personalisation Centre Under the Ministry of the Interior of the Republic of Lithuania".

4. CMIS shall be managed pursuant to:

4.1. eIDAS Regulation;

4.2. the Law on Management of State Information Resources;

4.3. In accordance with the Law on Identity Card and Passport;

4.4. the Law on Legal Protection of Personal Data;

4.5. the Law on Cyber Security of the Republic of Lithuania;

4.6. the Description of the Procedure of Establishment, Development, Modernization and Liquidation of State Information Systems approved by Resolution No 180 of the Government of the Republic of Lithuania of 27 February 2013 "On the Approval of the Description of the Procedure of Establishment, Development, Modernization and Liquidation of State Information Systems" (hereinafter – the "Description of the Procedure of Establishment, Development, Modernization and Liquidation of State Information Systems");

4.7. Resolution No 942 of the Government of the Republic of Lithuania of 17 August 2011 "On the Amendment of Resolution No 842 of the Government of the Republic of Lithuania of 13 July 2011 "On the Amendment of Resolution No 728 of the Government of the Republic of Lithuania of 11 August 1994 "On the Approval of the Regulation of Work of the Government of the Republic of Lithuania";

4.8. the General Requirements for Electronic Information Safety;

4.9. Description of the Procedure on the Issuance of the Identity Cards and Passports approved by Order No 1V-200/V-62 of the Minister of the Interior of the Republic of Lithuania and of the Minister of Foreign Affairs of the Republic of Lithuania of 19 March 2015 "On the Approval of the Description of the Procedure of the Issuance, Replacement, Invalidity and Cancellation of the Identity Card and Passport";

4.10. the Rules on the Issuance of a Civil Servant's Certificate approved by Order No 338 of the Minister of the Interior of the Republic of Lithuania of 11 July 2002 "On the Approval of the Form of a Civil Servant's Certificate and of the Rules on the Issuance of a Civil Servant's Certificate";

4.11. Order No 1V-51 of the Minister of the Interior of the Republic of Lithuania of 23 January 2013 "On the Approval of the Form of the Certificate of a Member of the Government, Public Official and employee's, working in public administration institutions and bodies by the contract of employment and receiving a salary from the state, municipal budgets or public funds, who, in the conduct of his/her official duties, require access to facilities for authentication and identification in cyberspace and for signing electronic data";

4.12. The Description of the Procedure of the Issuance, Replacement, Return, Cancellation and Declaration of Invalidity of the Official Certificate of an Officer of the Internal Service System falling under the management of the Minister of the Interior of the Republic of Lithuania approved by Order No 1V-155 of the Minister of the Interior of the Republic of Lithuania of 1 March 2016 "On the Approval of the Descriptions of the Mandatory Forms of the Official Certificate of an Officer of the Internal Service System falling under the management of the Minister of the Interior of the Republic of Lithuania and of the Description of the Procedure of the Issuance, Replacement, Return, Cancellation and Invalidity of the Official Certificate of an Officer of the Internal Service System falling under the management of the Minister of the Interior of the Republic of Lithuania";

4.13. these Regulations and other legislation.

5. The purpose of CMIS is centralised control of the creation and management of electronic identification in cyberspace and qualified electronic signature certificates (hereinafter – "certificates") recorded in the contact chip of identity cards of citizens of the Republic of Lithuania (hereinafter – "citizen's electronic certificates"), certificates recorded in the contact chip of the certificates of a civil servant, member of the Government, public official and employee, working in public administration institutions and bodies by the contract of employment and receiving a salary from the state, municipal budgets or public funds, who, in the conduct of his/her official duties, require access to facilities for authentication and identification in cyberspace and for signing electronic data (hereinafter – the "employee"), issued on the basis of the forms of civil servants' certificates (hereinafter – "civil servants' electronic certificates"), and certificates recorded in the contact chip of the certificates of the officers of the internal service system (hereinafter – "electronic certificates of the officer of the internal service system") (hereinafter jointly referred to as "certificates created for persons").

6. Tasks of CMIS shall be as follows:

6.1. creating and handling the certificates created for persons;

6.2. publishing information on certification services and providing legal and methodological information to the users of certification services;

7. Main functions of CMIS shall be as follows:

7.1. managing the certificates created for persons: creation, renewal, suspension or cancellation, cancellation of suspension;

7.2. providing information of the certificates created for persons using lists of invalid certificates and automated inquiries;

7.3. managing the data of the certificates created for persons.

8. The purpose of CMIS in relation to processing of personal data shall be to create certificates for persons.

CHAPTER II
ORGANISATIONAL STRUCTURE OF CMIS

9. The controller of CMIS and controller of personal data is the Ministry of the Interior of the Republic of Lithuania which performs the functions stipulated in the Law on Management of State Information Resources and the Law on Legal Protection of Personal Data and which has the rights and duties stipulated in the said laws.

10. The processors of CMIS and processors of personal data are:

10.1. the Identity Documents Personalisation Centre Under the Ministry of the Interior of the Republic of Lithuania (hereinafter – the "Identity Documents Personalisation Centre");

10.2. Information Technology and Communications Department under the Ministry of the Interior of the Republic of Lithuania (hereinafter – the "Information Technology and Communications Department");

10.3. Migration Department under the Ministry of the Interior of the Republic of Lithuania (hereinafter – the "Migration Department");

10.4. statutory authorities of internal affairs;

10.5. municipalities and municipal offices and authorities.

11. The processors of CMIS and processors of personal data perform the functions

stipulated in the Law on Management of State Information Resources and the Law on Legal Protection of Personal Data and have the rights and duties stipulated in the said laws.

12. The Identity Documents Personalisation Centre performs the following functions as well:

12.1. creates the certificates for persons;

12.2. records electronic citizen's certificates in the contact chips of identity cards;

12.3 records electronic civil servant's certificates in the contact chips of the certificates of a civil servant, member of the Government, public official and of employee, issued on the basis of the forms of civil servants' certificates;

12.4. records electronic certificates of the officers of internal service system in the contact chips of the certificates of the officers of internal service system;

12.5. suspends and cancels the certificates created for persons, cancels suspension of such certificates;

12.6. updates electronic civil servant's certificates.

13. The Information Technology and Communications Department performs the following functions as well:

13.1. performs maintenance of the hardware and software of CMIS thus ensuring the security of CMIS and of data processed in it as continuous operation thereof;

13.2. ensures safe transmission of CMIS data via the telecommunications network of internal affairs;

13.3. on the request of a citizen of the Republic of Lithuania to whom an identity card has been issued, suspends electronic citizen's certificates after office hours on business days and on rest days and public holidays.

14. The statutory authorities of internal affairs perform the following functions as well:

14.1. activate certificates when issuing the official certificates with the certificates of the officers of internal service system recorded in the contact chips of the certificates to the officers of internal service system;

14.2. cancel the electronic certificates of the officers of internal service system;

14.3. update the electronic certificates of the officers of internal service system.

14.4. The structural divisions of the Migration Department:

14.4.1. Divisions of Alytus, Kaunas, Klaipėda, Marijampolė, Panevėžys, Šiauliai, Tauragė, Telšiai, Utena and Vilnius activate certificates when issuing the identity cards with electronic citizen's certificates recorded in the contact chips of the identity cards to the citizens of the Republic of Lithuania;

14.4.2. on the request of a citizen of the Republic of Lithuania to whom an identity card has been issued, divisions of the Migration Department, set by the Director of the Migration Department, additionally perform the following functions:

14.4.2.1. suspend and cancel the certificates of identity card;

14.4.2.2. cancel the suspension of the said certificates;

14.4.2.3. update electronic citizen's certificates;

14.4.2.4. create new data (passwords) of activation of the contact chips of the card in case the functions of the electronic signature of an identity card are blocked.

15. State and municipal offices and authorities perform the following functions as well:

15.1. activate certificates when issuing the certificates of civil servants, members of the Government and public officials and employee with the certificates of civil servants recorded

in their contact chips to civil servants, members of the Government, public officials and employees;

15.2. cancel the certificates of civil servants.

16. Suppliers of CMIS data:

16.1. State Enterprise Centre of Registers which provides the data from the Population Register of the Republic of Lithuania;

16.2. Information Technology and Communications Department which provides data from the Register of Civil Servants;

16.3. the Ministry of the Interior of the Republic of Lithuania which provides the data from the Register of Officers of Internal Affairs.

CHAPTER III
INFORMATION STRUCTURE OF CMIS

17. The certificates created for persons are stored in the database in which the following is processed:

17.1. the data of confirmation of electronic signature recorded in electronic citizen's certificates;

17.2. personal data recorded in electronic citizen's certificates:

17.2.1. name;

17.2.2. surname;

17.2.3. personal identification number;

17.2.4. date of birth;

17.2.5. gender;

17.2.6. citizenship;

17.3. the data of confirmation of electronic signature recorded in electronic certificates of a civil servant;

17.4. personal data recorded in civil servants' electronic certificates:

17.4.1. name;

17.4.2. surname;

17.4.3. e-mail address;

17.4.4. code in the Register of Civil Servants;

17.4.5. name of the state or municipal office or authority where the civil servant, member of the Government, public official or employee holds a position and title of the position.

17.5. the data of confirmation of electronic signature recorded in electronic certificates of the officer of the internal service system;

17.6. personal data recorded in the electronic certificates of the officer of the internal service system:

17.6.1. name;

17.6.2. surname;

17.6.3. e-mail address;

17.6.4. code in the Register of Officers of Internal Affairs;

17.6.5. name of the statutory authority of internal affairs where the officer holds a position and title of the position.

18. Data on management of the certificates created for persons:

18.1. date and time of the certificates created for persons;

18.2. status of the certificates created for persons;

18.3. date and time of activation of the certificates created for persons;

18.4. date and time of suspension of the certificates created for persons;

18.5. date and time of cancellation of suspension of the certificates created for persons;

18.6. date and time of cancellation of the certificates created for persons.

19. The data from the following registers is used for the processing of CMIS data:

19.1. the Population Register of the Republic of Lithuania – for recording the data specified in Clauses 17.2.1-17.2.6 of the Regulations;

19.2. the Register of Civil Servants – for recording data specified in Clauses 17.4.1-17.4.5 of the Regulations;

19.3. the Register of Officers of Internal Affairs of the Republic of Lithuania – for recording data specified in Clauses 17.6.1-17.6.5 of the Regulations;

CHAPTER IV
FUNCTIONAL STRUCTURE OF CMIS

20. CMIS consists of the following components:

20.1. the subsystem of creation and managing the certificates created for persons, the function of which is to create the certificates created for persons, suspend them, cancel the suspension and cancel the certificates;

20.2. the subsystem of presenting the information on validity of the certificates created for persons, the function of which is to provide the information on the status of the certificates created for persons in real time by using automated inquiries and responses;

20.3. the subsystem of collection of the data on the management of the certificates created for persons, the function of which is to automatically record the data on the management of the certificates created for persons when CMIS processors perform the operations of creation, activation, suspension, cancellation of suspension and cancellation of the certificates created for persons;

20.4. publicly available portal www.nsc.vrm.lt, the function of which is to publish information on certification services.

CHAPTER V
PROVISION AND CMIS DATA USAGE

21. The data of confirmation of electronic signatures managed by CMIS is public and is managed and provided to authorities, other legal entities and natural persons pursuant to the Regulations of eIDAS Regulation. Personal data is provided pursuant to the Law on Legal Protection of Personal Data.

22. CMIS data is provided in writing, orally and/or using electronic communications as well as automatically.

23. CMIS data is provided upon applications (in case of a one-off submission), which must state the purpose of the data usage, the legal grounds of the provision and reception and the volume of the data requested to be provided, or under the contracts for the provision of data

(in case of a multiple submission), which must state the purpose of the data usage, the legal grounds of the provision and reception, the procedure and the volume of the data to be provided.

24. CMIS data shall be provided to the data recipients free of charge. Data recipients can use the data received for the purpose only for which it was obtained.

25. Data is provided to natural persons and legal entities, subjects which do not have the status of a legal entity, their branches and representative offices of the member states of the European Union and/or European Economic Area in accordance with the procedure stipulated by the Law on Management of State Information Resources.

26. A data recipient, a keeper of a register or processor of another state information system, a data subject or other persons shall have the right to request to correct incorrect, incomplete or inaccurate data by notifying the Identity Documents Personalisation Centre about that in writing. Having received an application stated in this subclause, the Identity Documents Personalisation Centre shall have to inspect the data managed by CMIS immediately but not later than within 5 days from the reception of the application by the Identity Documents Personalisation Centre. Having determined that the application is reasonable, the Identity Documents Personalisation Centre shall cancel the valid certificates, in which incorrect personal data is specified, immediately but not later than within 5 days and shall notify the person who requested to correct personal data, the recipients of personal data to whom incorrect, incomplete or inaccurate data has been transferred and the subject of personal data immediately but not later than within 5 days from the cancellation of the certificates. If the subject requests to correct personal data, the latter shall be notified in addition about the possibilities to obtain new certificates specifying the corrected personal data.

CHAPTER VI
SECURITY OF CMIS DATA

27. The security of CMIS data is regulated by the regulations of the security of CMIS data and the documents implementing the security policy approved by the CMIS controller and created pursuant to the Description of the General Requirements for Electronic Information Security and the Description of the Guidelines for the Content of Security Documents approved by Resolution No 716 of the Government of the Republic of Lithuania of 24 July 2013 "On the Approval of the Description of the General Requirements for Electronic Information Security, the Description of the Guidelines for the Content of Security Documents and the Description of the General Requirements for Electronic Information Security and the Description of the Guidelines for the Classification of State Information Systems, Registers and Other Information systems and Determination of the Importance of Electronic Information".

28. CMIS controller and CMIS processors are responsible for the security of CMIS data according to their competence.

29. CMIS data shall be stored during the whole period of validity of the certificates created for persons (3 years) and 7 years after the end of this period. CMIS data shall be destroyed after the end of the storage period.

30. The persons who process personal data in CMIS must protect the secret of personal data if such data is not intended to be published. This duty also applies to them when they withdraw from state service, transfer to another position or after their employment or

contractual relationship is ended.

31. The security of CMIS data is ensured pursuant to:

31.1. Lithuanian standards LST ISO/IEC 27002 "Information technology. Security techniques. Code of practice for information security controls" and LST ISO/IEC 27001 "Information technology. Security techniques. Information security management systems. Requirements." and other standards which regulate safe processing of data in information systems;

31.2. the General Requirements for Electronic Information Security;

31.3. the Technical Requirements for the Security of Electronic Information of State Registers (Cadastres), Departmental Registers, State Information Systems and Other Information Systems approved by Order No 1V-832 of the Minister of the Interior of the Republic of Lithuania of 4 October 2013 "On the Approval of the Technical Requirements for the Security of Electronic Information of State Registers (Cadastres), Departmental Registers, State Information Systems and Other Information Systems";

31.4. the General Requirements for Organisational and Technical Personal Data Security Measures approved by Order No 1T-71(1.12) of the Director of the State Data Protection Inspectorate of 12 November 2008 "On the Approval of the General Requirements for Organisational and Technical Personal Data Security Measures".

CHAPTER VII
FINANCING OF CMIS

32. The development, management and maintenance of CMIS are financed by the Structural Funds of the European Union and the budget of the Republic of Lithuania.

CHAPTER VIII
MODERNIZATION AND LIQUIDATION OF CMIS

33. CMIS shall be modernized and liquidated pursuant to the procedure stipulated by the Law on Management of State Information Technologies and the Description of the Procedure of the Establishment, Development, Modernization and Liquidation of State Information Systems.

34. When Liquidating CMIS, its data and documents shall be transferred to another state information system which shall be established instead of the liquidated one or shall be destroyed or transferred to the state archives in accordance with the procedure stipulated by the Law of the Republic of Lithuania on Documents and Archives.

CHAPTER IX
FINAL PROVISIONS

35. The rights of data subjects related to notification about the processing of their personal data, familiarization with their personal data being processed, refusal to allow processing of their data and request to correct or delete their personal data or to suspend the actions of processing of their personal data, excluding its storage, when data is processed in breach of the provisions of the Law on Legal Protection of Personal Data and other legislation, shall be implemented pursuant to the Law on Legal Protection of Personal Data:

35.1. Data subjects shall be personally notified about processing of personal data in accordance with the procedure stipulated by the provisions of certification activities approved by the Director of the Identity Documents Personalisation Centre by presenting the terms of creation and management of certificates to them;

35.2. Having presented a written application and an identity document or its copy to the Ministry of the Interior or the Identity Documents Personalisation Centre personally, by mail or electronic communications, a data subject shall have the right to familiarize himself/herself with his/her personal data processed by CMIS and receive information on the sources from which his/her personal data was collected and what personal data was collected, the purpose of processing and to which data recipients it is provided or was provided during the last year. The information requested shall be presented to the data subject no later than within 30 calendar days from the day of reception of the application specified in this clause by the Ministry of the Interior or the Identity Documents Personalisation Centre;

35.3. The data subject shall have the right to object to the processing of his/her personal data when such personal data is processed in the cases stipulated in article 6(1)(e) and (f) of the Law on Legal Protection of Personal Data. In such a case, the data subject must present a written application and an identity document or its copy to the Ministry of the Interior or the Identity Documents Personalisation Centre personally, by mail or electronic communications. Having determined that the objection of the data subject stipulated in this sub-clause is legally reasonable, the Ministry of the Interior or the Identity Documents Personalisation Centre shall terminate any actions of processing of personal data free of charge immediately, excluding the cases stipulated by the laws, and shall notify the recipients of data about that. On the request of the data subject, the Ministry of the Interior or the Identity Documents Personalisation Centre shall notify the data subject about the termination of the actions of processing of his/her personal data or about the refusal to terminate the actions of processing of his/her personal data.

36. The Ministry of the Interior or the Identity Documents Personalisation Centre shall ensure proper implementation of the data subject's rights stipulated in clause 35.1-35.3 of the Regulations. The Ministry of the Interior can appoint the Identity Documents Personalisation Centre to examine the data subject's application regarding the implementation of their as a data subject's rights.

37. The CMIS controller, processors and data users shall be liable for any failure to adhere to these Regulations in accordance with the procedure stipulated by the legislation of the Republic of Lithuania.

_____

Changes: