



Statute

1. Scope

FESA (Forum of European Supervisory Authorities for trust service providers) was founded in 2002 with the aim to support cooperation among bodies responsible for the operation of systems of supervision as defined in Art. 3.3 of Directive 1999/93/EC¹.

With regard to the Regulation (EU) No 910/2014² (eIDAS), FESA intends to continue its work, contributing to the establishment and improvement of a comprehensive cross-border and cross-sector framework for secure, trustworthy and easy-to-use electronic transactions in the European Union.

Supporting the idea of the Digital Agenda for Europe, FESA - as association of the European supervisory bodies according to Art. 17 of the eIDAS - sees itself as experienced and competent body that supports the cooperation, information and assistance among the members and facilitates the exchange of views and agreement on good practices corresponding to Art. 17 (4) a), c) and Art. 18 (1) of the eIDAS.

FESA intends to advance the harmonization of the supervisory bodies' activities, to develop common points of view for the dialog with political or technical institutions, in particular the European Commission and standardization institutions, and to establish a levelled European playing field for trust service providers in terms of supervision.

The Forum is no legal entity. Performing their supervisory activities the members cannot be bound by decisions of the Forum.

2. Members

The following institutions are invited to become members of the Forum:

- a) national bodies responsible for supervision according to Art. 17 of the eIDAS from all European Union (EU) and European Economic Area (EEA) member states,
- b) national bodies responsible for establishing, maintaining and publishing national trusted lists according to Art. 22 (3) of the eIDAS from all EU and EEA member states,
- c) comparable bodies from EU candidate states, and
- d) upon unanimous vote, comparable bodies from other countries that have transposed or intend to transpose the eIDAS.

Each member decides on its representatives in the Forum.

¹ Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures, OJ L 13, 19.1.2000, p. 12

² 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, (eIDAS), OJ L 257, 28.08.2014, p. 73

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The Board keeps a directory of the members of the group. The simple majority of the members present at the assembly of the Forum decides in cases of doubt about membership.

3. Associate Members

National bodies responsible for supervision or for establishing, maintaining and publishing national trusted lists from countries that are not members of the EU or the EEA and are not EU-membership candidates or national bodies responsible for voluntary accreditation or approval schemes with regard to products or services comparable to those within the scope of the eIDAS, may apply for associate membership if they have an interest in discussing the matters within the scope of the Forum (Art. 1).

The applications may be granted by a unanimous vote of the members present at the assembly of the Forum.

The European Commission, the European Union Agency for Network and Information Security (ENISA), the European Telecommunications Standards Institute (ETSI) and the European Committee for Standardization (CEN) have the rights of associate members.

Associate members may attend the assembly of the Forum and have similar rights to the members, except that they do not have the right to vote, cannot be elected to the Board and have no access to the member's mailing list and the member's area of FESA's Website. Upon request of a member, the Board can decide that specific issues must be discussed only among members.

4. Guests

The Board can invite guests according to the agenda of a meeting.

5. Assembly of the Forum

The Forum meets regularly. The Board invites for the meeting of the assembly at least two times a year or if five members request it. Invitations must be sent at least one month in advance.

6. Decisions of the Forum

The Forum can decide using presence voting, if all members have been invited and the topics for decision have been included in the invitation. For decisions which require a unanimous vote, at least half of the members must be represented at the assembly. Only members that are represented at the assembly have the right to vote.

The Forum can also decide using the written voting procedure. The decision about the use of the written voting procedure is made by the Board and announced using electronic means. In this case, the proposal to be decided upon is distributed to the members by the Board along with the announcement. The Board also sets a deadline not shorter than 14 calendar days from the day of the announcement for voting. For decisions which require a unanimous vote, at least half of the members must cast their votes. Members may cast their votes using electronic means. Within five days after the deadline, the Board officially announces the result of the voting procedure and publishes the final text of the decision adopted, if any. During the deadline, any Forum member has the right to request the use of the presence voting procedure. In this case the written voting procedure is terminated without result and the issue is examined at the next meeting of the assembly.

Approval or modifications of this statute must be decided unanimously.

7. Board

The Board consists of a chairman and two secretaries. Each Board member must be a representative of a Forum member.

The Board is elected by the Forum. The three members of the Board are elected separately. The Forum decides whether the votes are given open or by ballot.

If a candidate does not get the simple majority of valid votes in the first vote, a second election decides among the two candidates with the most votes. If only one candidate is nominated, this candidate needs the simple majority of attending members.

The Board is elected for a period of two years beginning with the day of the election. Board members can resign at any time. A Board member loses its function, if it stops being a representative of a Forum member or if the Forum member leaves the Forum. When a Board member resigns or loses its function, a new Board member is elected for the rest of the period. At any time, the Forum can decide to elect a new Board (Art. 5).

In case it is not possible to elect a chairman until the end of a regular period, a temporary chairman for the period until the end of the next meeting may be elected by the Forum.

8. Duties of the Board

The Board shall

- a) call the assembly of the Forum and prepare the meeting in cooperation with the hosting member,
- b) decide on the agenda of these meetings and select persons for moderating the discussion,
- c) invite guests to the meetings according to the agenda and the Forum's statute,
- d) take and distribute the minutes of the meetings.

The Board comes to its decisions unanimously and is represented by its Chairman.