

The Supreme Council
of Information and
Communication
Technology (ICT
QATAR) Board of
Directors' Resolution
No. 1 of 2012 Issuing
the Bylaw on the
Accreditation of
Foreign Certification
Certificates Issued
Abroad and the
Regulation of the
Work of Certification
Service Providers

Law Summary Record Type:

Ministerial Decree **Number:** 1 **Date:**

03/06/2012 Corresponding to

13/07/1433 Hijri **Number of**

Articles: 54 **Status:** In force

Official Gazette :Issue: 8 **Official**

Journal Issue Publication Date:

09/07/2012 Corresponding to

19/08/1433 Hijri **Page from:** 289

طباعة

- [Issuance Articles \(1-2\)](#)
- [لائحة بشأن اعتماد شهادات التصديق الأجنبية الصادرة](#)
- [Chapter 1: Definitions \(1-1\)](#)

- [Chapter Two: Licensing of Certification Service Pr \(2-11\)](#)
- [Chapter Three: Inspection and Audit Standards and \(12-18\)](#)
- [Chapter Four: Certification Service Provider's Obl \(19-30\)](#)
- [Chapter Five: Consumer Protection \(31-36\)](#)
- [Chapter Six: Suspending, Cancellation and Assignmen \(37-43\)](#)
- [Chapter Seven: General Secretariat's Management of \(44-47\)](#)
- [Chapter Eight: Accreditation of Foreign Certificat \(48-51\)](#)
- [Chapter Nine: Financial Penalties \(52-52\)](#)

Board of Directors;

Having reviewed the Decree Law No. 16 of 2010 promulgating [the Electronic Transactions and Commerce Law](#)

Hereby resolves the following;

Issuance Articles

Article 1 - Introduction

The provisions of the attached bylaw on the Accreditation of Foreign Certification Certificates and the Regulation shall be in force.

Article 2 - Introduction

All competent authorities, each within its jurisdiction, shall implement this resolution with

لائحة بشأن اعتماد شهادات التصديق الأجنبية الصادرة

Chapter 1: Definitions

Article 1

In the application of the provisions of this bylaw the following words and expressions shall have the meaning

“State” means the State of Qatar.

“The Supreme Council” means the Supreme Council of Information and Communication Technology

“The Board” means the Board of Directors of the Supreme Council

“General Secretariat” means the General Secretariat of the Supreme Council

“Competent Department” means the concerned administrative unit

“Committee” means the Grievance and Disputes Settlement Committee

“The Law” means the [Electronic Transactions and Commerce Law](#) promulgated

“Person” means a natural or juristic person;

“Electronic signature” means the inscription affixed to a data message in the form of letters, numbers, symbols or any other means of representation, which is capable of distinguishing him from others for the purpose of indicating the signatory's approval;

“Signature-creation data” means information or symbols or special encryption keys used by the signatory;

“Signatory” means the person legally entitled to access signature creation data and to act personally or on behalf of another person in the creation of an electronic signature;

“Certification service provider” means a person licensed to maintain an infrastructure of public keys, to issue and manage certification certificates and to provide certification services;

“Certification certificate” means a document issued by a certification service provider that affirms the validity of an electronic signature;

“Encryption” means the use of uncommon symbols or signs that make the information intended to be forwarded unintelligible to persons other than the intended recipients, without the use of signs without which the information will not be accessible;

“Certified person” means the person who acts upon a certification certificate;

“Business location” means a non-transitory establishment or facility used for the business of a person;

“Entrusted employee” means any employee working for the certification service provider who is assigned to perform specific tasks or responsibilities of the certification service provider in accordance with the law;

“Reliable” means that the systems, procedures, operations, human resources, products and services shall be reliable;

“Consumer” means a person acting for purposes other than those related to his business;

Chapter Two: Licensing of Certification Service Providers

Article 2

Unless licensed by the General Secretariat, the performance of any of the certification services shall require the provider to:

1. Maintaining an infrastructure for public keys;
2. Providing services related to electronic signatures;
3. Issuing electronic certification certificates;

Article 3

Any person interested in the work of providing certification services shall apply to the Competent Department for the following documents therewith, as the case may be:

1. Memorandum and articles of association pursuant to the State Law;
2. The Commercial Register or the commercial register;
3. The organizational structure of the company;

4. Title deed or lease contract.
5. Accredited auditors' report on the company's financial status for the last two years, or for the duration as
whichever is more recent.
6. Proof of payment of due fees.
7. A written acknowledgement that the business location satisfies the technical sta
8. A written acknowledgement that all entrusted employees fulfil the requirements for the provision of cer
detailed statement and supporting documents regarding their qualifications and ex
9. Technical specifications of equipment and the adopted certification systems accredited for the provisio
illustration thereof.
10. A plan for the service provider's business location and a precise description of t
11. A comprehensive economic feasibility study for the proje

The concerned department may, within thirty (30) days from the date of submitting the application, request t
deems necessary, as the case may be, in the form and the manner and at the time as m

Article 4

The license shall be valid for five (5) years effective from the date of its issuance, and may be renewed for sin
in the Law and this bylaw.

Article 5

Subject to the provisions stipulated in Article [3](#) of this bylaw, the certification service provider shall apply fo
the valid license.

Article 6

The applicant for a license or license renewal shall pay the prescribed fees pursuant to [the annex attached to](#)
applicant before a decision is taken thereon, or upon the cancellation or suspension of the license after being
otherwise decides.

Article 7

The concerned department shall examine the application for license issuance or renewal and supporting documents, conditions, specifications and standards as set out in the Law.

Article 8

The General Secretariat shall, within thirty (30) days from the date of receiving the application, or from the date of the standards, issue a decision to grant or renew the license, or to reject the application.

The General Secretariat shall notify the applicant of its decision in writing at the address affixed to the application or reject the application.

The lapse of the aforesaid 30-day period without a decision shall be considered a refusal.

The concerned persons may appeal against such decision to the Committee within thirty (30) days.

Article 9

Where the grant of a license is approved, the concerned department shall record and maintain the licensee's data in the "Providers Register".

Article 10

The license shall include the following data:

1. Name of the provider of the certification service
 2. Address of the certification service provider's place of business
 3. License number, issue date, validity and expiration date
 4. Any conditions, controls, provisions or restrictions imposed by the General Secretariat
-

Article 11

The following requirements shall be met for a license or

1. The applicant shall have a commercial register or con
2. The applicant shall be resident in the State. If a juristic person, the applicant may be a branch of
3. The applicant shall prove his solvency by producing evidence of financial resources of
4. The applicant shall carry insurance against any potential financial loss pursuant to the la
5. Neither the applicant nor any of his employees shall be an owner or shareholder in any company considered fair competition.
6. The applicant shall be of good reputation and conduct and shall not have been convicted of a crime inv

The abovementioned requirements shall be maintained by the certification service provider during the validity conditions, controls, standards, decisions, procedures, instructions and specifications issued by the Supreme C bylaw and other legislation related to the work of certification

Chapter Three: Inspection and Audit Standards and

Article 12

1. The certification service provider shall be subject to all inspection and audit processes as required p method, manner and time to be determined by the C
1. The certification service provider shall submit any documents, data, papers or information required for the inquiries raised by inspectors or auditors to enable them to accor

Article 13

- Inspection and audit processes shall be carried out in the
1. Upon submitting the application for a license for r
 2. Every two years from the license issue d
 3. Upon submitting a license renewal applica
 4. At any other time as may be determined by the General Secret

Article 14

- Inspectors or auditors shall verify the following
1. Protection and planning policy.
 2. Physical security (access perimeters, controls, d
 3. Information Communication Technology infrastructure (n
 4. Electronic storage capacity/Information/Data R
 5. Certification services quality management system (certificates lifecycle m
 6. Availability of electronic certification practice statement and complia
 7. Compliance with the guidelines and technical requirements issue
 8. Agreements concluded with authorized signatories and other cer
 9. Compliance with the license terms.
 10. Compliance with the provisions of the Law and
 11. The certification service provider acts in accordance with the data it submi
 12. Any other activities undertaken by the certification s

Article 15

The auditor or inspector shall prepare a report including the results/findings of his work and shall submit it to the General Secretariat of the State, completing the inspection or audit process.

Article 16

Where it is proved in the inspection or audit report that a certification service provider has not met the terms and conditions of the Law and this bylaw, the General Secretariat may reject the application for license issue or renewal.

Article 17

The technical audit entity must be registered in the State and must have no financial, legal or other interests in the certification services.

Article 18

The General Secretariat shall ensure that the technical auditor meets the requirements of the Law and this bylaw.

1. Sufficient familiarity with the provisions of the Law and this bylaw as well as all guidelines, controls, standards and certification services.
2. Accredited by an entity specialized in technical information security.
3. Holds a Certified Information Systems Auditor (CISA) certificate, Certified Information Technology Professional (CITP) certificate or an accredited Information Security Auditor certificate.
4. Able to conduct technical audits in compliance with ISO 27000 standards, particularly ISO (27001:2005) regarding information systems management, as well as ISO (272002) regarding codes of practicing.
5. Sufficient experience in the fields of electronic signatures, electronic certification certificates, electronic financial reviews rules and specialized audit techniques.

Chapter Four: Certification Service Provider's Obligations

Article 19

In performing its work, the certification service provider shall abide by all terms, controls and conditions prescribed in this law and the following:

1. Adhering to technical standards approved by the General Secretariat and enclosed with this decision, including electronic signatures and electronic certification certificates. These standards may be amended by the General Secretariat. The certification service provider is advised of such amendments.
2. Taking any action necessary to ensure that all systems, processes, procedures, employees, apparatus, equipment and requirements based on the ISO standards (27000) and the decisions, instructions and guidelines issued by the General Secretariat. The provider shall submit a report to the General Secretariat on such compliance upon submission of the annual report.
3. Using approved and reliable systems and measures in all its activities and processes, and adopting the most efficient, honestly and reliably.
4. Taking any action necessary to ensure compliance with all terms, requirements and standards required by the law. The certification service provider provides services within the framework of the law.
5. Keeping reliable, complete and accurate registers for all processes of issuing, renewing and canceling certificates.
6. Allowing registers to be continuously accessible for electronic review by the concerned parties by using appropriate means. The provider employs all sufficient and appropriate means to protect data from unauthorized access.
7. Meeting all safety and security standards, requirements and terms at the certification service provider's place of business. The provider uses storage unit technology in such a manner that guarantees continuity of business upon the occurrence of a disaster.
8. Using reliable means for issuing, delivering and storing certificates, and taking sufficient and appropriate measures to prevent distortion, confidentiality violation or illegal or unauthorized use.
9. Providing physical protection for the place of business and the certification system against fire, theft and other risks.
10. Ensuring that the compensation received by the certification service provider against the services and work is fair, reasonable and type of such services, and consistent with the best international and regional practices. The Supreme Council of the Profession sets the time.

Article 20

The certification service provider shall, in providing electronic signature support services, act according to the Law and its business, and shall particularly comply with the following:

1. Preparing, reviewing, auditing and updating the data on a regular basis and maintaining a copy thereof in accordance with the standards set out in the Law and this Law.
2. Presenting an updated copy of such data upon submitting an application for certification.
3. Registering all changes which may occur to such data promptly upon their occurrence, and retaining a copy of the changes in writing of any changes which occur to such data.

Article 21

1. The certification service provider shall use encryption or any other technology as a means for protecting the confidentiality of information and data, identifying the creator's personality and preventing third parties from accessing the information and data, preventing the respective addressees from receiving, distorting or modifying the information and data.
1. The certification service provider shall have a well-defined key management process.

Article 22

- The certification service provider shall use one or more of the following methods, as the case may be, for protecting the confidentiality of information and data, identifying the creator's personality and preventing third parties from accessing the information and data, preventing the respective addressees from receiving, distorting or modifying the information and data:
1. Public key encryption.
 2. Access control mechanisms.
 3. Firewalls and network security filtering.
 4. Information filters.
 5. Blocking denial set.
 6. Data encryption technologies.
 7. Backup/recovery (procedures) protection.
 8. Malware protection mechanisms (software).
 9. Any reliable and trustworthy method or means of technology related to preventing security penetration.

Article 23

- The certification service provider shall keep all registers related to performance of its work in accordance with the Law and shall particularly adhere to the following:
1. Keeping registers in hardcopy and electronic copy or in any other appropriate form required by the concerned authority, legible, accessible and usable by concerned parties.

2. Providing means that enable concerned parties to use the registers in a
3. Preparing an archive for the purpose of classifying, storing, keeping, copying and archiving all registers and the data, information or certificates associated therewith. The certification service provider shall have more than seven (7) years and shall ensure compliance with all related requirements
4. The archive shall particularly contain the data related to certification certificates, including the identification certificate from the certification service provider, the double symbols issuance process, the alternative certification, electronic information management, information systems, and place of business and

Article 24

The certification service provider shall have an electronic storage space on the internet to enable it to perform

1. Continuously accessible to the public, with disconnection of any service related to the storage space, when and provided that the service availability percentage does not drop below
 2. Sufficient, complete and accurate information about
 1. Certification certificates and all data, information, documents
 2. Lists pertaining to suspending or cancelling certificates
3. A complete archive of the certification certificates that have been stopped, cancelled, suspended, or
 4. Any information, data, documents, clarifications, prerequisites, instructions, standards or requirements

Article 25

The certification service provider shall, in the event of any violation of its place of business or certification system by such violation, in writing within twenty-four (24) hours from the date of its certain or presumed knowledge

Article 26

1. The certification service provider may not merge or have joint liability with any third party except as on the services and clients.
1. The General Secretariat shall have the right to take the action it deems appropriate in light of the content of on the terms of granting the license or on the interests

Article 27

The certification service provider shall:

1. Suspend the certificate validity immediately upon a request by its holder, or in case:
 - A. The certificate has been issued on the basis of erroneous or incomplete information;
 - B. The signature tool has been violated;
 - C. The certificate has been used for fraudulent purposes;
 - D. The information contained in the certificate is incorrect.
2. Notify the certificate holder immediately upon suspending the certificate validity.
3. Remove the certificate suspension immediately if the certificate holder withdraws the suspension request, and the legality of using it are proven.
4. The certificate holder or any interested third party may object to the suspension decision issued by the certification service provider.

Article 28

The certification service provider shall cancel the certificate immediately upon the:

1. Where the certificate holder requests cancellation;
2. Where the certification service provider knows of the demise of the natural person or the dissolution of the legal entity;
3. Where the certification service provider, after conducting detailed verification, is confident of the correctness of the information and the validity of the certificate.

Article 29

The certification service provider shall be liable for the damages resulting from its negligence in taking the provisions set out in Articles 27 and 28 above into account.

Article 30

The certification service provider shall ensure the:

1. Fulfillment on the part of its entrusted employees of all requirements of qualification, experience and all other conditions;
2. No entrusted employee shall have any interests or relations that could compromise the impartiality of the certification service provider.

The certification service provider shall maintain a register showing compliance with the requirements of this article.

Chapter Five: Consumer Protection

Article 31

The certification service provider shall take all necessary action to ensure fulfillment of all terms, controls and data security in accordance with the provisions of the Law.

Article 32

The certification service provider shall provide adequate information to consumers regarding the reporting renders in terms of the form of grievance, the data it should contain, as well as the method, time and place for to predefined procedures.

Article 33

1. A certification service provider wishing to obtain the express consent from a consumer to send commercial communications shall request such consent:
 - A. The purpose of requesting the consumer's consent;
 - B. Sufficient information about the service provider.
1. The consumer who receives commercial electronic communications from a certification service provider mentioning his wish not to receive further electronic communications; and the service provider shall inform the consumer.
 1. The electronic communication should include precise information about the manner in which

Article 34

The certification service provider shall keep a special register to record consumers' grievances in the order of their receipt and shall publish the register of grievances in an effective and transparent manner.

Article 35

The certification service provider shall decide on grievances within thirty (30) days from the date of receiving the written request in this regard to the concerned department, after consulting the opinion of the committee of experts, on the basis of the result of examining the grievance and the action taken thereon.

Article 36

1. Where the thirty (30)-day period mentioned in the above article elapses without action being taken, the concerned department may take any action or issue any instructions to the certification service provider in accordance with the competences assigned thereto in this respect by the provisions of the bylaw.

Chapter Six: Suspending, Cancellation and Assignment

Article 37

The General Secretariat may suspend the certification service provider's license if the certification service provider fails to comply with the provisions of the bylaw. The certification service provider shall, in compliance with a decision to suspend its license, do the following:

1. Retain all registers and electronic data related to its business as a certification service provider, and those related to the certification service, and ensure that their content until they are disposed of in accordance with the decisions, instructions, guidelines and procedures of the General Secretariat.
2. Provide the General Secretariat with all technical details related to the certification service.
3. Transfer the data, either wholly or partially, according to the technical controls to be set by the General Secretariat.

Article 38

The General Secretariat may revoke the certification service provider's license in the following cases:

1. Where the certification service provider becomes non-compliant with the terms, conditions and controls of the bylaw.
2. Where six (6) months have elapsed from the date on which the General Secretariat issues a decision to suspend the certification service provider's license without the reasons of suspension.
3. Upon a written request from the certification service provider to cease its business.
4. Where the certification service provider ceases its business without notifying the General Secretariat.

Article 39

1. The General Secretariat shall notify the certification service provider in writing, or by any other means, of the decision to suspend or cancel the license of a certification service provider shall be published on the official website of the General Secretariat. The certification service provider whose license has been cancelled shall not be permitted to obtain a new license before a period of five (5) years, unless the General Secretariat otherwise decides.

Article 40

A certification service provider whose license has been suspended or cancelled shall coordinate with the General Secretariat to develop and implement the guidelines issued thereby until the certification service provider completes its business.

Article 41

The certification service provider shall follow the following procedures if it intends to terminate its business:

1. Notify the General Secretariat at least three (3) months prior to the termination of its business.
2. Notify concerned parties in writing of its intention to terminate its business.
3. After giving such notice, the certification service provider shall allow subscribers an appropriate period to transfer their data to another certification service provider.

Article 42

After terminating its business, the certification service provider shall take all necessary measures to maintain the confidentiality of the data it has collected, stored, or processed, until the date of closing down its business, in accordance with the controls and terms to which it is subject. In all cases, the certification service provider may not keep any copies of its business registers and electronic data for a period of not less than seven (7) years.

Article 43

- 1- The licensee may only assign the license to other party after obtaining the p
- 2- Should the certification service provider wishes to assign the license to a third-party, he shall notify t
assignment.
3. The notification referred to in paragraph (2) must include all data and documents which prove that the As
4. The Secretariat has the right to accept or reject the assignment requ
5. The Secretariat shall notify the Assignee of its decision in writing

Chapter Seven: General Secretariat's Management of

Article 44

Without prejudice to the provisions set out in Article [64](#) of the Law, the General Secretariat may, either inde
any grievance or claim that may be lodged against any of the certification service providers, their officers, rep
Law and this bylaw.

Article 45

The General Secretariat shall have the right, if it is of the opinion that a grievance or a claim filed against any
action, decisions and measures in accordance with the provisions o

Article 46

The General Secretariat shall create a general register for certification service providers in the State and shall
shall include all data, papers and documents related to certifica

Article 47

The certification service provider shall advise the General Secretariat in writing of any modification in the
fifteen (15) days from the date on which such modifica

Chapter Eight: Accreditation of Foreign Certificat

Article 48

The General Secretariat may approve certification certificates issued by foreign entities that have competence in the following conditions is met:

1. The foreign entity issuing the certificate must comply with the rules and requirements set out in this bylaw
2. The foreign entity issuing the certificate must have an agent in the State licensed by the General Secretariat, who must meet the necessary requirements and prerequisites to deal with electronic certification
3. The foreign entity must be among those entities which have been approved by the General Secretariat, provided that there is an agreement to this effect between the foreign licensing authority and the General Secretariat, or authorized to issue electronic certification certificates
4. The foreign entity must be one of the approved or licensed entities authorized to issue electronic certification certificates

Article 49

Approval of a foreign authority shall be granted upon a request submitted thereby, or by concerned parties, or by the General Secretariat may approve a foreign authority, on its own initiative, in the cases mentioned in the law.

Article 50

1. Where a foreign authority applies for accreditation, the General Secretariat shall, after receiving and processing the application within a period not exceeding ninety (90) days from the date on which the foreign authority submitted the application, issue a decision on the application.
1. Where the aforementioned period elapses without the accreditation being issued, the request shall be deemed to have been rejected by the General Secretariat in writing of an extension of such period.
2. A decision to accredit a foreign authority shall be issued by the General Secretariat and such decision shall be final and binding. The General Secretariat may, by a reasoned decision, revoke the accreditation.

Article 51

Accredited foreign authorities may request the General Secretariat to approve the types of electronic certification controls set by the General Secretariat in this regulation.

Chapter Nine: Financial Penalties

Article 52

- Whoever violates the provisions of Chapter Three of this Bylaw shall be obliged to pay an amount not less than five hundred thousand (500,000) riyals.
- Whoever violates the provisions of Chapter Four of this Bylaw shall be obliged to pay an amount not less than two hundred and fifty thousand (250,000) to riyals.
 - Whoever violates any other provision of this Bylaw, shall be obliged to pay an amount not less than five hundred thousand (500,000) riyals.
 - Financial sanctions provided for in this Article shall be applied by a decision of the Council of Ministers.

Please do not consider the material presented above Official

حكومة دولة قطر . جميع الحقوق محفوظة © 2017