

Law on Digital Identity

Draft Law No. 992 (20 articles), passed in Public Session on 4 December 2019 (awaiting publication in the *Journal de Monaco*), is part of the [Extended Monaco \(e-Government\) programme](#). Persons who have been assigned a digital identity will have access to service and e-government platforms.

It is one of the components of the Principality's digital development, with the Law for a Digital Principality passed on the same day and [Draft Law No. 995 on Blockchain technology](#).

The legislator has been inspired by the standards of the European Union, the texts and e-services of foreign States [Explanatory Memorandum to Draft Law No. 992, pp. 3-5]:

- Creation and assignment of a digital identity to natural persons (nationals and holders of a residence permit, persons registered in a registry of a public service maintained for the application of a legislative or regulatory provision) and legal persons (registered in a registry of a public service maintained for the application of a legislative or regulatory provision).
- Possibility for persons in the private sector to create and assign a digital identity to natural and legal persons.
- Creation of the Monegasque National Registry of Digital Identity (*Registre National Monégasque de l'Identité Numérique*), where, for example, the following may be registered and stored: for natural persons, surname, first name(s), domicile, date and place of birth, nationality(ies); for legal persons, legal form, company name, corporate purpose, registered office, place of operation in Monaco and abroad.


Art. 1: Definitions (digital identification, personal identification data, authentication, means of digital identification, digital identification, biometric data, personal data, sensitive data, identity provider, electronic identification scheme, trust service).

Art. 2: Concept of digital identity; possibility of using **biometric data** transformed into digital data, which are not stored beyond their registration on a medium.

Art. 3: Three levels of guarantee (low, substantial, high) as to the reliability of a person's identity.

Art. 4: Creation and attribution of a digital identity (providing a high level of guarantee) to **natural persons of Monegasque nationality or holders of a residence permit** (implementing rules laid down by Sovereign Order).

Art. 5: Creation and attribution of a digital identity to **natural or legal persons who are registered in a registry of a public service maintained for the application of a legislative or regulatory provision** (list published by



Sovereign Order), and also **by persons in the private sector** (specifications and guarantee levels determined by Sovereign Order).

Art. 6: Creation of the **Monegasque National Registry of Digital Identity (*Registre National de l'Identité Numérique*)**; purposes of the Registry; Interconnection and interoperability between the files from which the personal data originate and the personal identification data recorded and stored in the Registry (implementing rules established by Sovereign Order).

Art. 7: Purposes for which the Registry cannot be used.

Art. 8: Registration and storage in the Registry of data strictly necessary for the identification of persons; prohibition to register and store sensitive data (list of data recorded and stored in the Registry published by Sovereign Order).

Art. 9: Guarantee of the **accuracy of the data recorded on the basis of supporting documents** in the Registry.

Art. 10: Storage period for information recorded in the Registry may not exceed the period necessary for the purpose for which it was collected; beyond that, storage solely for the purpose of **archiving in the public interest**.

Art. 11: Security of the Registry (availability, integrity, confidentiality, traceability) ensured by the person in charge of the Registry; purposes of access to the Registry by duly and specially authorized persons.

Art. 12: Submission of persons who manage the Registry to **professional secrecy** under the conditions of art. 308 of the Criminal Code.

Art. 13: Request from public services and persons in the private sector for the communication of data recorded and stored on the Registry (implementing rules determined by Sovereign Order).

Art. 14: Right of access and rectification of the person concerned (with the department in charge of managing the Registry).

Art. 15: Directory ensuring the traceability of consultations of the Registry by authorized persons **and of requests for communication**, kept at the disposal of the Personal Data Protection Authority (*CCIN*); period of **conservation** of the elements for 10 years from the date of their registration; right of access and rectification.

Art. 16: Effect of the registration of information in the Registry for the person concerned, not required to communicate it to the executive services of the State (interconnection and interoperability).

Art. 17: Concept of **identity provider**.

Art. 18: Digital identifiers (permanent or temporary) assigned and centralized in the Registry, are issued on electronic or non-electronic media, and allow **access to service and electronic administration platforms** (implementing procedures set by Sovereign Order).

Art. 19: Criminalisation of knowingly using anonymized or pseudonymised information from the Registry to re-identify a person (imprisonment from 6 months to 1 year and fine from €18,000 to €90,000).

Art. 20: Equivalent meaning of the terms "electronic" and "digital" used in laws and regulations, in matters of identity and trust services.