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 (Regulation on electronic identification and trust services –eIDAS) is aimed at enhancing the efficiency of online administrative services and e-commerce within the European Union. The national measures for the implementation of the Regulation are set out in the Electronic Identification Act (EIA) and the Electronic Document and Electronic Trust Services Act.

Electronic identification, within the meaning of § 1(1) EIA, means the process of using person identification data in electronic form representing a specific person. The essence of this term could be explained by analogy to the physical world. Similarly to the legitimation of a person by producing the identity card to an official, the electronic identification is a process of verification and authentication of the identification data of the person, but in an electronic way.

The Electronic Identification Act provides for the issuance of electronic identify certificates to natural persons who are holders of a personal identity number (EGN in Bulgarian) or a personal number of a foreign national (LNCh in Bulgarian). This certificate enables persons to use it for legitimation purposes in the virtual world and to confirm the origin and integrity of data in a digital format. The process is intended to roll out electronic administrative services as a step towards e-government. Therefore Article 20a(4)(2) of the Bulgarian Identity Documents Act has been amended (as from 1 January 2019) to provide for the recording the electronic identity certificate on the identity document upon its issuance. The only exception will be the case of explicit refusal on part of the person. The approach to the qualified electronic signature certificate will be different, as it will be recorded only upon the explicit request of the person. The technical solution will be to introduce a chip (contactless electronic data carrier) into the identity document, containing personal and biometric data of the identity card holder. Electronic identification certificates will be issued by the Ministry of Interior that will also keep a register of electronic identity controllers who will provide ancillary services in the process of issuing certificates.

With a view to ensuring continuity of the process of applying for and providing electronic administrative services, the personal identification code (PIC) assigned by the National Revenue Agency or the National Social Security Institute will continue to be active over a period of three years after the commencement date of electronic identification certificates.

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Their validity term has been renewed in accordance with Regulation No 164 of 6 August 2018 amending the Regulation on the basic requirements to information systems, registers and electronic administrative services. Furthermore, the national legislation provides for the option to use the unique access code (UAC) assigned by the National Health Insurance Fund in the applications for electronic administrative services.

Although the qualified electronic signature (QES) has been used so far, inter alia, for purposes that are within the scope of electronic identification, the two processes differ substantially from the perspective of the purpose for which administrative services are used and transactions are carried out. The electronic identification is a statement confirming the origin and authenticity of data. On the other hand, placing an electronic signature on a document is a declaration of will generating legal effects similar to those, for instance, in case of the conclusion of contracts.

The Regulation provides for harmonization of the national frameworks and the level of security in electronic transactions and electronic administrative services in the Member States of the European Union. Mutual recognition of electronic identifications issued in different Member States will be applicable in case of proven reliability of the electronic identification means, i.e. assurance that the person claiming a particular identity is in fact the person to which that identity was assigned. The greater degree of efficiency in the e-government functioning in Bulgaria will facilitate the use of online services and e-commerce not only in the country but also within the EU as a whole.

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