

THE SECURITY OF NETWORKS AND INFORMATION SYSTEMS LAW , 2020

Decision under sections 19(1)(a), 20(1)(a), 20(1)(b), 46(1) and 46(4)

Decision on the obligation of digital service providers to register in the register of the Digital Security Authority.

89(I)/2020. In exercise of the powers vested in it by sections 19(1)(a), 20(1)(a), 20(1)(b), 46(1) and 46(4) of the Security of Networks and Information Systems Law, 2020, the Digital Security Authority (hereinafter "the Authority"), issues the following Decision.

Preamble. The Authority having regard to:

- 89(I)/2020.
1. The provisions of the Security of Networks and Information Systems Law (hereinafter the Law) and in particular sections 19(1)(a), 20(1)(a), 20(1)(b)), 46(1) and 46(4) of the Law,
 2. Directive (EU) 2016/1148 of the European Parliament and of the Council of July 6, 2016, and
 3. The Commission Implementing Regulation (EU) 2018/151 of 30 January 2018,

issues this Decision determining the procedure for submitting an application for the purposes of registration in the register of digital service providers.

PART I INTRODUCTORY PROVISIONS

Short title. 1. This Decision may be cited as the Security of Networks and Information Systems (Registration of Digital Service Providers) Decision, 2020.

Interpretation. 2.-(1) In this Decision, unless the context otherwise requires—

"Authority" means the Digital Security Authority;

"register" means the register maintained by the competent authority for the purpose of registration of digital service providers;

"Law" means the Security of Networks and Information Systems Law, 2020 and includes any Law amending or substituted for the same.

(2) Any other terms which are used in this Decision and which are not otherwise defined shall have the meaning assigned to them by the Security of Networks and Information Systems Law , 2020.

Scope of application.

3. This Decision shall apply to all digital service providers.

PART II PROCEDURE OF REGISTRATION OF DIGITAL SERVICE PROVIDERS

Registration of digital service providers.

4.-(1) Every provider of digital services must register in the register that is kept by the Authority for the purpose of monitoring the systematic approach to information security.

(2) Following their relevant application in the form specified in the Annex to this Decision, all citizens – digital service providers and all legal entities – digital service providers who reside or have their corporate base in the Republic of Cyprus shall be registered in the register.

(3) (a) Natural persons must submit electronically the following:

(i) A certificate of clean criminal record that is issued by the Cyprus Police and its date of issue must not exceed six (6) months from the date of submission of the application for registration.

Provided that where the natural person is a resident of another member state of the European Union, the above document as well as any other documents requested by the Authority, should be obtained from the respective competent authorities and should be translated into the Greek or English language and shall be duly certified.

(b) The legal entities shall submit electronically the following:

- (i) A report certified by the Director / Partner of the company / partnership which covers all managing persons who act on behalf of the company / partnership
- (ii) In the case of a company/partnership based in the Republic of Cyprus, the application shall be accompanied by the following information:
 - Memorandum and articles of association of the company/partnership
 - certificate of incorporation
 - certificate of registered office
 - certificate of directors and secretaries duly certified by the Registrar of Companies and Official Receiver of the Republic of Cyprus.
- (iii) For the Director / Partner of the company / partnership or other persons acting on behalf of the company / partnership, a clean criminal record with a date of issue no longer than six (6) months from the date of submission of the application for registration .
- (iv) In the case of a company/partnership registered in another member state of the European Union, the above documents must be obtained from the respective competent authorities and should be translated into Greek or English and must be duly certified.
- (4) The Authority reserves the right to request additional certified copies of documents concerning each natural person and each company / partnership.
- (5) Each application shall be examined by the Authority as soon as possible and the applicant shall be informed whether he/she/it was approved for the purpose of registration.

PART III FINAL PROVISIONS

Date of	5. This decision shall come into force on the date of its
commencement.	publication in the Official Gazette of the Republic.

ANNEX I
[Section 4(2)]

APPLICATION FOR REGISTRATION IN THE REGISTER OF DIGITAL SERVICE PROVIDERS

Please select the type of your application

Registration		Date of submission	
Amendment			
Termination			

APPLICANT'S DETAILS

Name of Interested Person / Company		
Address	Street and number	
	City and Postal Code	
	Country	
Name of Authorized Representative		
Telephone		
Fax		
E-mail		
Website		

COMPANY DETAILS (in case of registration of companies)

Registered Name of the Company		
Name under which the Company is Operating		
Company Registration Number		
Type of Business Activity		
Country of Main Establishment for the purposes of European Directive EC 2016/1148		
DETAILS OF DESIGNATED REPRESENTATIVE IN THE EUROPEAN UNION (To be completed only if the country of primary establishment of the Provider is outside the European Union)		
Name of authorized person / company		
Address	Street and number	
	City and Postal Code	
	Country	
Telephone		
Fax		
E-mail		
Website		
Date of Registration of the Company		
Share Capital		

Shareholding Structure (please describe)	
Number of employees	
Annual Turnover	

INFORMATION REGARDING THE DIGITAL SERVICES THAT YOU PROVIDE

Please state the type of digital services you provide and describe your activities. The services are defined based on Article 4(17) of the European Directive EC 2016/1148.

Type of Digital Service that you offer (check all that apply)	Online Search Engine		Please provide a description of each digital service that is offered (Include the name of the service, where applicable):
	Online Market		
	Cloud Computing Services		
Estimated number of users per digital service that is offered	Online Search Engine		Please provide details on the manner of calculation or the manner for estimating the number of users:
	Online Market		

	Cloud Computing Services		
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Geographic area in which the services are provided (Local, National, European Union, International).	
Geographical location of infrastructure and systems that support the provision of the said digital services.	
Are the networks and information systems that support the provision of digital services managed internally or by external partners? (If outsourced, please provide details)	
Is the provision of your digital services supported by other digital service providers (inside or outside the Republic of Cyprus)? (If yes, please provide details)	
Do you provide your own digital services to your customers, or do you give access to services provided by a third party? (Please provide details)	

Explanatory Report

In the context of the entire effort to promote security measures in cyberspace, a series of technical measures is proposed that relate to the determination of the elements and information of the digital service providers, pursuant to the respective guidelines of the Commission's Implementing Regulation.