



Real Casa de la Moneda
Fábrica Nacional
de Moneda y Timbre

PKI FNMT – RCM DISCLOSURE STATEMENT

“AC Consulares” Certificates

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15/11/2024
FNMT – RCM

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Trust Service Provider contact information

Fábrica Nacional de Moneda y Timbre - Real Casa de la Moneda

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<https://www.sede.fnmt.gob.es/>

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The FNMT-RCM places at the disposal of the Subscribers, third parties that trust, software suppliers and third parties a communication channel through the electronic venue of the FNMT-RCM (<https://www.sede.fnmt.gob.es/>) with clear instructions, to allow them to report any matter related to this type of Certificates, regarding a supposed commitment of Private Key, undue use of the Certificates or other types of fraud, compromise, misuse or inappropriate behaviour.

Certificate type, validation procedures and usage

The "AC Consulares" Certification Authority issues Electronic Certificates to individuals with Spanish nationality, of legal age, who are habitual residents abroad or are temporarily there, in possession of a Central Consular Identification Number (NICC) and who do not have a valid National Identity Document (DNI) for a lawful reason or have never had one.

These certificates can be used for electronic signatures and as an identification mechanism to interact with the General State Administration of the Ministry of Foreign Affairs, European Union, and Cooperation, in accordance with the provisions of Royal Decree 991/2024, of October 1, on the registration of Spanish nationals in the Consular Office Registers abroad.

These certificates are issued as an integral part of the identification and electronic signature systems based on qualified electronic certificates admitted by virtue of their inclusion in the trusted service lists according to the technical specifications set out in the Annex to Commission Decision 2009/767/EC, of October 16, 2009 (amended by Commission Decision 2010/425/EU, of July 28, 2010). These trusted service lists contain information related to the Trust Service Providers that issue qualified certificates to the public, supervised in each Member State, among which is the FNMT – RCM.

These electronic certificates are qualified in compliance with the requirements of Regulation (EU) No 910/2014, of the European Parliament and of the Council, of July 23, 2014, on electronic identification and trust services for electronic transactions in the internal market.

The validity status of these types of certificates can be verified through the information and consultation service of the Certificates status provided by the FNMT – RCM via the OCSP protocol, available at the location specified in the certificate itself.

Reliance limits

The Certification Authority “AC Consulares” only issues certificates for electronic signature to natural persons.

The FNMT-RCM shall file those important events that are necessary to verify the activity of the Certification Authority for a period of no less than 15 years, according to the current legal regulations.

Obligations of subscribers

The natural persons, bound by agreement with the FNMT-RCM, are required to:

- Understand the conditions of use of the certificate in accordance with the applicable [Certification Practice Statements](#), and specially, the limits of use of the certificates.
- Act diligently with respect to the custody and conservation of the signature creation data or any other sensitive information such as keys, certificate application codes, access words, personal identification numbers, etc., as well as the certificate supports, which in all cases include the non-disclosure of any of the aforementioned information.
- Request the revocation of the certificate in case of suspect of loss of confidentiality, disclosure or unauthorized use of the signature creation data.
- Promptly notify the FNMT-RCM of any changes to the information provided in the certificate application, requesting the revocation of the certificate in the pertinent cases.

Certificate status checking obligations for the relying parties

If a relying party is to reasonably rely upon a certificate, it shall:

- Ensure that reliance on certificates issued under Certificate Policy is restricted to appropriate uses (see [CA CPS document](#)).
- Verify the validity by ensuring that the certificate has not expired.
- Ensure that the certificate has not been suspended or revoked by accessing current revocation status information available at the location specified in the certificate to be relied upon.
- Determine that such certificate provides adequate assurances for its intended use.

Limitation of liability

The FNMT-RCM shall only be liable for deficiencies in the procedures that correspond to its activity as a Trust Services Provider, and pursuant to the terms of these Certification Practices and Policies. In no other case will it be liable for the actions or losses incurred by applicants, representatives, represented entities, user entities, or in such case, third parties involved, that are not due to errors that can be attributed to the FNMT-RCM in the issuing procedures and/or management of the certificates.

The FNMT-RCM does not respond in the event of unforeseen circumstances, force majeure, terrorist attacks, illegal strikes, as well as in the cases that involve actions that constitute a crime or omission that affect its supplier infrastructure, except in the case of gross negligence by the entity.

The FNMT-RCM shall not be liable to persons whose behavior in the use of the Certificates has been negligent. For these purposes and in any case shall be considered negligence, the failure to observe the provisions set forth in the Certification Practices Statement and, in particular, those in the sections referring to the obligations and responsibility of the parties

In any case, and with the condition of penal clause, the quantity that the FNMT-RCM must pay for the concept of damages as ordered by the court to the harmed third parties or members of the Electronic Community, in the absence of specific regulation in the contracts or agreements, is limited to a maximum of SIX THOUSAND EUROS (6,000€).

In the event of termination of the activity as Certification Services Provider, the FNMT-RCM shall be governed by that stated in the electronic signature regulations. In any case, will inform this event, duly and sufficiently in advance, to the holders of the certificates, as well as the users of the affected services. The FNMT-RCM will transfer, with the express consent of the holders, those certificates which continue in force on the effective date of the cessation of the activity, to another Trust Services Provider which accepts them. If this transfer is not possible, the certificates shall be extinguished.

Applicable agreements, CPS, CP

The specific document of Certification Practices and Policy of Certificates for natural persons from the “AC Consulares”, accessible at <http://www.ceres.fnmt.es/dpcs/>, informs about the conditions and characteristics of the FNMT-RCM certification services as a Trust Services Provider. This document contains the obligations and procedures which agree to comply with the issuing of the certificates for natural persons.

The activities that can be outsourced by FNMT-RCM in order to develop its activity as a Trust Services Provider are carried out according with the FNMT-RCM Certification Policies and Practices and the contracts/agreements signed with entities that perform such activities. In these cases, access to FNMT-RCM information by third parties follow the protocol defined in the Security Policy of this company, in terms of identifying risks, establishing security controls to protect access to information and formalization of the corresponding confidentiality agreements. If applicable, will be signed a contract for the treatment of personal data in compliance with current regulations.

Privacy policy

Basic information on the personal data collected. This information is made in two layers on the basis of European regulation (articles 13 and 14 of REGULATION (EU) 2016/679 - General Regulation of Data Protection) and Organic Law 3/2018, of December 5, of Protection of Personal Data and guarantee of digital rights

RESPONSIBLE PARTY	FÁBRICA NACIONAL DE MONEDA Y TIMBRE-REAL CASA DE LA MONEDA, E.P.E., M.P. (FNMT-RCM)
PURPOSE	<p>Management of the provision of trust services and other electronic administration and information society services, related and provided for in the purposes of the Entity and in the current regulations.</p> <p>Manage the provision of the aforementioned services in all phases of their development and execution.</p> <p>Quality Management, surveys and opinion polls related to the trust services</p>
LEGITIMATION	<p>Execution of a contract for the provision of a service in which the interested parties are involved.</p> <p>Compliance with a legal obligation applicable to the data controller. Art. 6.1.c)RGPD: Law 6/2020, of November 11, regulating certain aspects of electronic trust services.</p>
DATA COMMUNICATION	<p>Public administrations, organizations, and entities linked or dependent, within the scope of Article 81 of Law 66/1997, of December 30, and other cases contemplated in European and national regulations with the rank of Law. Data communications will occur by including the certificate's serial number in the list of revoked certificates. Additionally, the use of the certificate allows third parties to access data you have provided us (name, surname, and ID number).</p> <p>Communications to the State Security Forces and judicial authorities. No international transfers are made outside the EU.</p>
RIGHTS	You can access, rectify, delete data, and exercise the rest of your rights, as informed at https://www.fnmt.es/politica-privacidad .
SOURCE	Unequivocal consent of the data subject. From the companies and organizations where the data subjects provide services.
SECURITY MEASURES	Esquema Nacional de Seguridad. More information at the link below.
DATA CATEGORY	<p>Identifying data: NIF/DNI, Passport (full content), name and surname, address, phone number, age, date of birth, email, position, company name or business name, IP, NICC (Central Consular Identification Number).</p> <p>Personal characteristics data: public authentication key, private key for cloud signature, certificate serial number, certificate request code.</p> <p>Social circumstances data: attributes related to capacity and power of representation.</p> <p>Commercial information data: web address (URL).</p>
<p>You may consult additional and detailed information about this treatment in: https://www.fnmt.es/politica-privacidad (DATA PROCESSING Nº 13)</p>	

The interested parties authorize the FNMT-RCM to include the certificate serial number in the list of revoked certificates (data communication) so that it may be viewed by any user, whether or not the user has an electronic certificate, in both the public and private areas. We also inform you, and you agree that the use of the certificate for identification purposes or if you perform an electronic signature, entails the possibility that third parties may access the data you have provided to us that are included in the certificate.

Refund policy

It does not apply to these types of certificates

Applicable law, complaints and dispute resolution

The provision of trust services by the FNMT-RCM shall be governed by the Laws of the Kingdom of Spain.

In general, the members of the Electronic Community and the Users of the trust services of the FNMT-RCM accept that any dispute, disagreement, issue or claim resulting from the execution or interpretation of the Trust Services Practices Policies and/or Statements or directly or indirectly relating to them, shall be settled in accordance with that established in the corresponding contracts, general conditions and/or agreements, under the terms set out in the entity's Articles of Association passed by Royal Decree 51/2023, of 31 January (BOE – Official State Gazette – no. 27 of 1 February 2023). They can also agree, following agreement by the competent body of the FNMT-RCM, arbitration clauses in accordance with the applicable legislation.

In the event that the contracts, general conditions and / or parcels or agreements do not specify conflict resolution systems, all parties must submit to the exclusive jurisdiction of the courts of the Spanish State in the city of Madrid

Likewise, mediation or arbitration procedures may be agreed upon, subject to the approval of the competent bodies of the FNMT-RCM, in accordance with the applicable legislation.

CA and repository licenses, trust marks and audit

The FNMT – RCM has a long history in performing its industrial activities, as well as backing from the State. Since the entry in force of article 81 of the Fiscal, Administrative and Social Order Measures Act 66/1997, of 30th December, and its modifications, the FNMT-RCM has contributed to promoting the extension of the services to which it is authorized and has gained the recognition in the private environment in the sector of electronic certification and the data communications networks, becoming a significant player in the provision of certification services.

FNMT-RCM, as a Trust Services Provider, holds several accreditations and certifications, such as:

- Issuance and administration of qualified electronic certificates in accordance with ETSI EN 319 411-2 “Requirements for trust service providers issuing EU qualified certificates” y ETSI EN 319 412-2 “Certificate profile for certificates issued to natural persons”. This audit is conducted with the required frequency and by a Conformity Assessment Body accredited for such purpose.

The certificates for natural persons are issued as qualified certificates under the Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014, concerning electronic identification and trust services for electronic transactions in the internal market. Inclusion in the list of trusted certification service providers (TSL) of

Spain, can be seen through the link
<https://sedediatid.mineco.gob.es/Prestadores/Paginas/Inicio.aspx>.