



List of common information requirements of the prioritized services/projects/domains

Study on semantic interoperability for representation powers and mandates

03/07/2017

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1. Executive Summary

Representation powers and mandates are an essential element for businesses establishing relationships with other businesses, governments and customers, because legal persons can only act legally by means of natural persons in most countries. Currently, there are important barriers that hinder the adoption of an EU wide solution for cross-border transfer of representation information, of which the most relevant is the lack of a common legal and semantic framework. Representation is complex, and electronic mandates schemes and policies are basically national and usually do not consider the possibility to use those mandates in cross-border scenarios.

In the context of 'D.2.1.a List of common information requirements of the prioritized services/projects/domains' deliverable of Task 02 – Production of requirements and good practices under framework contract DI/07171-00 - Lot 2 for "Study on Semantic interoperability for representation powers and mandates" project, this report defines the **common information requirements that should be implemented to reach cross-border interoperability of electronic representation and electronic mandates at European level**.

These requirements are based on the conclusions extracted from the extension of the AS-IS analysis performed within Task 01 – Study about cross-border interoperability of powers and mandates in addition to the analysis of the six business cases proposed as a conceptual framework. The common specifications and building blocks for interoperable legal identities and mandates as well as the model to define mandate attributes described by the Secure idenTity acrOss boRders linKed 2.0 (STORK 2.0) project have also been considered.

Whereas the findings with regards to the **AS-IS situation**, the **average maturity** of the management of electronic mandates and power of representations at European level is at the **applied level**. This means that some barriers prevent the use of electronic powers and mandates at European level.

In addition, it can be observed that the maturity of the **semantic layer** is at the **emerging level**, being lower than the rest. Consequently, it is worth to mention that effort should be put on the definition of a common data model for e-mandates with direct applicability on cross-borders and/or cross-sector services as a next step. This work should be aligned with the already existing ISA Core Vocabularies.

Considering the **medium-term** TO-BE scenario proposed in this report, which is based on the conceptual framework and scenarios of the services/projects/domains developed in Task 01, it can be assumed that reaching a **managed** level of maturity will allow cross-border and cross-sector interoperability of powers and mandates at European level.

The 41 common requirements (17 common information requirements and 24 requirements having an impact on the information requirements) presented in this document set the means to achieve cross-border interoperability of electronic representation and mandates at European level from an information perspective. These requirements have been derived from the analysis of user stories which state the needs of the main actors involved in cross-border interoperability of powers and mandates: **mandator, mandatee and service provider**. Four types of relationships among the actors have been considered: a natural person acting on behalf of another natural person (Natural to Natural), person, a legal person representing a natural person (Natural to Legal), a natural person representing a legal person (Legal to Natural) and a legal person acting on behalf of another legal person (Legal to Legal). In addition, the requirements have been mapped to the different interoperability levels recommended by the

European Interoperability Framework (EIF), being **legal, organisational, semantic and technical**.

2. Introduction

The following report documents the ‘**D.2.1.a List of common information requirements of the prioritized services/projects/domains**’ deliverable of Task 02 – Production of requirements and good practices under framework contract DI/07171-00 - Lot 2 for “Study on Semantic interoperability for representation powers and mandates” project. This project is framed within Action 2016.12 - Semantic interoperability for representation powers and mandates of the Interoperability Solutions for Public Administrations (ISA²) Programme.

2.1 Context

Representation powers and mandates are an essential element for businesses establishing relationships with other businesses, governments and customers, because legal persons can only act legally by means of natural persons in most countries. Currently, there are important barriers that hinder the adoption of an EU wide solution for cross-border transfer of representation information, being one of the most relevant the lack of a common legal and semantic framework. Representation is complex, and electronic mandates schemes and policies are basically national and usually do not contemplate the possibility to use those mandates in cross-border scenarios.

To this end, the ISA² Programme has launched the Action 2016.12, “Semantic interoperability for representation powers and mandates”, whose **main goal is to create a shared European data model about representation powers and mandates**, which allows powers of representation and mandates information originated in the information systems of one country to be directly processed automatically by the information systems in other country.

Different phases and activities are foreseen under ISA² Action 2016.12 in order to achieve this goal. Recently, a study on Semantic interoperability for representation powers and mandates has been conducted under framework contract DI/07171 Lot 2. This study pursues a twofold objective:

- Objective 1: identify and prioritise the cross-border services/projects/domains that require cross-border interoperability of power and mandates.
- Objective 2: identify the information requirements of the above mentioned and the solutions that could meet these requirements.

Task 01 – Study about cross-border interoperability of powers and mandates aims at analysing the current situation (AS IS) on how electronic powers and mandates are managed in the individual MS and at EU level, identifying and prioritising those services, projects and/or domains with potential cross-border interoperability needs within this field. Business cases (TO BE) have also been described based on a conceptual framework to exemplify the four different relations involved in powers and mandates processes (Natural-Natural, Legal-Natural, Natural-Legal and Legal-Legal).

Linked to this study and based on the aforementioned information, user stories (TO BE) are presented as part of Task 02 - Production of requirements and good practices to state the needs from the different actors involved in the powers and mandates processes.

By analysing the AS IS and TO BE scenarios, common information requirements, together with other requirements having an impact on the identified information requirements, have been

defined for the services/projects/domains which allow to use interoperable interconnection of representation information.

In addition, solutions fitting the defined common information requirements have been analysed and ranked in order to present a comprehensive overview of the cross-border representation powers and mandates landscape at a European level. A set of good practices have also resulted from this analysis.

Figure 1 depicts the links between the information above presented.

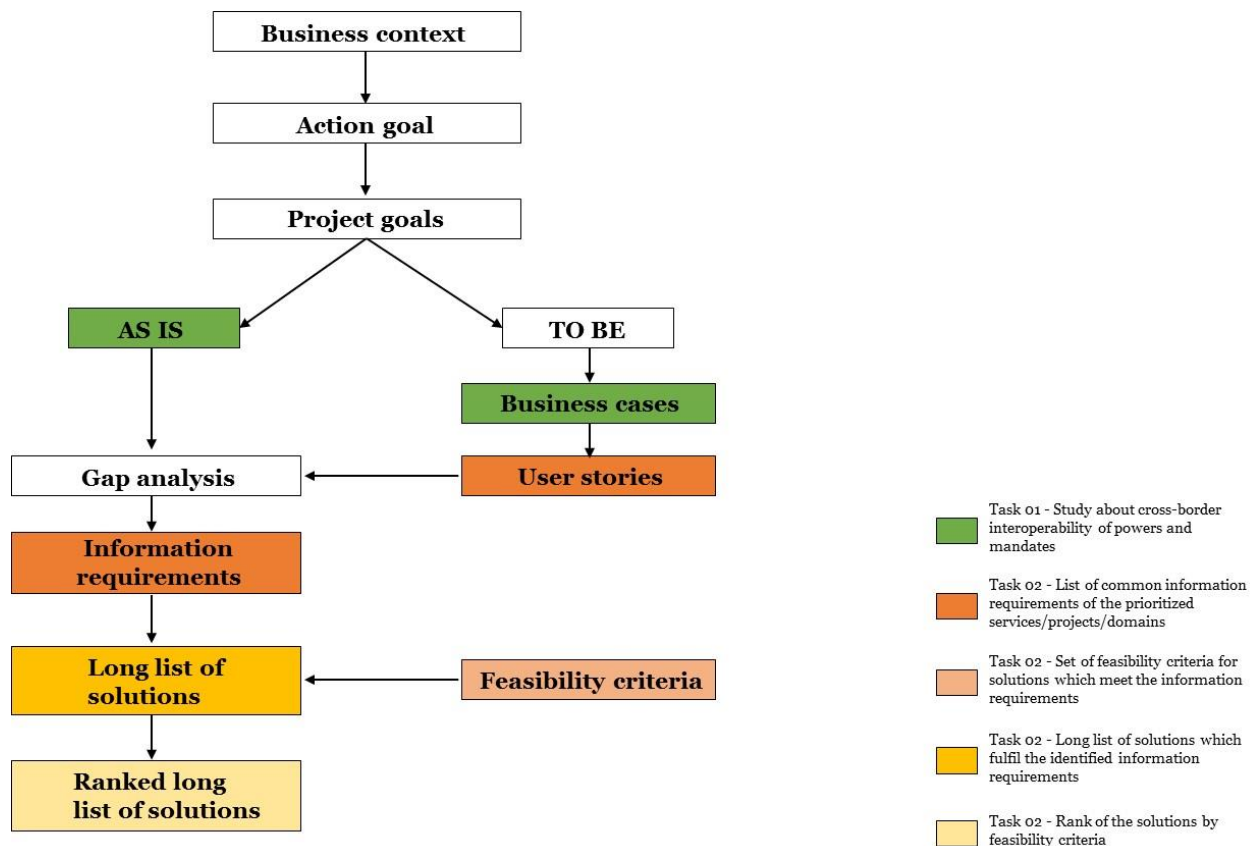


Figure 1: General approach and deliverables

2.2 Document objectives

The objective of this report is to define the common information requirements of the services/projects/domains which allow to use interoperable interconnection of representation information.

2.3 Scope

The information requirements of different stakeholders, such as public administrations, citizens as well as legal entities and businesses will be considered. In addition, the identified information requirements of each group will be described at different interoperability levels as recommended by the European Interoperability Framework (EIF): legal, organisational, semantic and technical.

2.4 Intended audience

This document intends to reach out to DIGIT project officers for ‘a study on Semantic interoperability for representation powers and mandates’ project as well as other external stakeholders such as European institutions, Member States, public administrations or technology consultants, who:

- Need a comprehensive description of the common information requirements of the services/projects/domains which allow to use interoperable interconnection of representation information.

2.5 Document structure and approach

The information presented in this report is based on the results and conclusions provided in the study conducted during Task-01- Study about cross-border interoperability of powers and mandates with regards to:

- Services, projects and domains prioritized;
- Stakeholders which have the need to solve these problems or to fulfil these opportunities;
- Conceptual framework and scenarios of the services/projects/domains which allow to use interoperable interconnection of representation information; and
- Existing problems and opportunities with respect to cross-border recognition of powers and mandates.

This document is structured as follows:

Section 1 gives an executive summary of the purpose of the report and the main aspects that are covered through the different sections of the document.

Section 2 presents a brief description of what the report is about. It includes a brief explanation on the context of the project, the problem statement and the objectives of the report. It also defines the scope of the report, the structure and the approach followed as well as the intended audience.

Section 3 presents the main aspects needed to document the common information requirements related to cross-border interoperability of power and mandates at European level. It covers the main stakeholders, the AS-IS situation, the brief summary of Task 01 Business cases and the ideal TO-BE scenarios.

Section 4 presents the common information requirements that should be implemented to reach cross-border interoperability of electronic representation and electronic mandates at European level.

Section 5 presents the conclusions and next steps.

Section 6 lists the glossary of terms and acronyms.

Section 7 summarises the conceptual framework developed within Task 01.

Section 8 presents a summary on the ISA Core Vocabularies having an impact on representation powers and mandates linked to legal entities with direct applicability on cross-borders and/or cross-sector services.

Section 9 presents the questionnaire developed to gather examples to further detail and define the information requirements. In addition, the answers provided by Member States have been included as part of the appendix.

3. Analysis framework

These sections present the main aspects needed to document the common information requirements related to cross-border interoperability of power and mandates at European level. It covers the main stakeholders, the AS-IS situation, the brief summary of Task 01 Business cases and the ideal TO-BE scenarios.

3.1 Stakeholders

This section lists the stakeholders which have the need to solve the existing problems and fulfil the opportunities with respect to cross-border recognition of powers and mandates. These are the relevant parties, entities and organisations which will make use, and therefore also benefit most, from cross-border interoperability of power and mandates at European level.

The proposed information requirements are targeting a large variety of stakeholders, in which both **natural** and **legal persons** are included. As **natural persons** will in most cases be the trigger of a process involving the electronic powers of representation and mandates, a lot of the requirements have been created in light of their comfort and ease of use. However, as their representation requests need to be handled by different kinds of **legal personalities**, their requirements have been granularly fine-tuned to match the preferences of those **legal entities**. Finally, as both this study and the Digital Agenda entails A2B and A2C e-Government services, a third set of stakeholders has been identified as the **public administrations**, EU institutions and each of the Member States.

As described in 'D.01.1-Study about cross-border interoperability of powers and mandates', an initial list of services has been formulated. The list of stakeholders presented in Table 1, has been deducted based on this list of services, real-life events and use cases.

Table 1: Main stakeholders

Stakeholder	Role/actor in the ecosystem	Benefits
Citizen (natural person)	<p>Natural person mandator: any citizen who would like to grant another person (legal or natural) the power to represent or act on their behalf</p> <p>OR</p> <p>Natural person mandatee: any citizen who would like to represent or access information on behalf of another natural or legal person.</p>	<p>Promoting growth in the cross border DSM services, reduction of the transaction costs by automating identification processes for online interaction, prevention of fraud by having more reliable information about representation when conducting business are some of the benefits linked to this stakeholders groups.</p>
Company/Business (legal person)	<p>Legal person mandator: any company which would like to grant another person (legal or natural) the power to represent or act on their behalf.</p> <p>Legal person mandatee: any company who would like to represent or access information on behalf of another natural or legal person.</p> <p>Functional service provider: in case a person requires specific services, a mandate can be provided to the professional staff of a company. A large variety of reasons can be described, such as submitting tax declarations in another country or submitting a tender</p>	

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	<p>for public procurement cross-border. These companies are mainly but not exclusively situated in the following domains:</p> <ul style="list-style-type: none"> • Health; • Banking; • Transport; • Energy; • Justice/legal; • Public procurement; • Tax; • Finance and accounting; • Housing; • Harbour / Logistics; and • Education. 	
EU institutions, Member States and public administrations	<p>Governments, agencies and ministries will play an important role in the world of electronic representation power or mandates by actively taking part as:</p> <p>Enabler: they will provide a cross-border common legal, organisational, semantic and technical framework.</p> <p>Overseer: they will explore and monitor the representation powers and mandates landscape at national and EU level in order to ensure cross-border interoperability.</p> <p>Legal person mandator: public administrations can grant administrators (public administration staff) the power to represent or act on their behalf.</p> <p>Legal person mandatee: any public administration who need to access information on behalf of another natural or legal person.</p> <p>In this study, the following domains of the public sector are in scope:</p> <ul style="list-style-type: none"> • Health; • Banking; • Transport; • Energy; • Justice/legal; • Public procurement; • Tax; • Finance and accounting; • Housing; • Harbour / Logistics; and • Education. 	<p>More efficient transmission of information about representation powers and mandates between Governments, reduction of the administrative burden imposed to legal persons for performing transactions with the governments and the creation of a trusted environment for performing fully online transactions between companies across Europe are some of the benefits linked to this stakeholders group.</p>

3.2 AS-IS

Based on the information collected in Task 01, this section presents an overview of the current state on how electronic powers and mandates are managed in the individual MS and at European level.

Table 2 presents an overview of the current state for each of the MS. It summarises the information gathered through the questionnaires for those MS that have answered them. The topics covered correspond to the questions that were asked through the questionnaires.

This information helps analyse the AS-IS situation with regards to powers and mandates at European level. In order to homogenise and synthetize the information gathered through the questionnaires, a subjective interpretation of the answers may have been required for few specific cases.

The use of a colour coding aims at making easier the understanding and comparison of each MS with regards to the different topics that are presented. To this end, the colours represent the following:

- **Green:** the MS is fully compliant with the statement specified.
- **Yellow:** the MS is partially compliant with the statement specified. In addition, the MS is taking measures to be fully compliant with the statement, consequently, it is an ongoing process.
- **Red:** the MS is not compliant with the statement specified. No plans to work on this have been foreseen.
- **White:** the MS has not specified any information to the statement specified.

Table 2: AS-IS detailed overview

Statement	AT	FI	EL	NL	NO	SK	SI	ES	SE	EE
Mandates used at cross-border level (EU)	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red
Specific agreements/cooperation in the field of powers and mandates with other MS	Yellow	Yellow	Red	White	Yellow	White	Yellow	Red	Yellow	Red
e-Government services implementing cross-border electronic mandates (at least two)	Green	Yellow	Yellow	Green	Yellow	Green	Red	Green	Red	Red
Process of creating, updating and revoking cross-border electronic mandates can be fully completed online	Green	Green	White	White	White	Yellow	White	White	Red	Yellow
Concept of electronic mandates defined by legislation	Green	Green	Yellow	White	Green	Green	Green	Green	Red	Green

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Validity of electronic mandates legally equated to material/paper format													
Explicit instances (e.g. Health, Business, Legal, Administrative, etc.) defined in the legislation													
Management and requirements for handling electronic mandates defined by law													
Interoperability among bodies handling and managing electronic mandates													
Used at local level													
Used at regional level													
Used at national level													
Legally cross-border level (EU) validity													
Defined reference data/Core vocabulary/Code list													
Defined semantic differentiation and identification of mandates													
Use of international standards (vs specific standards)													
Defined technical requirement for creation, usage, handling and revocation of electronic mandates													

In addition, Table 3 summarises the results of the assessment performed during Task 01 which is built around the concept of dimensions and levels. This assessment has been conducted per European Interoperability Framework (EIF) layer and per MS, where 1 represents the lowest level of maturity and 5 the highest level of maturity.

Table 3: AS-IS average maturity level

EIF Layer	AT	FI	EL	NL	NO	SK	SI	ES	SE	EE	Average	Rounded average	Level
Legal	4,2	3,8	1	0	4,2	3,4	3,5	3,4	3,4	3,4	2,9	3	Applied
Organisational	5	4	2,5	4	3,5	2	2	2,5	3	2	3,1	3	Applied

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Semantic	3,7	2,3	2,3	3,7	1,7	3	1	1	1,7	1,6	2,2	2	Emerging
Technical	5	5	3	5	3	3	1	3	3	5	3,6	4	Managed

According to the designed assessment framework, the average maturity of the management of electronic mandates and power of representations is the following:

- **Legal:** there are legislations (partially) applied for the purpose of governing the legal jurisdiction or legal validity of electronic power of representation and mandates at a MS level.
- **Organisational:** an organisational structure is applied, thus there is organisational alignment among organisations.
- **Semantic:** there are common semantic specifications or vocabularies emerging to allow for partial mutual understanding among parties.
- **Technical:** there are substantial technical means in place to carry out and provide required services. The technical aspects are considered as managed.

Furthermore, and in addition to the results stemming from the assessment framework of the AS-IS analysis, complementary information from questionnaires' responses and desk research undertaken within Task 01 and pertaining to representation powers and mandates are presented in Table 4 and Table 5.

Table 4: Complementary information gathered through questionnaires in Task 01

	Alternative 1	Alternative 2	Alternative 3
Unilateral vs. Bilateral	Unilateral	Both, but bilateral for contractual obligations	
Written vs. Oral	Written	Both, but mostly written for contractual obligations, legal acts and other specific purposes	
Prescribed vs. Free form	Free	Prescribed	Prescribed for written
Signature (handwritten)	Mandatory	Not mandatory	Mandatory for written

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Admissibility of electronic mandates and electronic signatures	Both	Both for written	
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Table 5: Complementary information gathered in Task 01

	Alternative 1 (Austria)	Alternative 2 (The Netherlands)	Alternative 3 (STORK 2.0)	Alternative 4 (eIDAS¹ Regulation)
Natural person mandatory attributes	<ul style="list-style-type: none"> • Current first name(s) • Current family name(s) • Date of Birth • Cross-border Unique Identifier 	<ul style="list-style-type: none"> • First name(s) • Last name(s) • Date of Birth • Prefix associated with name 	<ul style="list-style-type: none"> • Given name • Surname • Date of Birth • eIdentifier 	<ul style="list-style-type: none"> • current family name(s) • current first name(s); • date of birth • a unique identifier constructed by the sending Member State in accordance with the technical specifications for the purposes of cross-border identification and which is as persistent as possible in time.
Natural person optional attributes	<ul style="list-style-type: none"> • Family and first name(s) at birth • Place of birth • Current address • Gender 			<ul style="list-style-type: none"> • First name(s) and family name(s) at birth • Place of birth • Current address • Gender
Legal person mandatory attributes	<ul style="list-style-type: none"> • Current full legal name • Cross-border Unique Identifier 	<ul style="list-style-type: none"> • Current name registered 	<ul style="list-style-type: none"> • Legal name • eLPIdentifier • Legal form • Text Registered Address • Canonical Registered Address (Country code, state, municipality code, town, postal code, street name, street number, apartment number) • LP Fiscal number 	<ul style="list-style-type: none"> • current legal name • a unique identifier constructed by the sending Member State in accordance with the technical specifications for the purposes of cross-border identification and which is as persistent as possible in time
Legal person optional attributes	<ul style="list-style-type: none"> • Current address • VAT registration number • Tax reference number • Legal Entity Identifier • Economic Operator Registration and Identification • Excise number 			<ul style="list-style-type: none"> • current address • VAT registration number • tax reference number • the identifier related to Article 3 of Directive 2009/101/EC of the European Parliament and of the Council

¹ <http://publications.europa.eu/en/publication-detail/-/publication/0f9c8d98-56b7-11e5-afbf-01aa75ed71a1/language-en>

				<ul style="list-style-type: none"> • Legal Entity Identifier (LEI) referred to in Commission Implementing Regulation (EU) No 1247/2012 • Economic Operator Registration and Identification (EORI) referred to in Commission Implementing Regulation (EU) No 1352/2013 • excise number provided in Article 2(12) of Council Regulation (EC) No 389/2012
Mandate content attributes	<ul style="list-style-type: none"> • Scope of empowerment in text • Time constraint • Collective constraint • Financial constraint • Unique serial number 		<ul style="list-style-type: none"> • Time restriction • Transaction limit restriction • Is Joint • Is Chained • Type of power • AQAA • Original mandate • Original mandate type 	

3.3 Ideal TO-BE scenario

Based on the conceptual framework and scenarios of the services/projects/domains developed in Task 01, this section aims to present an ideal future state, TO-BE scenario, on how electronic powers and mandates are managed in the individual MS and at European level.

The future TO-BE scenario has been presented by defining user stories and by using the proposed assessment framework created in Task 01 which is built around the concept of dimensions (by each one of the four EIF interoperability layers) and levels (measuring maturity).

User Stories are presented to state the needs from the different actors involved in the powers and mandates processes. This can give a better idea of how powers and mandates should be handled in a cross-border and cross-sector scenario. At the same time, the TO-BE level of maturity is presented by keeping consistent and clear relations between the AS-IS situation presented on Task 01 and the ideal future state for powers and mandates at EU level.

3.3.1 User Stories

User stories have been used to state the needs from the different actors involved. The main reason behind this approach is that user stories are short, simple descriptions of a need from the perspective of the actor who requires a new capability. Three main actors from the business cases have been considered to simplify the gathering of requirements: **mandator**, **mandatee** and **service provider**. In addition, the notary/ lawyer or other public officer actor has been added according to the needs exposed by some MS.

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It is important to mention that the user stories presented in Table 6 summarise the information presented on the six business cases of Task 01. Consequently, given that this information has been combined, different roles of the same actors are covered as part of the analysis.

Table 6: User stories

ID	Actor	User story description
US-01	Mandator	As a mandator, I want to be able to electronically issue a cross-border and cross-sector e-mandate to authorise one or more specific mandatees to access a specific electronic service on my behalf in a secure way.
US-02		As a mandator, I want to be able to electronically select a specific type of e-mandate limiting the rights associated to the mandatee according to my needs.
US-03		As a mandator, I want to be able to electronically select a specific cross-border and cross-sector purpose according to my needs.
US-04		As a mandator, I want to be able to electronically authorise a specific mandatee to transfer a particular e-mandate that has been issued by me.
US-05		As a mandator, I want to be able to specify a particular time restriction for a specific e-mandate.
US-06		As a mandator, I want to be able to specify a particular sector restriction for a specific e-mandate.
US-07		As a mandator, I want to be able to specify a particular country restriction for a specific e-mandate.
US-08		As a mandator, I want to be electronically notified if changes are applied to a specific e-mandate that has been issued by me.
US-09		As a mandator, I want to be able to electronically amend and revoke a particular e-mandate that has been issued by me.
US-10	Mandatee	As a mandatee, I want to be able to electronically accept or decline an e-mandate which grants me cross-border access to a specific service on behalf of a specific mandator.
US-11		As a mandatee, I want to be able to electronically consult and select a specific e-mandate from the list of e-mandates issued to me.
US-12		As a mandatee, I want to be able to electronically request a specific cross-border service on behalf of a specific mandator (i.e., use an e-mandate which grants me cross-border access to a specific service on behalf of a specific mandator).
US-13		As a mandatee, I want to be able to electronically transfer to a sub-mandatee an e-mandate which grants me cross-border access to a specific service on behalf of a specific mandator.
US-14		As a mandatee, I want to be electronically notified if changes are applied to a specific e-mandate that has been issued to me.
US-15		As a mandatee, I want to be able to electronically revoke a specific e-mandate that has been issued to me.

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US-16	Notary/ lawyer or other public officer	As a notary/lawyer or public officer, I want to be able to electronically consult, sign and revoke a specific e-mandate.
US-17	Service Provider	As a service provider, I want to be able to persistently and univocally cross-border identify actors involved in e-mandate processes.
US-18		As a service provider, I want to be able to identify the role of each specific actor involved in e-mandate processes.
US-19		As a service provider, I want to be able to identify the cross-border and cross-sector/specific sector function of a specific mandator and/or mandatee.
US-20		As a service provider, I want to be able to cross-border authenticate a specific role (mandator, mandatee, notary, lawyer or other public officer)
US-21		As a service provider, I want to be able to cross-border check if a specific actor meets the necessary requirements related to e-mandate processes.
US-22		As a service provider, I want to be able to electronically handle cross-border payment processes when any of the actors involved in the issuing of a specific e-mandate is entitle to remuneration.
US-23		As a service provider, I want to be able to handle a specific e-mandate cross-border in a secure way.
US-24		As a service provider, I want to be able to check in real time if a specific mandate is valid and if it meets the necessary requirements, e.g.: <ul style="list-style-type: none"> • The mandate must be validated by a notary or other public officer/lawyer • The signature of one or more actors (mandator/mandatee/other authorities) must be included in the mandate • The mandate requires the use of a time stamp • The information to identify legal persons must be extracted from the (commercial) register and it must be duly translated and validated • The mandate may need to be revoked by a notary
US-25		As a service provider, I want to be able to check the specified restrictions across sectors for a specific e-mandate (e.g., time restrictions, financial restrictions, country restriction, etc.).
US-26		As a service provider, I want to be able to electronically terminate a specific e-mandate in the event of expiration, non-validity, or revocation (e.g., expired by use, by time restriction, terminated by the death/insanity of either party, by the bankruptcy (insolvency) of either party, revoked by a notary, mandator or mandatee)
US-27		As a service provider, I want to be able to electronically translate a specific e-mandate to any of the EU official languages if required.

3.3.2 TO-BE level of maturity

The maturity of the cross-border electronic powers and mandates state of play at European level can be identified through the different levels of the above mentioned conceptual framework. As such, the assessment process consisted in assigning a value according to the scale which ranges from 1 to 5, whereby 1 represents the value for least mature and 5 corresponds to most mature.

Whereas the findings stated in section 3.2, with regards to the **AS-IS situation**, it can be observed that the average maturity of the management of electronic mandates and power of representations at European level is at the **applied level**, scaled with a score of 3.

Consequently, and in order to set a realistic TO-BE scenario, it can be assumed that reaching a **managed** level of maturity, scaled with a score of 4, will allow cross-border and cross-sector interoperability of powers and mandates at European level. As a result, the following states for the different interoperability layers recommended by the EIF should be considered as the proposed **medium-term** TO-BE scenario:

- **Legal:** there are legislations in place for the purpose of governing the legal jurisdiction or legal validity of electronic power of representation and mandates at a MS level.
- **Organisational:** the organisational structure is considered to be managed, thus there is substantial organisational alignment among organisations.
- **Semantic:** common semantic specifications or vocabularies are in place and considered as managed, in turn allowing for substantial mutual understanding among parties.
- **Technical:** there are substantial technical means in place to carry out and provide required services. The technical aspects are considered as managed.

In a further step, it can be considered that a **leading** level of maturity, scaled with a score of 5, could be reached by learning from experience and evolving the means that have been put in place in the medium-term TO-BE scenario, based on the analysis of the observed needs. As a result, the following states for the different interoperability layers recommended by the EIF should be considered as the proposed **long-term** TO-BE scenario:

- **Legal:** there are excellent legislations in place for the purpose of governing the legal jurisdiction and legal validity of activities carried out by the organization at a MS level. The organisation is considered as a leader in the legal dimension.
- **Organisational:** the organisational structure is fully defined, thus there is excellent organisational alignment among organisations. The organisation is considered to be at the forefront of organisational alignment.
- **Semantic:** common semantic specifications or vocabularies are in place and considered as fully defined, in turn allowing for full mutual understanding among parties. The organisation is considered to be a leader in using and applying semantic specifications.
- **Technical:** all necessary technical means are in place to carry out and provide required services. The organisation's technical aspects are considered exemplary, thus making it a leader in these terms.

4. Common requirements

This section documents the common information requirements that should be implemented to reach cross-border interoperability of electronic representation and electronic mandates at European level.

These requirements are based on the information that can be concluded from the AS-IS overview. They also take into account the information gathered from the different business cases described in Task 01 – Study about cross-border interoperability of powers and mandates and the recommendations provided by the Secure idenTity acrOss boRders linKed 2.0 (STORK 2.0) project². More specifically, input from the common specifications and building blocks for interoperable legal identities and mandates as well as the model to define mandate attributes has been considered.

Finally, the user stories described in section 3.3.1 are the link between the business cases and the information requirements.

The common information requirements have been derived from the analysis of the user stories. They are described considering the actors' needs and four types of relationships among the actors: a natural person acting on behalf of another natural person (Natural to Natural), person, a legal person representing a natural person (Natural to Legal), a natural person representing a legal person (Legal to Natural) and a legal person acting on behalf of another legal person (Legal to Legal).

In addition, the interoperability levels as recommended by the EIF have been considered. These four interoperability levels are: legal (**L**), organisational (**O**), semantic (**S**) and technical (**T**).

It is important to mention, that in the scope of this document, the information requirements presented in Table 7 refer to the common requirements related to the EIF semantic interoperability layer. On the other hand, the legal, organisational and technical layers are covered by presenting other requirements having an impact on the information requirements. These requirements are presented in Table 8.

Table 7: Common information requirements

US ID	IR ID	Information requirement description	EIF Semantic layer
US-01	IR-01	A flexible common comprehensive data model specifying the required attributes and allowing to add new ones to establish an e-mandate must be defined (e.g., mandator, mandatee(s), act jointly, transfer/no transfer, type, purpose, restrictions, etc.).	✓
	IR-02	An attribute specifying if the mandatees can/must act jointly must be considered.	✓
US-02	IR-03	<p>A minimum reference data set specifying e-mandate types and the specific type of powers associated to it must be available (e.g.,</p> <ul style="list-style-type: none"> • General mandate: encompass all affairs of the mandator, i.e. it entails in principle a universal right to represent the mandator. • Specific mandate: limits the mandatee's rights to a certain types/number of acts. <ul style="list-style-type: none"> ○ Special mandate: limits the mandatee's rights to a certain types of acts ○ Individual mandate: limits the mandate only to one or more individual acts 	✓

² https://www.eid-stork2.eu/index.php?option=com_phocadownload&view=category&id=8&Itemid=174&limitstart=5

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		<ul style="list-style-type: none"> Continuing PoR: whereby a representative is appointed in the case of loss of the decision-making capacity of the principal (e.g. accident, Alzheimer's, etc.). The mandator appoints a mandatee, who will have to agree to this authorisation, and defines the scope.) 	
US-03	IR-04	A minimum reference data set specifying mandate purpose must be available at EU level (e.g., open a bank account abroad, submit a tender for public procurement abroad, submit a corporate tax declaration abroad, access to patient summary/health records abroad,...)	✓
US-04	IR-05	An attribute specifying if the mandator allows the mandatee to transfer the mandate to a sub-mandatee must be considered.	✓
US-05	IR-06	Attributes specifying e-mandate time restriction (valid from, valid to) must be available.	✓
US-06	IR-07	A minimum reference data set specifying e-mandate restriction for a specific sector must be available (e.g., financial restrictions, etc.)	✓
US-07	IR-10	A minimum reference data set specifying e-mandate country restriction must be available (e.g., mandate only valid in Belgium, mandate not valid in France).	✓
US-13	IR-11	An attribute specifying if the mandate has been transferred to a sub-mandatee must be considered.	✓
US-17	IR-12	<p>The minimum data set³ for a natural person must contain all of the following mandatory attributes:</p> <ul style="list-style-type: none"> current family name(s); current first name(s); date of birth; and a unique identifier constructed by the sending Member State in accordance with the technical specifications for the purposes of cross-border identification and which is as persistent as possible in time 	✓
	IR-13	<p>The minimum data set for a legal person must contain all of the following mandatory attributes:</p> <ul style="list-style-type: none"> current legal name; and a unique identifier constructed by the sending Member State in accordance with the technical specifications for the purposes of cross-border identification and which is as persistent as possible in time. 	✓
US-18	IR-14	A minimum reference data set specifying roles of the actors involved in e-mandate processes must be available (e.g., mandator, mandatee, witness, sub-mandatee)	✓
US-19	IR-15	<p>A minimum reference data set specifying functions of the actors involved in e-mandate processes for different sectors must be available (e.g.,:</p> <ul style="list-style-type: none"> Health Sector company: doctor, nurse, physician, pharmacist, etc.; 	✓

³ The requirements concerning the minimum set of person identification data uniquely representing a natural or a legal person, referred to in Article 11 of the Commission Implementing Regulation (EU) 2015/1501 of 8 September 2015 on the interoperability framework pursuant to Article 12(8) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market must be met

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		<ul style="list-style-type: none"> Banking Sector company: director/management board, employee, third party, etc.; Public administration: director-general, financial administrator, public guardian, etc.) 	
	IR-16	A minimum reference data set specifying sectors for e-mandates must be available at EU level (e.g., financial, administrative, legal, banking, health, procurement, etc.)	✓
US-23	IR-17	A minimum reference data set specifying e-mandates status must be available at EU level (e.g., valid, suspended, expired by use, expired by time restriction, terminated by the death/insanity of either party, terminated by the bankruptcy (insolvency) of either party, revoked by a notary, revoked by the mandator, revoked by the mandatee, etc.)	✓

Table 8: Other requirements having an impact on the information requirements

US ID	OR ID	Other requirement description	EIF layer		
			L	O	T
US-01	OR-01	The concept of cross-border and cross-sector e-mandates should be defined and agreed at EU level. This should at least address: role definition, form and content of e-mandate, involvement of notary or public officer during creation, and legal constraints (such as absence of criminal condition, legal competence, conflict of interest, temporal limitations etc).	✓		
	OR-02	Cross-border and cross-sector e-mandates should have the same legal validity as mandates in material/paper format. Where relevant, complementary and specific agreements/cooperation in the field of powers and mandates with other MS should be in place.	✓		
US-02	OR-03	The specific rights that can be associated to electronic representation should be defined and agreed at EU level (cross-border).	✓		
US-01 US-09	OR-04	A cross-border standard process allowing fully automated end to end issuing, amendment, usage and on-demand revoking before the established expiry date of e-mandates should be defined.		✓	
US-12 US-15	OR-05	Standard technical requirements allowing (technology-neutral) fully automated end to end cross-border processing of e-mandates (natural and legal persons), for issuing, amendment, usage and revocation in a secure way should be available.			✓
US-08 US-14	OR-06	A set of standard notifications should be available for the actors involved in the process when changes are applied to e-mandates (e.g., amendment, revocation, expiration).			✓
US-10	OR-07	Standard technical requirements allowing the acceptance or rejection of the e-mandate by the mandatee should be available.			✓
US-11	OR-08	Standard technical requirements allowing the consultation and selection of all the e-mandates that have been issued to a specific mandatee should be			✓

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		available.			
US-13	OR-09	A cross-border standard process allowing fully automated end to end transferring of e-mandates should be defined.		✓	
	OR-10	Standard technical requirements allowing the automatic transferring of a specific e-mandate should be available.			✓
US-16	OR-11	Standard technical requirements allowing the automatic validation of a specific e-mandate should be available.			✓
US-20	OR-12	Standard technical requirements allowing fully authentication (e.g., e-signature) of natural and legal persons should be available.			✓
US-21	OR-13	A common legal framework defining legal constraints (e.g. criminal, banking and mental health background) to act on behalf of a natural/legal person should be defined and agreed at EU level.	✓		
	OR-14	Standard processes allowing cross-border checking of the necessary requirements for all actors should be defined (e.g.; <ul style="list-style-type: none"> • The actor must be in full legal capacities (i.e., above the age of 18) • The actor must be in full possession of her/his mental capacities • The actor must prove the absence of criminal convictions • Restrictions applying to specific types of mandates and functions <ul style="list-style-type: none"> ○ Only a qualified lawyer can receive a mandate to represent somebody in court; ○ In Spain, for mandates within public bodies, the delegation of powers of functions is limited to functions up to two levels inferior to the function of the mandator.) 		✓	
US-22	OR-15	Standard technical requirements allowing electronical payment processes should be available.			✓
US-23	OR-16	The requirements to handle e-mandates, such as storing, deleting or archiving, should be defined and agreed at EU Level.	✓		
	OR-17	A cross-border standard process allowing fully automated end to end secure handling (e.g., data protection requirements, time stamp, interoperability, security and privacy standards, etc.) of e-mandates should be defined.		✓	
	OR-18	A cross-border standard process allowing fully automated end to end electronic dispute resolution (eDR), including negotiation, mediation and/or arbitration should be defined.		✓	
	OR-19	The use of XML Schemas based on existing standards to provide a stable and common interface to access data that is harmonised at the semantic level should be considered (e.g., vocabularies which are based on the XML syntax of the Core Vocabularies).			✓
	OR-20	Standard technical requirements allowing the automatic storage and retrieval of e-mandate in a secure way should be available.			✓
US-24	OR-21	Standard processes allowing cross-border checking of the necessary		✓	

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		requirements for e-mandates should be defined (e.g., <ul style="list-style-type: none"> • The mandate must be validated by a notary or other public officer/lawyer • The signature of one or more actors (mandator/mandatee/other authorities) must be included in the mandate • The mandate requires the use of a time stamp • The information to identify legal persons must be extracted from the (commercial) register and it must be duly translated and validated • The mandate may need to be revoked by a notary.) 			
US-25	OR-22	Standard technical requirements allowing the automatic restriction of a specific cross-sector action of a specific e-mandate should be available.			✓
US-26	OR-23	Standard technical requirements allowing the automatic cancellation of e-mandates after the established expiry date should be available.			✓
US-27	OR-24	A cross-border standard process allowing the automatic translation of e-mandates to any of the EU official languages should be available.		✓	

5. Conclusions and next steps

In light of the study on Semantic interoperability for representation powers and mandates, this document has been created with the objective of defining the common information requirements of the services/projects/domains which allow to use interoperable interconnection of representation information. These requirements have been mapped to the different interoperability levels recommended by the European Interoperability Framework (EIF), being legal, organisational, semantic and technical.

Whereas the findings stated in section 3.2 with regards to the **AS-IS situation**, the **average maturity** of the management of electronic mandates and power of representations at European level is at the **applied level**. However, it can be observed that the maturity of the **semantic layer** is at the **emerging level**, being lower than the rest. This means that common semantic specifications or vocabularies are only gradually emerging to allow for increased mutual understanding among parties.

Consequently, it is worth to mention that effort should be put on the definition of a common data model for e-mandates with direct applicability on cross-borders and/or cross-sector services as a next step. This work should be aligned with the already existing ISA Core Vocabularies presented in section 8. The interoperability specifications of these vocabularies are supported by a multi-disciplinary Working Group⁴, with a total of 69 people from 22 countries, 18 EU and 4 non-EU countries (USA, South-Africa, Norway and Croatia), and several EU Institutions.

In general, some barriers from an information perspective prevent the use of electronic powers and mandates at European level. These barriers can be summarised as follows:

- **Legal barriers:** non-existence of a common legal framework to govern e-mandates at European level;
- **Organisational barriers:** non-existence of a cross-border framework to define common processes that allow to handle e-mandates at European level;

⁴ https://joinup.ec.europa.eu/asset/core_business/document/core-vocabularies-working-group-members

- **Semantic barriers:** non-existence of cross-border standard semantic definitions and core vocabularies to handle e-mandates at European level; and
- **Technical barriers:** non-existence of cross-border technical requirements and specifications to handle e-mandates at European level.

Considering the **medium-term** TO-BE scenario proposed in section 3.3, it can be assumed that reaching a **managed** level of maturity will allow cross-border and cross-sector interoperability of powers and mandates at European level.

The 41 common requirements (17 common information requirements and 24 requirements having an impact on the information requirements) presented in section 4 set the means to achieve cross-border interoperability of electronic representation and mandates at European level from an information perspective. These requirements have been derived from the analysis of user stories which state the needs of the main actors involved in cross-border interoperability of powers and mandates: mandator, mandatee and service provider. Four types of relationships among the actors have been considered: a natural person acting on behalf of another natural person (Natural to Natural), person, a legal person representing a natural person (Natural to Legal), a natural person representing a legal person (Legal to Natural) and a legal person acting on behalf of another legal person (Legal to Legal).

In deliverable 'D.2.1.c Set of feasibility criteria for solutions which meet the information requirements described in D.2.1.a', a set of feasibility criteria is proposed to assess potential solutions for cross-border electronic powers and mandates. This will allow to assess and rank existing solutions which contribute or can potentially contribute to powers and mandates interoperability at national and European levels and can be re(used) in cross-border and cross-sector scenarios at European level. It will also allow to develop solutions which will contribute to powers and mandates interoperability and can be re(used) in cross-border and cross-sector scenarios at European level.

In addition, in deliverable 'D.2.1.b and D.2.1.d Ranked long list of solutions which fulfil the identified information requirements', a list of solutions will be described and the proposed feasibility criteria will be used to assess, rank and select the most suitable solutions contributing to powers and mandates interoperability at European level. The assessment of their suitability will be based on scoring mechanisms which are identified per criteria. After this, a ranking of the solutions will be created.

6. Annex I. Glossary of terms and acronyms

Table 9 lists the glossary of terms and acronyms.

Table 9: Glossary of terms and acronyms

Term	Description
DSM	Digital Single Market
EIF	European Interoperability Framework
Entity	Legal or natural person
EU	European Union
IR	Information Requirement
OR	Other requirements having an impact on the information requirements
ISA	Interoperability Solutions for Public Administrations
Legal person	Entity constituted under, or governed by, the law of a Member State, irrespective of their legal form.
Mandate	Contract under which an entity (agent) undertakes to perform one or more legal acts in the interest of another person (principal); the mandate includes the acts for which it was awarded and those necessary for its completion.
Mandatee	Person who executes an activity in the name of the mandator; User of the mandate.
Mandator	Person who needs an activity executed in his name; Creator of the mandate.
MS	Member States
Natural person	Entity that is an individual human being who has its own legal personality
Role	Bundle of one or more authorisations linked to a specific type of entity in a specific context, such as doctor, lawyer, police officer, nurse, etc.
US	User Story

7. Annex II. Brief summary of Task 01 Business cases

The following tables briefly summarise the conceptual framework developed within Task 01. As explained on the 'Study about cross-border interoperability of powers and mandates', the conceptual framework involves describing a cross-border electronic mandate scenario between countries A and B. The conceptual framework was derived from a logical flow of processes and from the practices of the few MS that have an electronic mandate system in place. They differ somewhat from each other, thus the conceptual framework was designed to encompass their solutions, all whilst accounting for cross-border needs and ease of implementation for countries that do not yet have such a system in place.

Table 10: Business case 1

Title	Cross-border Mandate creation approach
Description	In the event of accessing and executing services abroad, an entity (natural or legal person) from country A might want to delegate the activity to an entity (natural or legal person) in country B where he/she wants to make use of a service through a service provider. In such an instance, the entity from country A may be able to authorise another entity from country B to carry out the service in the name of the entity from country A.

Table 11: Business case 2

Title	Registering / opening a business cross-border
Description	In the event of registering / opening a business cross-border, an entity (natural person) from country A might want to delegate the activity to an entity (natural person) in country B where he/she wants to make use of a service through a service provider (Business Registry). In such an instance, the entity from country A may be able to authorise another entity from country B to carry out the service in the name of the entity from country A.

Table 12: Business case 3

Title	Submitting a tender for public procurement cross-border
Description	In the event of submitting a tender for public procurement cross-border, an entity (legal person) from country A might want to delegate the activity to an entity (natural person) in country B where he/she wants to make use of a service through a service provider (Public body needing public procurement). In such an instance, the entity from country A may be able to authorise another entity from country B to carry out the service in the name of the entity from country A. It is understood that the mentioned intrinsic mandate is directly assigned to the mandatee (natural person) at the moment of its creation.

Table 13: Business case 4

Title	Managing a bank account cross-border
Description	In the event of managing a bank account cross-border, an entity (natural person) from country A might want to delegate the activity to an entity (legal person) in country B

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	where he/she wants to make use of a service through a service provider (Bank). In such an instance, the entity from country A may be able to authorise another entity from country B to carry out the service in the name of the entity from country A.
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Table 14: Business case 5

Title	Declaring corporate tax cross-border
Description	In the event of declaring corporate tax cross-border, an entity (legal person) from country A might want to delegate the activity to an entity (legal person) in country B where he/she wants to make use of a service through a service provider (Tax authority). In such an instance, the entity from country A may be able to authorise another entity from country B to carry out the service in the name of the entity from country A.

Table 15: Business case 6

Title	Access to patient summary cross-border
Description	In the event of accessing to patient summary cross-border, an entity (natural person) from country A might want to delegate the activity to an entity (legal person) in country B where he/she wants to make use of a service through a service provider (Patient's summary Registry). In such an instance, the entity from country A may be able to authorise another entity from country B to carry out the service in the name of the entity from country A. It is understood that the mentioned professional intrinsic mandate is directly assigned to the mandatee (natural person) at the moment of its creation.

8. Annex III. ISA Core Vocabularies

The exchange of information in the context of European public services, such as the provision of data from base registries in interoperable open formats, is challenging and comes with many semantic interoperability conflicts. Such interoperability conflicts are caused by discrepancies in the interpretation of administrative procedures and legislation, the lack of commonly agreed data models, the absence of universal reference data, etc.

The Core Vocabularies are a result of the work done as part of the ISA² Action 2016.07, SEMIC Promoting Semantic Interoperability Amongst the European Union Member States. They are simplified, re-usable and extensible data models that capture the fundamental characteristics of an entity in a context-neutral way.

So far, the following Core Vocabularies are available. In addition, the Core Vocabularies having an impact on representation powers and mandates linked to natural and legal entities with direct applicability on cross-borders and/or cross-sector services have been highlighted.

1. The **Core Person Vocabulary** captures the fundamental characteristics of a person such as the name, the gender and the date of birth.
2. The Core Location Vocabulary captures the fundamental characteristics of a location, represented as an address, a geographic name or a geometry.
3. The **Core Business Vocabulary** captures the fundamental characteristics of a legal entity, e.g. its identifier and activities, which is created through a formal registration process, typically in a national or regional register.
4. The Core Public Service Vocabulary captures the fundamental characteristics of a service offered by public administration such as the title and description of the service, the outputs it generates, and the formal framework or rules under which the service is delivered.
5. The Core Criterion & Evidence vocabulary describes the principles and means that a private entity must fulfil in order to be qualified to perform public services, including concepts such as the type and weight of a criterion, its requirements and evidences that can be used to prove that a requirement is fulfilled.
6. The Core Public Organization Vocabulary captures the fundamental characteristics of public organisations in the European Union, e.g. the contact point, the address, the organisation unit, etc.

A handbook⁵ was created to describe how the e-Government Core Vocabularies can be used by public administrations to attain a minimum level of semantic interoperability for e-Government systems.

The Core Vocabularies have several **uses**:

- **Development of new systems:** the Core Vocabularies can be used as a default starting point for designing the conceptual and logical data models in newly developed information systems;
- **Information exchange between systems:** the Core Vocabularies can become the basis of a context specific data model used to exchange data among existing information systems;

⁵ https://joinup.ec.europa.eu/site/core_vocabularies/Core_Vocabularies_user_handbook/Handbook-for-using-the-Core-Vocabularies_v0.50.pdf

- **Data integration:** the Core Vocabularies can be used to integrate data that comes from disparate data sources and create a data mesh-up; and
- **Open data publishing:** the Core Vocabularies can be used as the foundation of a common export format for data in base registries like cadastres, business registers and service portals.

9. Annex IV. Questionnaire

Context

Representation powers and mandates are an essential element for businesses establishing relationships with other businesses, governments and customers, because legal persons can only act legally by means of natural persons in most countries. Currently, there are important barriers that hinder the adoption of an EU wide solution for cross-border transfer of representation information, being one of the most relevant the lack of a common legal and semantic framework. Representation is complex, and electronic mandates schemes and policies are basically national and usually do not contemplate the possibility to use those mandates in cross-border scenarios.

To this end, the ISA² Programme has launched the **Action 2016.12, “Semantic interoperability for representation powers and mandates”**, whose main goal is to create a shared European data model about representation powers and mandates, which allows powers of representation and mandates information originated in the information systems of one country to be directly processed automatically by the information systems in other country.

Different phases and activities are foreseen under ISA2 Action 2016.12 in order to achieve this goal. Recently, a study has been conducted as part of Task 01 – Study about cross-border interoperability of powers and mandates, to analyse the current situation on how electronic powers and mandates are managed in the individual MS and at EU level, identifying and prioritising those services, projects and/or domains with potential cross-border interoperability needs within this field.

Linked to this study and based on the aforementioned information, **common information requirements of the services/projects/domains which allow to use interoperable interconnection of representation information will be defined**. In addition, solutions fitting the defined common information requirements will be analysed and ranked in order to present an overview of the cross-border representation powers and mandates landscape at a European level.

Why is your contribution needed?

In order to achieve this objective, ISA needs to collect examples of the different ways to handle powers and mandates information in the Member States, to define a common data model for representation of powers and mandates. **Your contribution will significantly help ISA include examples related to the comprehensive set of information requirements.**

How is the questionnaire structured?

The questionnaire is structured in three different sections:

- First column contains the questions that we would like you to answer. These questions are open questions that will allow you to provide examples, additional information and any other type of relevant content that could contribute to describe the information requirements needed to develop a common data model for representation of powers and mandates.
- Second column contains some examples of the type of answer that is expected for each question. It is important to mention that the information provided in the examples is aimed at helping you reply to the questions but should not restrict your answers to the examples presented.
- You can use the third column to answer the questions.

Questionnaire

Question	Examples	Your Answer
(e)mandate Roles 1. What are the roles relevant to (e)mandates? For each role, please provide a short description and explain how you see its RACI (responsibility, accountability, consulted, informed).	<ul style="list-style-type: none"> • Mandator (i.e., creator of the (e)mandate) • Mandatee (i.e., user of the (e)mandate) • Witness (e.g. notary, public officer, lawyer) • Archiver (i.e., entity/authority storing the mandate) 	<Main roles relevant to (e)mandates>
(e)mandate Types 2. What are the main types of (e)mandate?	<ul style="list-style-type: none"> • General mandate <ul style="list-style-type: none"> ○ Civil general mandate ○ Commercial general mandate • Specific mandate <ul style="list-style-type: none"> ○ Special mandate ○ Individual mandate 	<Main types of (e)mandate>
(e)mandate Rights 3. What are the associated rights to each type of (e)mandate? (i.e., what actions can the mandatee perform for each type of (e)mandate?)	<ul style="list-style-type: none"> • General mandate: encompass all affairs of the mandator, i.e. it entails in principle a universal right to represent the mandator. • Specific mandate: limits the mandatee's rights to a certain types/number of acts. <ul style="list-style-type: none"> ○ Special mandate: limits the mandatee's rights to a certain types of acts ○ Individual mandate: limits the mandate only to one or more individual acts 	<Main associated rights to each type of (e)mandate>
(e)mandate Acceptance 4. What types of (e)mandate require the acceptance of the mandatee? (Please, consider the following information: <ul style="list-style-type: none"> • Unilateral mandate: requires only the approval of the creator of the mandate, i.e. mandator. • Bilateral mandate (contractual): requires the approval of the mandator as well as the approval/acceptance of the mandate) 	<ul style="list-style-type: none"> • General mandate <ul style="list-style-type: none"> ○ Civil general mandate: unilateral mandate ○ Commercial general mandate: bilateral mandate • Specific mandate <ul style="list-style-type: none"> ○ Special mandate: unilateral mandate ○ Individual mandate: unilateral mandate 	<Main types of (e)mandate that require the acceptance of the mandatee>
(e)mandate Life-cycle events 5. Please describe the main life-cycle events and the activities of the actors such as mandator, mandatee, etc. In case you are not aware of these processes, please indicate how you would like them to be to meet your needs.	<ul style="list-style-type: none"> • Creation • Update • Suspend • Termination <ul style="list-style-type: none"> ○ Expired by use (individual specific mandate) ○ Expired by time restriction ○ Terminated by the death of either party ○ Terminated by the insanity of either party 	<Main life-cycle events relevant to (e)mandates>

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	<ul style="list-style-type: none">○ Terminated by the bankruptcy (insolvency) of either party○ Revoked by a notary○ Revoked by the mandator○ Revoked by the mandatee			
(e)mandate payment process 6. Is a payment process needed in any of the life-cycle events? If yes, please specify the type of mandate that requires it and why.	<ul style="list-style-type: none">• Creation<ul style="list-style-type: none">○ Payment process needed when the (e)mandate deems the mandatee to be entitle to remuneration			
(e)mandate Requirements 7. What are the main (e)mandate requirements/particularities?	Written form	Digital form	Written form	Digital form
		The mandate is only valid for specific cases when interacting with certain public administrations.	<Requirements/particularities applying to written mandates>	<Requirements/particularities applying to digital mandates>
	<ul style="list-style-type: none">• The mandate must be validated by a notary or other public officer/lawyer• The signature of one or more actors (mandator/mandatee/other authorities) must be included in the mandate• The mandate requires the use of a time stamp• The information to identify legal persons must be extracted from the (commercial) register and it must be duly translated and validated• The mandate may need to be revoked by a notary		<Requirements/particularities applying to both written and digital mandates>	
(e)mandate Purposes 8. What are the main (e)mandate purposes?	<ul style="list-style-type: none">• Open a bank account abroad• Submit a tender for public procurement abroad• Submit a corporate tax declaration abroad• Access to patient summary/health records abroad		<Main (e)mandate purposes>	
(e)mandate Sectors 9. What are the main sectors where (e)mandates are used?	<ul style="list-style-type: none">• Financial• Administrative• Legal• Banking• Health• Education• Business• Procurement		<Main sectors where (e)mandates are used>	
Mandator/Mandatee functions 10. What are the main functions that the mandator and mandatee can have considering different sectors?	<ul style="list-style-type: none">• Health Sector company: doctor, nurse, physician, pharmacist, etc.• Banking Sector company: director/management board, employee, third party, etc.• Public administration: director-general, financial		<Main functions that mandator and mandatee can have considering different sectors>	

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	administrator, public guardian, etc.	
Mandator/Mandatee restrictions 11. What are the main restrictions applying to the mandator/mandatee?	<ul style="list-style-type: none"> The actor must be in full legal capacities (i.e., above the age of 18) The actor must be in full possession of her/his mental capacities The actor must prove the absence of criminal convictions Restrictions applying to specific types of mandates and functions <ul style="list-style-type: none"> Example 1: only a qualified lawyer can receive a mandate to represent somebody in court; Example 2: In Spain, for mandates within public bodies, the delegation of powers of functions is limited to functions up to two levels inferior to the function of the mandator. 	<Main restrictions applying to the mandator/mandatee>
(e)mandate Time restrictions 12. Does the (e)mandate specify time restrictions? If yes, what kind of time restrictions?	<ul style="list-style-type: none"> Specific period (starting day, finishing day) Period by default <ul style="list-style-type: none"> Example 1: In Lithuania, when the term of the mandate is not indicated, the mandate shall be valid for one year starting from the day it has been granted. 	<Main time restrictions applying to specific types of (e)mandate>
(e)mandate Financial restrictions 13. Does the (e)mandate specify financial restrictions? If yes, what kind of financial restrictions?	<ul style="list-style-type: none"> Specific amount of money (minimum, maximum) 	<Main financial restrictions applying to specific types of (e)mandate>
(e)mandate Transfer 14. What are the main requirements/particularities for transferring (e)mandates? 15. What are the limits of such transitivity? 16. Do sub-mandates require the mandator consent? (Please consider sub-mandate as the act of transferring powers from a mandatee to a sub-mandatee to act on behalf of the mandator) 17. Do sub-mandates require sub-mandatee consent? 18. Do sub-mandates free the original mandatee of her/his rights/obligations?	<ul style="list-style-type: none"> A lawyer is required to provide services and he/she sub-mandates to a team member: <ul style="list-style-type: none"> Consent from the mandator (entity requiring services from the lawyer) is not needed Consent from the sub-mandatee (member of the lawyer's team) is not needed The lawyer would not be freed from his/her rights/obligations 	<Main requirements/particularities for transferring (e)mandates>
(e)mandate Data Protection 19. What are the data protection requirements applying to (e)mandates?	<ul style="list-style-type: none"> Applying EU legislation such as GDPR Applying national legislation <ul style="list-style-type: none"> That implements GDPR Any other 	<Data protection requirements applying to (e)mandates >