

**Resolution of October 13, 2016, of the Ministry of Public Administration,  
which approves the Technical Safety Instruction  
in accordance with the National Safety Scheme.**

**TEXT**

Law 11/2007 of 22 June on the electronic access of citizens to public services established the National Security Scheme which, approved by Royal Decree 3/2010, of 8 January, aims to determine the security policy in the use of electronic media in its scope of application and will be constituted by the basic principles and minimum requirements that allow an adequate protection of the information. Subsequently, Law 40/2015, of 1 October, on the Legal Regime of the Public Sector, collects the National Security Scheme in its article 156 section 2 in similar terms.

Royal Decree 3/2010, dated 8 January, provides in article 29 section 2 that the Ministry of Finance and Public Administration, at the proposal of the Sectoral Committee for Electronic Administration provided for in article 40 of Law 11/2007, of 22 June, and at the initiative of the National Cryptological Center, will approve the mandatory safety technical instructions and will be published by resolution of the State Secretariat of Public Administrations. These safety technical instructions are essential to achieve an adequate, consistent and consistent implementation of the requirements and measures contained in the Scheme.

Thus, these technical safety instructions, enumerated in the fourth additional provision of the aforementioned Royal Decree, regulate specific aspects that the daily reality has shown to be especially significant, such as: State of Safety Report; Notification of security incidents; Security audit; Accordance with the National Security Scheme; Procurement of Security Products; Employment cryptology in the National Security Scheme; Interconnection in the National Security Scheme and Security Requirements in outsourced environments, without prejudice to proposals that may be agreed upon by the Sectoral Committee for Electronic Administration, as established in Article 29.

These technical safety instructions will be developed and refined over time, in parallel to the progress of eGovernment services, the infrastructures that support them, the technological evolution and the risks derived from operating in cyberspace.

In particular, the Technical Safety Instruction of Compliance with the National Safety Scheme establishes the criteria and procedures for determining compliance with the National Safety Scheme and for publicizing such compliance in order to be able to respond appropriately to the mandate Of Chapter VIII, Norms of conformity, of Royal Decree 3/2010, of January 8; Thus, determines the mechanisms for obtaining and subsequently publicizing the declarations of conformity and the security badges of which they are creditors and which have been obtained in respect of compliance with the National Security Scheme.

This Resolution is approved in application of the provisions of article 29 section 2 of Royal Decree 3/2010, of January 8, on the proposal of the Sectorial Committee for Electronic Administration and on the initiative of the National Cryptological Center. In virtue of the above, this Secretariat of State resolves:

**First.**

To approve the Technical Safety Instruction "Conformity with the National Safety Scheme", the text of which is included below.

**Second.**

Order your publication in the "Official State Gazette".

The Technical Safety Instruction of Compliance with the National Safety Scheme approved by this Resolution shall be applied from the day following its publication in the Official State Gazette.

Madrid, October 13, 2016.-The Secretary of State for Public Administration, Antonio Germán Beteta Barreda.

**TECHNICAL SAFETY INSTRUCTION IN ACCORDANCE WITH THE  
NATIONAL SAFETY SCHEME**

**INDEX**

- I. Object.
- II. Area of application.
- III. Procedures for determining conformity.

IV. Declaration of Conformity with the National Security Scheme of BASIC category systems and their advertising.

V. Certification of Conformity with the National Security Scheme of systems of category MEDIA or ALTA and its publicity.

SAW. Requirements of the certifying entities.

VII. Solutions and services provided by the private sector.

Annex I. Contents of the Declaration of Conformity with the National Security Scheme.

Annex II. Declaration Declaration of Conformity with the National Safety Scheme.

Annex III. Content of the Certification of Conformity with the National Safety Scheme.

Annex IV. Certificate of Compliance with the National Safety Scheme.

### ***I. Object***

The Technical Safety Instruction of Compliance with the National Safety Scheme is intended to establish the procedures to publicize compliance with the National Safety Scheme, as well as the requirements that are required of the certifying entities.

### ***II. Area of application***

This Technical Security Instruction will be applied to the information systems included in the provisions of article 3 of Royal Decree 3/2010, dated January 8, which regulates the National Security Scheme in the field of administration electronics.

### ***III. Conformity determination procedures***

III.1 Depending on the category of information systems within the scope of the National Safety Scheme, in accordance with Annex I of Royal Decree 3/2010, of 8 January, the procedure for determining conformity . Thus BASIC systems will only require a self-assessment for their declaration of conformity, while systems of MEDIA or HIGH category will require a formal audit for their certification of conformity.

III.2 The declaration of conformity with the National Security Scheme of information systems with BASIC category will be carried out by means of a self-assessment that, on a regular basis, verifies compliance with the requirements contemplated in the Scheme, at least every two

years. This self-assessment will comply with the audit provisions in Article 34 and Annex III of Royal Decree 3/2010, of 8 January. Such self-assessment may be carried out by the same personnel who administer the information system or by whom it delegates.

III.3 Certification of compliance with the National Security Scheme for information systems with MEDIA or HIGH categories shall be carried out by means of a formal audit procedure that, on a regular basis, verifies compliance with the requirements contemplated in the Scheme, at Less every two years. This audit will be carried out in accordance with the provisions of article 34 and annex III of Royal Decree 3/2010, of January 8.

III.4 Since formal auditing for the MEDIA and ALTA category systems is mandatory, there is no reason why a BASIC category system should not be subject to a formal certification of conformity audit, which is always desirable.

III.5 In the autonomous communities with co-official language, declarations, certifications and their respective badges of conformity may be issued in Spanish or in bilingual texts. In this case, they will be issued in a single document written in Spanish and in the corresponding co-official language, in fonts of equal rank with the specifications and diligences that on its text are established in the corresponding annexes.

#### *IV. Declaration of Conformity with the National Security Scheme of BASIC category systems and their advertising*

IV.1 The Declaration of Conformity with the National Safety Scheme of BASIC or lower-level systems shall be issued by the entity under whose responsibility the systems are located and shall be completed by means of a Declaration of Conformity Mark whose use shall be conditional upon the Declaration of Conformity.

IV.2 Such Declaration of Conformity as well as its emblem shall be expressed in electronic documents in a non-editable format and shall have the appearance shown in Annexes I and II, respectively, of this Technical Security Instruction.

IV.3 In order to publish the Declaration of Conformity with the National Security Scheme in the case of information systems of BASIC or lower category, it will suffice to display in the electronic headquarters of the public entity that owns or uses the information system in question, Declaration of Conformity that will include a link to the corresponding Declaration of Conformity document, which will also remain accessible through that electronic site.

#### *V. Certification of Conformity with the National Security Scheme of systems of category MEDIA or ALTA and its publicity*

V.1 The Certification of Compliance with the National Safety Scheme, of MEDIA or ALTA category systems, will be issued by a certification body and will be completed by means of a Certificate of Conformity Certification whose use will be conditioned to the aforementioned Certification of Conformity.

V.2 Such Certification of Conformity as well as its emblem shall be expressed in electronic documents in a non-editable format and shall have the appearance shown in Annexes III and IV respectively of this Technical Safety Instruction.

V.3 In order to publish the Certification of Compliance with the National Security Scheme in the case of information systems of MEDIA or HIGH category, it will suffice to display in the electronic headquarters of the public entity that owns or uses the information system in question, Certificate of Conformity that will include a link to the corresponding Certification of Conformity document, which will also remain accessible through that electronic site.

### ***SAW. Requirements of the certifying entities***

VI.1 The certifying entities referred to in this Technical Instruction must be accredited by the National Accreditation Entity (ENAC) for the certification of systems within the scope of the National Safety Scheme according to the UNE-EN ISO / IEC standard 17065: 2012 Conformity assessment. Requirements for organizations certifying products, processes and services.

VI.2 If the certifying entity in question does not have the above mentioned accreditation, before starting its activities, it must send to the National Cryptological Center, the acceptance by the National Entity of Accreditation of having requested the above accreditation, being able to initiate Its certification activities on a temporary basis, having 12 months to obtain such accreditation, after which, without having obtained it, they must cease in their certification activities. The National Cryptological Center may require the requesting certifying entity as much additional information as it deems necessary to verify its suitability and sufficiency.

VI.3 After one year from the entry into force of this Technical Safety Instruction, it will no longer be possible to start any certification process of the transitory form indicated in the previous point, requiring all certification bodies to have the accreditation Point VI.1.

VI.4 The entities, bodies, agencies and units linked to or dependent on Public Administrations whose powers include the development of audits of information systems shall be exempt from compliance with the requirements indicated in the previous points of this section, as set out in their regulations Of creation or decrees of structure and is guaranteed due impartiality.

VI.5 The National Cryptological Center will maintain in its electronic headquarters an updated list of the Certification Organizations, accredited or in the process of accreditation, to issue Certifications of Compliance with the National Safety Scheme.

### ***VII. Solutions and services provided by the private sector***

VII.1 When private sector operators provide services or provide solutions to public entities that are required to comply with the National Security Scheme, they must be able to exhibit the corresponding Declaration of Conformity with the National Security Scheme, Or the Certification of Conformity with the National Safety Scheme, in the case of systems of categories MEDIA or HIGH, using the same procedures as those required in this Technical Safety Instruction for public entities.

VIII.2 It is the responsibility of public contracting entities to notify private sector operators involved in the provision of technological solutions or the provision of services, the obligation that such solutions or services comply with the provisions of the National Security Scheme And have the corresponding Declarations or Certifications of Conformity, as indicated in the present Technical Safety Instruction.

VII.3 When the provision of solutions or the provision of services subject to compliance with the National Security Scheme are carried out by private sector operators, they shall use the same documentary models used for Declarations, Certifications or Compliance Badges collected In the present Technical Security Instruction, replacing the references to the public entities by those corresponding to the private entities. Likewise, the Compliance Badges, when displayed by such private operators, must link to the corresponding Declarations or Certifications of Conformity, which will always be accessible on the website of the operator concerned.

VII.4 In addition to the National Cryptological Center and the National Entity of Accreditation, public entities that use solutions or services provided or provided by private sector organizations that exhibit a Declaration or Certification of Compliance with the National Security Scheme may request at any time To such operators the corresponding Self-Assessment or Audit Reports, in order to verify the appropriateness and suitability of the aforementioned manifestations.

## **ANNEX I**

### **Content of the Declaration of Conformity with the National Safety Scheme**

Each reporting entity or entity may freely dispose of its own Declaration of Conformity format with the National Security Scheme, which shall show at least the following content:

- Logo of the reporting entity or body.
- Identification of the reporting entity or body.
- Distinctive Declaration of Conformity according to Annex II of this Technical Safety Instruction.
- Text: "Declaration of Conformity with the National Security Scheme".
- Text: "The information systems outlined, all of them in the BASIC category, and the related services, have passed a self-evaluation process in accordance with the requirements of Royal Decree 3/2010, of 8 January, regulating The National Security Scheme in the field of e-Government, as indicated in the corresponding Report of "date": "
  - 'listing the information systems and services to be certified'.
- Text: "Date of initial declaration of conformity: << day >> of << month >> of << year >>"
- Text: "Date of renewal of the declaration of conformity: << day >> of << month >> of << year >>"
- Text: "Date: << Locality (the corresponding one) >>, << day >> of << month >> of << year >>"
- Signature: 'Name and surname of the holder of the higher body in question'.

The texts in parentheses will be adapted to the specific aspects of the Declaration of Conformity issued.

The CCN-STIC 809 safety guide on declaration and certification in accordance with the National Safety Scheme and Compliance Badges will provide illustrative models of the aforementioned Declaration of Conformity.

## **ANNEX II**

### **Statement of Compliance with the National Safety Scheme**



As far as possible, the Declaration of Conformity Badges with the National Security Scheme that are displayed on electronic or paper media will respect the proportions, shapes, typography and colors of the previous image.

Direct colors	CMYK	RGB	Hexadecimal
Pantone Orange 021C	C: 0	A: 235	FF6600
	M: 53	G: 111	
	Y: 100	B: 12	
	K: 0		

### ANNEX III

#### Content of the Certification of Conformity with the National Safety Scheme

Each Certifying Entity may freely dispose of its own format of Certification of Conformity with the National Safety Scheme, which must show at least the following content:

- Logo of the Certifying Entity.
- Identification of the Certifying Entity.
- Certificate of Conformity Certification in accordance with Annex IV of this Technical Safety Instruction.
- Text: "Certificate of Compliance with the National Safety Scheme".
- Text: "Certifying Entity" certifies that the information systems described, all of them of the category << indicate maximum applicable category (BASIC, MEDIUM or HIGH), and related services, of «Entity [ Public or private], postal address >>, have been audited and found in accordance with the requirements of Royal Decree 3/2010, of 8 January, which regulates the National Security Scheme in the field of eGovernment, according to Is indicated in the corresponding Audit Report of "date": "
- 'listing the information systems and services to be certified'.

- Text: "Certificate number: 'certificate number'".
- Text: "Initial conformity certification date: << day >> of << month >> of << year >>".
- Text: "Date of renewal of the attestation of conformity: << day >> of << month >> of << year >>".
- Text: "Date: << Locality (the corresponding one) >>, << day >> of << month >> of << year >>".
- Signature: Name and Surnames of the responsible person of the Certifying Entity.

The texts that appear in angle brackets will be adapted to the specific aspects of the certification issued.

The CCN-STIC 809 safety guide on declaration and certification in accordance with the National Safety Scheme and compliance badges will provide illustrative models of the aforementioned Certification of conformity.

#### ANNEX IV

#### Conformity Badge with the National Safety Scheme



As far as possible, Certificates of Compliance with the National Security Scheme that are displayed on electronic or paper media will respect the proportions, shapes, typography and colors of the previous image.

Direct colors	CMYK	RGB	Hexadecimal
Pantome 653C	C: 82	A: 55	336699
	M: 47	G: 99	
	Y: 11	B: 150	
	K: 0		

## Analysis

- Range: Resolution
- Date of readiness: 10/13/2016
- Date of publication: 11/02/2016
- Applicable from November 3, 2016.

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### Previous references

- In accordance with art. 29.2 of Royal Decree 3/2010, of 8 January (Ref. [BOE-A-2010-1330](#) ).

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### Subjects

- E-government
- Public administrations
- Certifications
- Badges
- Certification bodies
- information
- Computing
- Quality standards
- Telecommunication networks
- Secretariat of State for Public Administration

[http://www.boe.es/diario\\_boe/txt.php?id=BOE-A-2016-10109](http://www.boe.es/diario_boe/txt.php?id=BOE-A-2016-10109)