

Message 001

Communication from the Commission - TRIS/(2025) 3691

Directive (EU) 2015/1535

Notification: 2025/0769/FI

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahtuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidējimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20253691.EN

1. MSG 001 IND 2025 0769 FI EN 18-12-2025 FI NOTIF

2. Finland

3A. Työ- ja elinkeinoministeriö
Työllisyys ja toimivat markkinat -osasto
PL 32
FI-00023 VALTIONEUVOSTO
maaraykset.tekniset.tem@gov.fi
puh. +358 29 504 7092

3B. Valtiovarainministeriö
Julkisen hallinnon tieto- ja viestintätekniinen osasto
Tietopolitiikkayksikkö
Snellmaninkatu 1 A, Helsinki
PL 28, 00023 Valtioneuvosto
0295 16001
kirjaamo.vm@gov.fi

4. 2025/0769/FI - SERV60 - Internet services

5. Draft Government Proposal for an Act mending the Act on Common Support Services for Electronic Transactions in Public Administration

6. The regulation enables electronic notifications sent by authorities to be displayed by private digital post service providers in the viewing applications they offer.

7.

Directive (EC) No. 2006/123 on services in the internal market

Information society

The requirements to be notified under the Services Directive are those laid down in the proposed section 8h and concern digital post service providers and other potential service providers interested in displaying digital official mail, insofar as they wish to display electronic notifications sent by authorities to end users in their digital post services. The requirements are non-discriminatory, as service providers are treated in the same manner regardless of the Member State in which the service provider is established or of which Member State's national they are. The proposed Act does not include any requirements concerning the nationality of service providers or the location of their place of establishment. All service providers that have the right to carry on a business in Finland and that meet the other requirements laid down in the proposed Section 8h could enter into an agreement with a service producer on the provision of a viewing application. A service provider's right to carry on a business in Finland would be determined on the basis of existing legislation and would not be amended by the proposal.

The measure is necessary for overriding reasons relating to the public interest, namely public security, the protection of recipients of services, and consumer protection. The requirements aim to maintain a high quality of services in order to protect recipients of services and consumers, in particular natural persons of widely varying ages. The requirements are also necessary for maintaining public security, as the measure relates to nationally critical public infrastructure, which is used primarily for communication by authorities with customers of the public administration and may therefore be regarded, by its nature, as a public basic service. According to the case law of the Court of Justice of the European Union, public security includes both the internal and external security of a Member State and may therefore be affected, inter alia, by a threat to the operation of a State's public basic services. Service providers, together with their viewing applications, will form part of the transmission and infrastructure for electronic decisions and other notifications sent by authorities to customers of the public administration, to which, for example, serious information security threats, operational disruptions and unlawful activities may be directed, potentially jeopardising the functioning of the infrastructure and thereby public security as well as the protection of consumers and recipients of services. In addition, taking into account that service providers and the authority producing the message transmission service are, as trust service providers, critical entities within the meaning of the CER Directive and play a key role in the provision of a function essential to society, namely electronic official communications, the above-mentioned threats may have a significant impact on public security. Accordingly, it is necessary to ensure, through those requirements, the proper functioning and security of the viewing applications and, consequently, of the infrastructure for the electronic official communications concerned.

The proposed requirements for the display of authorities' notifications through viewing applications by private

operators are appropriate for ensuring public security, the protection of recipients of services and consumer protection. The requirements concretely and significantly ensure that service providers offer the viewing applications in an appropriate, secure and high-quality manner and that the message transmission service infrastructure operates as reliably and securely as possible with the entry of new operators, as the requirements constitute the basic prerequisites for providing a viewing application at a sufficient level of quality and security. This effectively promotes public security, as the requirements safeguard the transmission of electronic decisions and other messages sent by authorities to customers of the public administration, as well as the functioning, security and reliability of the critical public infrastructure concerned. The requirement also effectively promotes the protection of recipients of services and consumer protection, as the proposed requirements ensure a certain level of quality, reliability and security for viewing applications.

The measure seeks to minimise deficiencies in the security, provision and operation of viewing applications and, consequently, of the message transmission service, and to maximise the provision of viewing applications in as appropriate a manner as possible, thereby safeguarding the implementation of electronic official communications to customers of the public administration and the protection of recipients of services, including consumers, as well as the maintenance of public security in this respect. The purpose of the requirement is therefore to protect the interests of recipients of services, namely natural persons, consumers and business users, as well as society as a whole, in ensuring that the electronic communications of authorities to customers of the public administration and the critical infrastructure underpinning them remain as functional and secure as possible. Overall, the measure has positive effects, as it enables private operators to display authorities' notifications on equal terms, ensures the quality and security of the service, and promotes competition, which would improve service quality and consumer choice.

The requirements do not exceed what is necessary to achieve the objectives, as they are formulated in general terms and are limited to what is minimally required to achieve the objectives in this respect. They are of a conventional nature, constituting fundamental conditions generally associated with the performance of various specific tasks, such as personnel, expertise and financial resources. It is necessary to lay down the requirements in order to achieve the objectives, as no corresponding applicable requirements exist in the relevant general or sector-specific legislation. Legislation generally does not, for example, require service providers to have financial readiness or reliability to carry out business activities, nor do applicable sector-specific regulations for service providers, such as the eIDAS Regulation or cybersecurity regulations, set requirements regarding financial or operational conditions for providing services. The requirements in the proposed Section 8h are necessary to ensure the security and proper functioning of the viewing application and infrastructure. Therefore, existing specific or more general measures cannot be considered effectively capable of achieving the objective.

Other, less restrictive measures would not achieve the same result. To achieve the objectives, it is necessary to require compliance with the proposed requirements, as service providers, as critical entities, play a key role in ensuring the provision of electronic official communications essential to society, and the ex-ante requirements constitute the minimum conditions for service providers to offer viewing applications in a sufficiently secure and high-quality manner. The requirements could not, therefore, be less stringent than proposed. If the requirements were, for example, merely recommendations, it would not be possible to ensure that service providers have the capacity to offer the viewing application in a sufficiently secure and high-quality manner, as they would not be binding on service providers. In that case, service providers might

not have the prerequisites to provide the viewing application at an adequate level of quality, which could lead, for example, to breaches of personal data security, problems with access to documents, or operational disruptions in the infrastructure, thereby endangering public security, the protection of recipients of services, and consumer protection. The measure is therefore limited to the least restrictive measure by which the objectives can be achieved. Taking into account the aforementioned benefits, the critical nature of the services and infrastructure, and the fact that the requirements concern a new voluntary task for service providers as part of the services they offer, and that they are appropriate for achieving the objectives, the requirements are proportionate to the significance of the objectives and the expected benefits.

Requirements which reserve access to particular providers

The requirement in the proposed Section 8h that a service provider must be reliable, i.e., that it has not been convicted of certain crimes within a specified period, and that it has the professional and financial capacity necessary to carry out the task, is non-discriminatory, as service providers are treated in the same manner regardless of the Member State in which they are established. The requirement does not include any conditions relating to the nationality of service providers or the location of their place of establishment. The measure is necessary for overriding reasons relating to the public interest, namely public security, the protection of recipients of services, and consumer protection. To protect recipients of services and consumers, the requirement concerning a service provider's reliability and its professional and financial capacity aims to maintain a high quality of services. The requirements are also necessary for public security, as the current measure relates to nationally critical public infrastructure, which is used primarily for communication by authorities with customers of the public administration and may therefore be regarded, by its nature, as a public basic service. According to the case law of the Court of Justice of the European Union, public security includes both the internal and external security of a Member State and may therefore be affected, inter alia, by a threat to the operation of a State's public basic services. In order to prevent threats to the infrastructure, such as serious information security threats, operational disruptions, and unlawful activities that could jeopardise the functioning of the infrastructure and thereby public security, it is necessary to ensure the proper functioning and security of the transmission of electronic decisions and other messages sent by authorities to customers of the public administration by imposing requirements on service providers regarding reliability financial and and professional capacity. In addition, service providers, as trust service providers, are critical entities with a key role in the provision of a function essential to society, namely electronic official communications. Accordingly, the aforementioned threats may have a significant impact on public security.

The requirement regarding a service provider's reliability and its professional and financial capacity necessary to carry out the task is appropriate for achieving the objectives in this respect, namely public security, the protection of recipients of services, and consumer protection. The requirement concretely and significantly ensures that the service provider is able to offer the viewing application in an appropriate, secure, and high-quality manner, as financial capacity refers to the ability to meet, for example, information security and operational requirements, and reliability means that the operations comply with the law. Professional capacity, that is, the service provider's knowledge and expertise in the field and competent personnel, ensures a high level of quality, reliability, and security of the service. The requirements effectively promote public security, that is, the functioning of public basic services in this case, as the service provider is connected to a nationally critical service, and service providers as well as the service producer providing the message transmission service are critical entities as trust service providers. The requirement also effectively promotes the protection of recipients of services and consumer protection, as the proposed requirements

ensure a certain level of quality, reliability, and security for the viewing applications.

The measure seeks to minimise deficiencies in the security, provision and operation of viewing applications and, consequently, of the message transmission service, and to maximise the provision of viewing applications in as appropriate a manner as possible, thereby safeguarding recipients of services, including consumers, as well as the maintenance of public security in this respect. The purpose of the requirements is therefore to protect the interests of recipients of services, namely natural persons, consumers, and business users, as well as society as a whole, by ensuring that the critical infrastructure for electronic communications of state authorities remains as functional and secure as possible. Overall, the measure has positive effects, as it enables private operators to display authorities' notifications on equal terms and ensures the quality and security of the service. In addition, it would promote competition, which would improve the quality of services and increase consumer choice through heightened competition.

The requirements do not exceed what is necessary to achieve the objectives, as the general requirement for economic and professional capacity, as well as the reliability requirement, limited to the most serious recent criminal convictions relevant to the activities, have been set at the minimum level necessary to achieve the objectives. In order to achieve the objectives, it is necessary to lay down the requirement by law, as there is no corresponding applicable requirement in the relevant general or specific legislation. Legislation generally does not require a service provider to have financial or professional capacity, or to be free of certain criminal convictions, in order to carry out business activities, nor do applicable sector-specific regulations lay down corresponding requirements for providing services. Accordingly, existing specific or more general measures cannot be considered effectively capable of achieving the objectives.

Other, less restrictive measures would not achieve the same result. Service providers would carry out a task of a special nature, related to the public interest, assigned by an authority, and as critical entities they play a key role in the provision of electronic official communications essential to society. Accordingly, the achievement of the objectives must be ensured through binding requirements on service providers regarding financial and professional capacity and reliability. A less restrictive measure, such as a recommendation, would not ensure that service providers have the necessary financial and professional capacity and reliability, and therefore would not ensure that the viewing application is provided in a sufficiently secure and high-quality manner, as service providers might not have adequate financial resources or might not be sufficiently reliable. This could lead, for example, to breaches of personal data security, unlawful activities, or problems with access to important documents, thereby endangering public security, the protection of recipients of services, and consumer protection. In addition, the requirement is, in substance, the least restrictive, as it does not, for example, require a specific amount of capital or profit, or specific professional certifications, and the reliability criteria are limited to what can reasonably be required of the operator. Therefore, other, less restrictive measures would not achieve the same result. As the requirement is thus set at the minimum level necessary to achieve the objectives, is appropriate for achieving the objectives, and provides the aforementioned benefits, it is proportionate to the significance of the objectives and the expected benefits.

Requirements fixing a minimum number of employees

The requirement in the proposed Section 8h that a service provider must have sufficient personnel to carry out the task is non-discriminatory, as service providers are treated in the same manner regardless of the

Member State in which they are established. The requirement does not include any conditions relating to the nationality of service providers or the location of their place of establishment.

The measure is necessary for overriding reasons relating to the public interest, namely public security, the protection of recipients of services, and consumer protection. In order to protect recipients of services and consumers, that is, in particular, natural persons of a wide range of ages, it is necessary to ensure a high quality of services. This partly requires ensuring that the service provider has sufficient personnel to carry out the task. The requirement concerning personnel is also necessary for public security, as the measure relates to nationally critical public infrastructure, which is used primarily for communication by authorities with customers of the public administration and may therefore be regarded as a public basic service by its nature. According to the case law of the Court of Justice of the European Union, public security may be affected, *inter alia*, by threats to the operation of a State's public basic services. Service providers, together with their viewing applications, will form part of the transmission and infrastructure for electronic decisions and other notifications sent by authorities to customers of the public administration, to which, for example, serious information security threats, operational disruptions and unlawful activities may be directed, potentially jeopardising the functioning of the infrastructure and thereby public security as well as the protection of consumers and recipients of services. In addition, taking into account that service providers, as trust service providers, are critical entities with a key role in the provision of electronic official communications essential to society, the aforementioned threats may have a significant impact on public security. Accordingly, it is necessary to ensure the proper functioning and security of the viewing applications, and consequently of the infrastructure, by requiring that the service provider has sufficient personnel to carry out the task.

The requirement regarding the service provider's personnel necessary to perform the task is appropriate for achieving the objectives in this respect, namely public security, the protection of recipients of services, and consumer protection. The requirement concretely and significantly ensures that the service provider is able to provide the viewing application in an appropriate, secure, and high-quality manner, as, despite the technical nature of the services, the service provider's personnel operate and manage the activities in practice. Having sufficient personnel to perform the task ensures that there is an adequate number of competent staff, for example, to understand complex technical systems and respond to unexpected situations and problems, thereby safeguarding the quality, reliability, and security of the service. The requirement effectively promotes public security, that is, the functioning of public basic services in this case, as the service provider is connected to a nationally critical service, and service providers, together with the service producer providing the message transmission service, are critical entities as trust service providers. The requirement also effectively promotes the protection of recipients of services and consumer protection, as the proposed requirement ensures a certain level of quality and security for the viewing applications.

The measure seeks to minimise deficiencies in the security, provision and operation of viewing applications and, consequently, of the message transmission service, and to maximise the provision of viewing applications in as appropriate a manner as possible, thereby safeguarding recipients of services, including consumers, as well as the maintenance of public security in this respect. The purpose of the requirement is therefore to protect the interests of recipients of services, namely natural persons, consumers, and business users, as well as society as a whole, by ensuring that the critical infrastructure for electronic communications of state authorities remains as functional and secure as possible. Overall, the measure has positive effects, as it enables private operators to display authorities' notifications on equal terms and ensures the quality and security of the service. In addition, it would promote competition, which would improve the quality of services and increase consumer choice.

The requirement does not exceed what is necessary to achieve the objectives, as the general requirement regarding the personnel necessary to carry out the task has been set at the minimum level required to achieve the objectives. It is necessary to lay down the requirement in law in order to achieve the objectives, as no corresponding applicable requirement exists in relevant general or sector-specific legislation. Legislation generally does not require a service provider to have personnel in order to carry out business activities, nor do applicable sector-specific regulations lay down a corresponding requirement for providing services. Accordingly, existing specific or more general measures cannot be considered effectively capable of achieving the objectives. In addition, other less restrictive measures cannot achieve the same result. Service providers would carry out a task of a special nature, related to the public interest, assigned by an authority, and as critical entities they play a key role in the provision of electronic official communications essential to society. Thus, the achievement of the objectives must be ensured through a binding requirement on service providers regarding sufficient personnel. A less restrictive measure, such as a recommendation, would not ensure that service providers have adequate personnel and, consequently, that the viewing application is provided in a sufficiently secure and high-quality manner. This could lead, for example, to breaches of personal data security, unlawful activities, or problems with access to important documents, thereby endangering public security, the protection of recipients of services, and consumer protection. In addition, the requirement is, in substance, the least restrictive, as it does not, for example, require a specified number of personnel or that the personnel have any particular qualifications. Therefore, other, less restrictive measures would not achieve the same result. As the requirement is thus set at the minimum level necessary to achieve the objectives, is appropriate for achieving the objectives, and provides the aforementioned benefits, it is proportionate to the significance of the objectives and the expected benefits.

Requirements which relative to a shareholding of a company

The requirement in the proposed Section 8h that a service provider must have the financial capacity necessary to carry out the task is non-discriminatory, as service providers are treated in the same manner regardless of the Member State in which they are established. The requirement does not include any conditions relating to the nationality of service providers or the location of their place of establishment. The measure is necessary for overriding reasons relating to the public interest, namely public security, the protection of recipients of services, and consumer protection. The financial capacity necessary to carry out the task constitutes a fundamental prerequisite for providing the viewing application, as it ensures the ability to meet other requirements as well, such as information security and operational requirements. The requirement therefore aims to maintain a high quality of services in order to protect recipients of services and consumers. The requirements are also necessary for public security, as the measure relates to nationally critical public infrastructure, which is used primarily for communication by authorities with customers of the public administration and may therefore be regarded, by its nature, as a public basic service. According to the case law of the Court of Justice of the European Union, public security may be affected, inter alia, by threats to the operation of a State's public basic services. Service providers will form part of the transmission and infrastructure for electronic communications of authorities, which may be subject to, for example, serious information security threats, operational disruptions, and unlawful activities that could jeopardise the functioning of the infrastructure and thereby public security, as well as the protection of consumers and recipients of services. As service providers, in their capacity as trust service providers, are critical entities with a key role in the provision of electronic official communications essential to society, the aforementioned threats may have a significant impact on public security. Therefore, it is necessary to ensure the proper functioning and security of the viewing applications, and consequently of the infrastructure for electronic official communications, through a requirement on the service provider's financial capacity.

The requirement regarding the service provider's financial capacity necessary to carry out the task is appropriate for achieving the objectives in this respect, namely public security, the protection of recipients of services, and consumer protection. The requirement ensures that the service provider is able to meet its financial obligations appropriately. This concretely and significantly ensures that the service provider is able to offer the viewing application in an appropriate, secure, and high-quality manner, as financial capacity to carry out the task also means the capacity to meet, for example, the information security and operational requirements of the service. This effectively promotes public security, taking into account that the service provider is connected to a nationally critical service through which authorities communicate to administration clients on matters affecting their rights and obligations, and that the service providers, together with the service producer providing the message transmission service, are critical entities as trust service providers. The requirement also effectively promotes the protection of recipients of services and consumer protection, as it allows them to rely on the service provider's ability to provide a functioning, secure, and reliable viewing application.

The measure aims to minimise deficiencies in the security, provision, and operation of viewing applications, and consequently of the message transmission service, and to maximise the provision of the viewing application in the most appropriate manner, thereby safeguarding recipients of services, including consumers, and maintaining public security in this respect.

The purpose of the requirement is therefore to protect the interests of recipients of services, namely natural persons, consumers, and business users, as well as society as a whole, by ensuring that the critical infrastructure for electronic communications of state authorities remains as functional and secure as possible. Overall, the measure has positive effects, as it enables private operators to display authorities' notifications on equal terms and ensures the quality and security of the service. In addition, it would promote competition, which would improve the quality of services and increase consumer choice through heightened competition.

The requirement does not exceed what is necessary to achieve the objectives, as it is formulated in general terms and is therefore limited to what is minimally required to achieve the objectives in this respect. The requirement can also be fulfilled in various ways, as it is not defined in precise terms. It is necessary to lay down the requirement in law in order to achieve the objectives, as no corresponding applicable requirement exists in relevant general or sector-specific legislation. Legislation generally does not require a service provider to have financial capacity in order to carry out business activities, nor do applicable sector-specific regulations for service providers, such as the eIDAS Regulation or cybersecurity regulations, lay down requirements regarding financial capacity for providing services. The requirement is therefore new and applies solely to the provision of the viewing application in question. Therefore, existing specific or more general measures cannot be considered effectively capable of achieving the objective.

In addition, other less restrictive measures cannot achieve the same result. It is necessary to require compliance with financial capacity requirements to achieve the objectives, as service providers, in their capacity as critical entities, play a key role in the provision of electronic official communications essential to society, and the requirement constitutes a fundamental prerequisite for service providers to be able to offer the viewing application in a sufficiently secure and high-quality manner. The requirement is also conventional, as the performance of certain tasks generally requires adequate financial resources. In addition, the requirement is, in substance, the least restrictive, as it does not, for example, require a specific amount of capital or profit.

If the measure were, for example, a recommendation, it would not be possible to ensure that service providers have the necessary financial capacity and, consequently, that the viewing application is provided in a sufficiently secure and high-quality manner, as a recommendation would not be binding on service

providers. In such a case, service providers might not have the financial means to provide the viewing application at an adequate level of security and quality, which could lead, for example, to breaches of personal data security or problems accessing important documents, thereby endangering public security, the protection of recipients of services, and consumer protection. Accordingly, other, less restrictive measures would not achieve the same result.

Taking into account that public security, in particular, is a socially significant and critical objective, and that the requirement in question is appropriate for ensuring the achievement of the objectives, the requirement is proportionate to the significance of the objectives and the expected benefits.

8. The proposal suggests amending the Act on Common Electronic Services for Administration. The objective of the proposal is to allow electronic notifications sent by authorities via the message transmission service “Suomi.fi Messages,” produced by the Digital and Population Data Services Agency (DVV), to be displayed to users not only through the message transmission service interface (Suomi.fi Messages) but also via a digital service provided by a private operator. According to the proposal, the Act on Common Electronic Services for Administration would henceforth define a “viewing application” as a digital service that functions as the interface for the message transmission service. The Act would be supplemented with a clarifying provision regarding the task of the service producer, i.e., the Digital and Population Data Services Agency, to provide the viewing application, as well as a provision on assigning this assisting public administrative task to a private operator under a contract. The Digital and Population Data Services Agency would be required to provide the viewing application even if a private operator provides a viewing application under a contractual agreement. In addition, the Act would lay down general requirements applicable to private operators providing a viewing application, the minimum content of the contract, the obligation for cooperation between the service producer and private operators, the suspension of the service in the event of disruptions, and the supervision of private operators.

9. The proposal would enable the display of authorities’ notifications in private digital mail services in a cost-effective manner. Under the Constitution of Finland, the assignment of such a task to a private service provider must be laid down by law. The proposed provisions would ensure, among other things, the implementation of information security and data protection, thereby ensuring the proper performance of the task. Greater use of private digital mail services in the delivery of authorities’ electronic notifications supports citizens’ high-quality digital service experience and their ability to choose the service they use to receive notifications, while also creating conditions for new digital business models, strengthening the digital growth environment, and fostering innovation. Another objective is to allow electronic mail sent by authorities and private senders to be, as far as possible, received in a single service if desired.

10. Basic text references:

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

European Commission

Contact point Directive (EU) 2015/1535

email: grow-dir2015-1535-central@ec.europa.eu