

Regulation (EU) No 910/2014 of the European Parliament and of the Council  
of 23 July 2014 on electronic identification and trust services for electronic  
transactions in the internal market and repealing Directive 1999/93/EC

CHAPTER III  
TRUST SERVICES

SECTION 1

*General provisions*

*Article 13*

**Liability and burden of proof**

1 Without prejudice to paragraph 2, trust service providers [<sup>F1</sup>established in the United Kingdom or in the EU] shall be liable for damage caused intentionally or negligently to any natural or legal person due to a failure to comply with the obligations under this Regulation.

The burden of proving intention or negligence of a non-qualified trust service provider shall lie with the natural or legal person claiming the damage referred to in the first subparagraph.

The intention or negligence of a qualified trust service provider shall be presumed unless that qualified trust service provider proves that the damage referred to in the first subparagraph occurred without the intention or negligence of that qualified trust service provider.

2 Where trust service providers duly inform their customers in advance of the limitations on the use of the services they provide and where those limitations are recognisable to third parties, trust service providers shall not be liable for damages arising from the use of services exceeding the indicated limitations.

3 Paragraphs 1 and 2 shall be applied in accordance with [<sup>F2</sup>general principles of liability in tort or delict].

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**Textual Amendments**

- F1** Words in Art. 13(1) inserted (31.12.2020) by The Electronic Identification and Trust Services for Electronic Transactions (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/89), reg. 1(2), **Sch. para. 8(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Art. 13(3) substituted (31.12.2020) by The Electronic Identification and Trust Services for Electronic Transactions (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/89), reg. 1(2), **Sch. para. 8(b)**; 2020 c. 1, Sch. 5 para. 1(1)

*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) No 910/2014 of the European Parliament and of the Council, SECTION 1. (See end of Document for details)*

### <sup>F3</sup>Article 14

#### International aspects

##### Textual Amendments

- F3** Art. 14 omitted (31.12.2020) by virtue of [The Electronic Identification and Trust Services for Electronic Transactions \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/89\)](#), reg. 1(2), **Sch. para. 9**; 2020 c. 1, Sch. 5 para. 1(1)

### <sup>F4</sup>Article 15

#### Accessibility for persons with disabilities

##### Textual Amendments

- F4** Art. 15 omitted (31.12.2020) by virtue of [The Electronic Identification and Trust Services for Electronic Transactions \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/89\)](#), reg. 1(2), **Sch. para. 10**; 2020 c. 1, Sch. 5 para. 1(1)

### <sup>F5</sup>Article 16

#### Penalties

##### Textual Amendments

- F5** Art. 16 omitted (31.12.2020) by virtue of [The Electronic Identification and Trust Services for Electronic Transactions \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/89\)](#), reg. 1(2), **Sch. para. 11**; 2020 c. 1, Sch. 5 para. 1(1)

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**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) No 910/2014 of the European Parliament and of the Council, SECTION 1.