

# SpeedUP



<b>Ordering party</b>	Ministry for Digitalisation
<b>Objectives of the call for solutions</b>	<p>In the relationship between citizen, businesses, and administrations, it is essential to understand and be able to verify at any time who has the power or mandate to speak and act on behalf of a specific natural or legal person. For this, <b>the Ministry for Digitalisation wishes to investigate the concept of a register of “powers and mandates” and its implementation.</b> This register provides information on the responsibilities conferred by a natural or legal person on another natural or legal person.</p> <p>With a view to establishing a “single source of truth” regarding the rights granted to a person by law, by status, or delegation to foster interoperability and increased efficiency in the public sector, but above all, in the interest of the citizen (national and cross-border). This will involve carrying out a legal study on the establishment of a “powers and mandates” register in Luxembourg. Indeed, on the path of digital transformation and to establish a modern, efficient, and effective administration which puts the user, their needs, expectations, and requirements at the center of this digital transformation, there is a growing need for such a register. The study must, in a precise and detailed manner, answer the question “how to set up such a register from a legal standpoint”.</p>

<b>Type of solution required</b>	<ul style="list-style-type: none"><li>- Study of feasibility, benchmark of the existing, potential impact and potential solutions</li></ul>
<b>Selection criteria</b>	<ul style="list-style-type: none"><li>- Quality of the offer submitted (approach, level of detail, completeness, etc.)</li><li>- Structure of the study</li><li>- Proposed schedule</li></ul>
<b>Standards to be met</b>	Not applicable
<b>IP and other details</b>	Not applicable
<b>Deadlines for submission of the offer</b>	22 <sup>th</sup> July 2024
<b>Schedule</b>	<ul style="list-style-type: none"><li>- Deadline for questions: 9<sup>th</sup> July 2024</li><li>- Optional information meeting: 11<sup>th</sup> July 2024</li></ul>
<b>Contact for questions</b>	cciop@digital.etat.lu

**Description of  
the problem /  
challenge**

- A. Regarding the establishment of such a register from a legal point of view
- Investigate in a clear, convincingly reasoned manner and with concrete daily life situations whether the establishment of such a register is necessary.
    - o Propose a legal study presenting initially, the current legal situation in Luxembourg considering the various existing organizational and legal elements, the public sector organizations concerned or relevant to consider for the useful implementation of such register.
    - o Suggest the legal elements to be put in place guaranteeing compliance with national and EU regulations in force regarding the protection of data and in particular personal data for the establishment of such a register and during the entry of information and concrete use of the information contained therein.
    - o Starting from this proposal, recommend adequate trajectories allowing the implementation of the register responding to the basic problem by illustrating them with relevant use-cases and responding to the following questions:
      - What is the scope of a “powers and mandates” register? What should it cover?
      - What mechanisms and laws must be specially observed to use such a register?
      - Will the register have the force of law? If so, who is responsible?
    - o Based on mandates, delegations of powers, etc. identified in the first part, what are the mechanisms necessary to make the register a reality at the organizational level?
- B. Regarding the legal analysis linked to the elements contained in the register
- Identify and propose the legal elements to be put in place concerning the different forms of delegation of powers such as, for example, the creation of a mandate (authentication of the agent, verification of his identity, storage of the mandate) and on the other hand the use of the mandate (authentication of the mandatary, validation of the rights of the mandatary, use of the mandate, etc.), the same elements concerning the supervision or delegation of powers of a company within the framework of such a register.

If necessary, identify and propose the legal elements allowing companies to organize and structure the access management of their employees and, for individuals, the management of mandates.

*For complete information regarding the context to be considered, the requirements, the deliverables and the type of offer to be submitted, please refer to the specifications annexed to this document.*