

# **Licensing Guideline for Certifying Authority Under the ICT ACT – 2006 (Draft)**

## **Controller of Certifying Authorities**

(Ministry of Science and Information & Communication Technology)  
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## List of Abbreviations/Acronyms

ICT	Information & Communication Technology
CA	Certificate Authority
CCA	Controller of Certifying Authority
CPS	Certificate Practice Statement

[This guideline is issued for helping the intended applicants for submission of their application only.]

The Controller of Certifying Authority (CCA) (Government of Bangladesh) is hereby call for application from the eligible Individual/Company to operate as a certifying Authority under the ICT Act 2006. An application can be made for obtaining a license to operate as a Certifying Authority (CA) under Section 22 of the ICT Act, 2009 and subsequent Rule-9 of the ICT (Certifying Authority) Rules -2010.

Requirements, as stipulated in Section 23 of the Act need to be fulfilled by the applicant for issue of a license to operate as a CA. The Form for application for grant of License to be a Certifying Authority to be submitted to the Controller, has been prescribed under Rule 12 of the ICT (CA) Rules and appears at Schedule I of the said Rule. The application should be accompanied by the documents specified under Rule 12.

A license issued to a CA will be subject to terms and conditions under Section 22(3). The detailed Terms and Conditions are available in the respective rules under IT Rules 20

Along with the application in the format given in Schedule I, an applicant has to submit all the documents that are essential to substantiate the claim for award of license to operate as a CA. It is the responsibility of the applicant to submit all documents required under the ICT Act and ICT Rules 2010. In addition to the documents listed in Rule 12, the following documents, among others, may also be furnished.

- i. Company Profile/Experience of Individuals,
- ii. For a company/firm proof of paid-up capital not less than BDT 10, 000,000/= (BDT Ten Million only)
- iii. Proof of Equity (Proof that equity share capital held in aggregate by Bangladeshis or foreign companies does not exceed 40% of its capital)
- iv. An undertaking to submit Performance Bond or Banker's Guarantee valid for 5 years from a scheduled bank for an amount not less than BDT 25,00,000/= (BDT Twenty Five Lac Only) in accordance with Rule 10.
- v. An undertaking to submit license fee of amount BDT 25,000/= (BDT Twenty Five Thousand only) in favour of the "Controller of Certifying Authorities" after getting the notification of license award & every year BDT 10,000/= (Ten thousand only) will be applicable for Renewal of license.
- vi. Certified true copies of the company's incorporation, articles of association etc.
- vii. Original business profile report with certification from Registrar of Joint Stock Companies.
- viii. Audited accounts for the past 3 years.

- ix. Any joint venture has to comply with Rule 9 (2)(Kha) of the IT(CA) Rules, 2010
- x. The CA's Certification Practice Statement (CPS) as per "Guideline of CPS".
- xi. Technical specifications of the CA system and CA security policies, standards and infrastructure available/proposed and locations of facilities.
- xii. Information Technology and Security Policy proposed to be followed by the CA in its operations under Rule 20.
- xiii. Statement addressing the manner in which the CA shall comply with the requirements stipulated in the IT Act and ICT (CA) Rules-2010.
- xiv. Date by which the applicant will be ready for audit to start. The application shall be deemed to have been received on this date for processing purposes.
- xv. Date by which commencement of CA operations is proposed. Operations can only commence after due compliance with Rule 21.
- xvi. An undertaking by the applicant that they will make payment to the Auditor appointed at the rate to be prescribed by the CCA.
- xvii. Breach of license- as per Rule 19 of IT(CA) Rules, 2010