Translation from Danish prepared by Jyske Bank of a statement dated 21 June 2022 issued by the Danish Financial Supervisory Authority (Finanstilsynet). In the event of any discrepancy between the Danish version and the English version, the Danish version shall prevail.

Report on enforcement order to Jyske Bank A/S – termination of use of NemID code card

The Danish Financial Supervisory Authority (FSA) assesses that the NemID code card is not up to the requirements of strong client authentication which must be used when a user accesses his payment account online (for instance through e-Banking or mobile bank) and activates electronic payments, e.g. in connection with e-commence, cf. S.128(1), item 1 and S.128(1), item 2 of the Danish Act on Payments (Lov om betalinger). The background is that the NemID code card is not protected against copying or photographing, which is a requirement according to article 7(2) of the Commission Delegated Regulation (EU) 2018/389 supplementing the rules laid down in the Danish Act on Payments. The rules took effect on 14 September 2019.

To ensure proper migration from NemID to MitID, the Danish FSA accepted a migration plan from Finans Danmark (the Danish Bankers Association) according to which the migration to MitID – and hence termination of the use of the NemID code card – would be implemented on 31 December 2021. Upon request from Finans Danmark, the Danish FSA subsequently accepted an extension of the deadline to 30 June 2022. In this connection the Danish FSA underlined that the deadline could not be extended further.

Finans Danmark has informed the Danish FSA that it does not expect that all users of Danish financial institutions can be migrated to MitID within the agreed deadline on 30 June 2022. The Danish FSA therefore finds it necessary to request Jyske Bank A/S to stop using the NemID code card to implement strong client authentication not later than 30 June 2022.

This implies that Jyske Bank A/S's clients will after 30 June 2022 not be able to use the NemID code card to access e-Banking or activate payments. Instead other solutions such as MitID, NemID app or NemID code token must be used.

In this connection, the Danish FSA will not request Jyske Bank A/S to stop using the NemID code card to implement strong client authentication for a limited group of users after 30 June 2022:

Users who either:

- are in the middle of their 30-day migration period,
- have been granted extension from their 30-day migration period through individual case processing at Jyske Bank A/S or
- have not yet initiated their migration process as they have not used their NemID within the period when they could be selected for migration.

All use of the NemID code card must, however, have been terminated not later than 31 October 2022 and users migrating to MitID after 30 June will not be able to use the NemID code card as soon as the user has migrated to MitID.

In this connection Jyske Bank A/S must also prepare a plan for the migration of the remaining users and on an ongoing basis report the progress of the migration process to the Danish FSA.