

8275.0115 REVOCATION OF RECOGNITION OF REPOSITORY.

Subpart 1. **Grounds.** This part describes the secretary's procedure for revoking the recognition of a repository without also revoking the license of the certification authority that operates the repository. Because a valid license as a certification authority is a statutory requirement for recognition of a repository, the secretary shall automatically revoke the recognition of any repository operated by a certification authority whose license is revoked, expired, or otherwise inoperative.

The secretary may revoke recognition of a repository according to Minnesota Statutes, section 325K.25, subdivision 3, for failure to comply with any requirement of this chapter or Minnesota Statutes, section 325K.25, or for failure to comply with a lawful order of the secretary.

Subp. 2. **Notice.** The secretary shall inform a licensed certification authority that operates a recognized repository by a notice directed to the mailing address and the electronic mail address of a decision to revoke or suspend the license. If an electronic mail message is used, it must be sent as a direct message and not as an attachment to electronic mail. The notice must state when the revocation or suspension will be effective, which cannot be less than 30 days following the issuance of the order except in the case of a summary suspension.

Subp. 3. **Effective date.** If the licensee files an application for a contested case hearing before the effective date of revocation or suspension, the suspension or revocation will not take effect until so ordered by the administrative law judge, except in the case of a summary suspension. The secretary may order the summary suspension of a license pending proceedings for revocation or other action as described in Minnesota Statutes, section 325K.14. A summary suspension of a license is effective from the date of the secretary's order.

Statutory Authority: *MS s 325K.01; 325K.03; 325K.04; 325K.05; 325K.06; 325K.07*

History: *23 SR 1352*

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