



Unlocking Digital Trust



Qualified Electronic Signatures vs. Qualified Electronic Seals under eIDAS



QES vs. QSeal



The European Union's eIDAS Regulation establishes a harmonised legal framework for electronic identification and trust services. Within this framework, **qualified electronic signatures** and **qualified electronic seals** are often confused or incorrectly treated as interchangeable. Although both rely on qualified certificates and qualified trust service providers (QTSPs), they serve **fundamentally different legal purposes**.



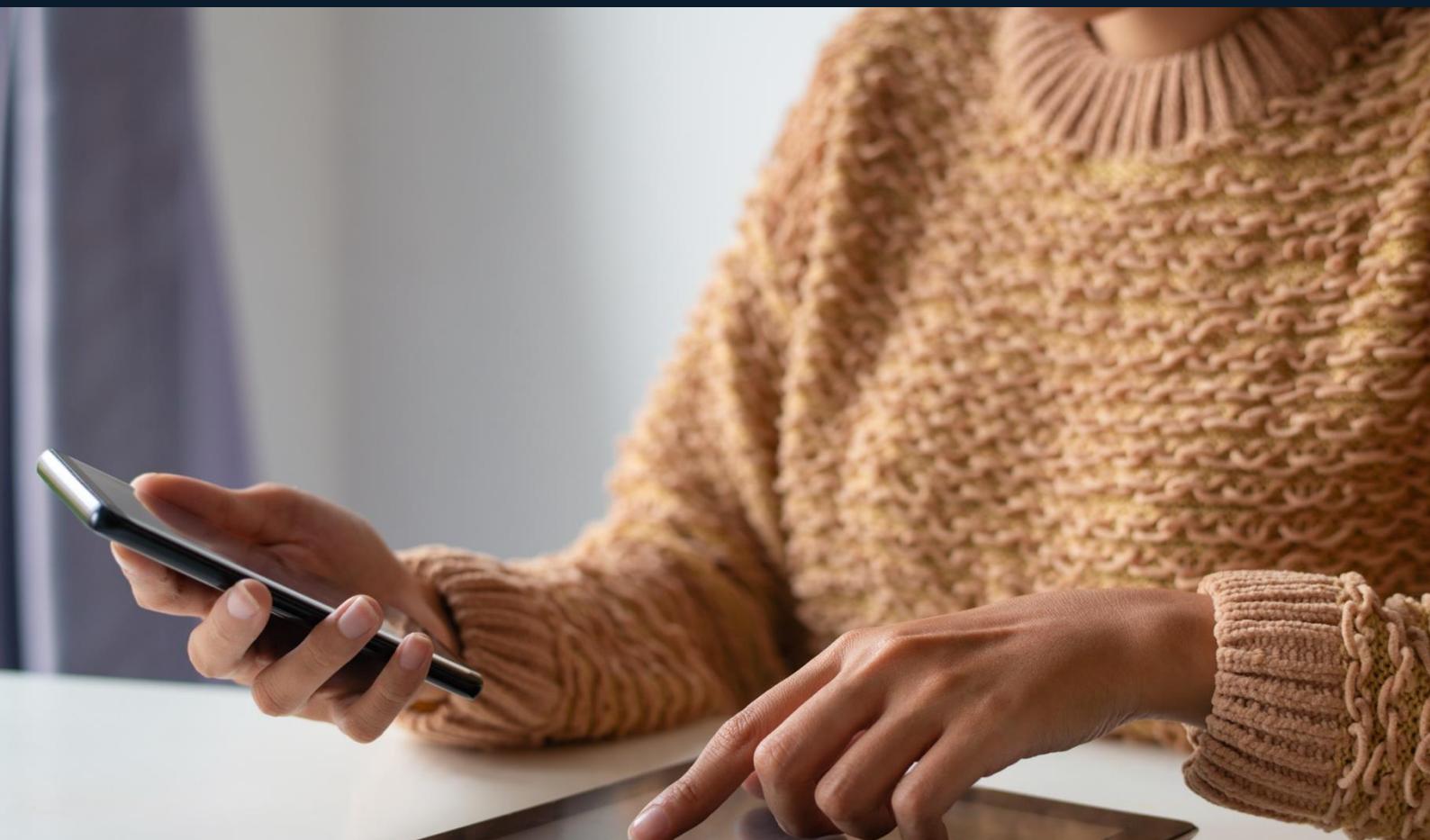
Fundamental Conceptual Difference

At the highest level:

- **A Qualified Electronic Signature (QES)** expresses the will and intent of a natural person.
- **A Qualified Electronic Seal (QSeal)** expresses the origin and integrity of data from a legal entity.

This distinction mirrors the physical world:

- A handwritten signature belongs to a person.
- A company stamp belongs to an organisation.



Qualified Electronic Signature

Under eIDAS, a Qualified Electronic Signature is an advanced electronic signature created by a qualified electronic signature creation device (QSCD) and is based on a qualified certificate for electronic signatures.

Ownership and Attribution

- Issued in the name of a natural person.
- Uniquely linked to that person.
- Enable identification of the signatory.
- Created under the signatory's sole control.

A Qualified Electronic Signature enjoys **automatic legal recognition** (no need for additional proof) and creates a **presumption of authenticity, integrity, and intent**. This makes QES the **only legally binding electronic signature with full equivalence to handwritten signatures** across all EU Member States.

Qualified Electronic Seal

A frequent misconception is that a qualified seal can be used “on behalf of” a person. Legally, this is incorrect.

Under eIDAS, a Qualified Electronic Seal is an advanced electronic seal created by a qualified electronic seal creation device and is based on a qualified certificate for electronic seals.

Ownership and Attribution

- Issued in the name of a legal person (organisation).
- Controlled by the entity, not a natural person.
- Does not express personal intent.

A seal certifies that data originates from a specific organisation and has not been altered. In other words, it creates a **presumption of integrity and correctness of origin**. Thus, **it is not equivalent to a handwritten signature and cannot legally serve as the expression of a natural person’s will**.

Why a Qualified Seal is not a Signature

No Natural Person Involved

A seal is bound to an organisation, not an individual.

No Expression of Intent

Consent and agreement require human intent, which only a signature can express.

No Handwritten Equivalence

eIDAS grants handwritten equivalence only to qualified electronic signatures.

Delegation Does Not Change Legal Nature

Even if an entity applies a seal “for” a person, the act remains organisational, not personal.

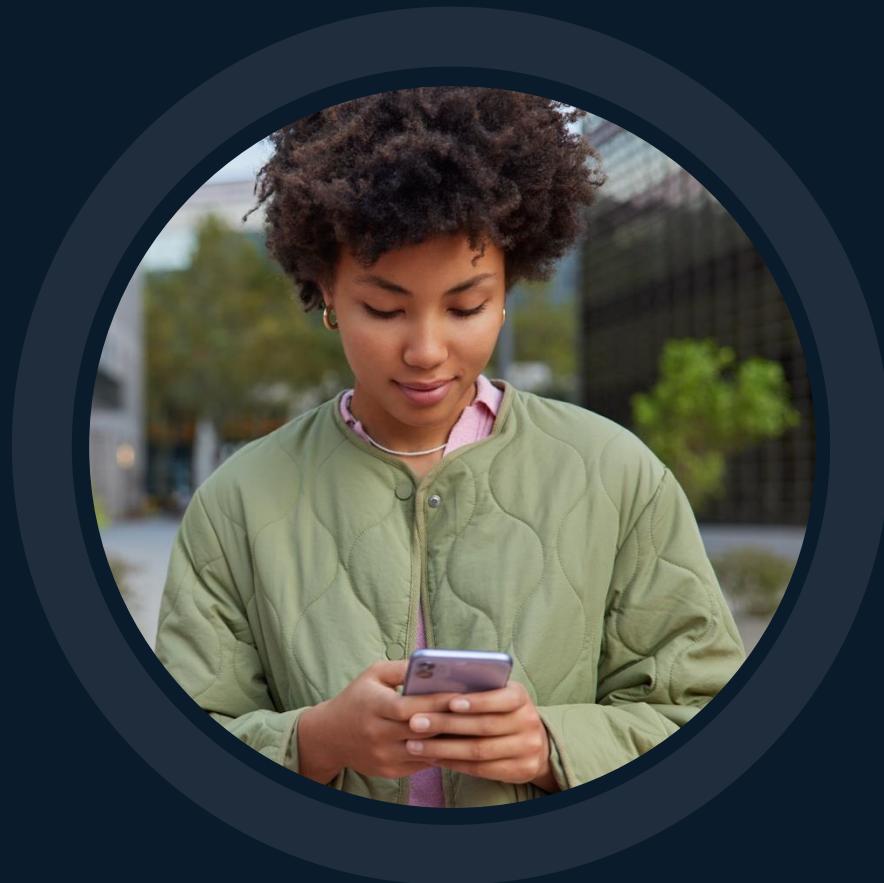
- **Qualified Electronic Signatures** represent the legally binding will of a natural person and are the only electronic signatures equivalent to handwritten signatures under EU law.
- **Qualified Electronic Seals** ensure the integrity and origin of documents issued by legal entities but do not carry personal legal intent.

Implications Under eIDAS 2.0

eIDAS 2.0 strengthens the role of personal digital identity, notably through the EUDI Wallet. This reinforces that:

- Legally binding commitments must be attributable to identified natural persons.
- Qualified signatures remain the gold standard for legal consent.
- Seals remain essential for organisational authenticity, not personal agreement.

Any solution claiming legal equivalence to legally binding handwritten signatures must rely on qualified electronic signatures, not seals.



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