



Coimisiún
na Meán

Information Note re the decision to grant Trusted Flagger status to the Central Bank of Ireland pursuant to Article 22 of the Digital Services Act

Publication date:
May 2025



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Introduction

On 2 April 2025, Coimisiún na Meán granted Trusted Flagger status to the Central Bank of Ireland, pursuant to Article 22 of the Digital Services Act (DSA). This paper provides high-level information about the key aspects of the application and the evidence that An Coimisiún assessed during the assessment process to arrive at its decision.

Under Article 22 of the DSA, Trusted Flaggers are empowered to identify, detect and notify illegal content to online platforms. Providers of online platforms are required to take the necessary technical and organisational measures to ensure that notices submitted by trusted flaggers, acting within their designated area of expertise, are given priority and are processed and decided upon without undue delay.

Pursuant to Article 22, Coimisiún na Meán, as the designated Digital Services Coordinator in Ireland, has the power to award Trusted Flagger status to entities who meet the following conditions:

- a. it has particular expertise and competence for the purposes of detecting, identifying and notifying illegal content;
- b. it is independent from any provider of online platforms;
- c. it carries out its activities for the purposes of submitting notices diligently, accurately and objectively.

Further information about the role of Trusted Flaggers and the obligations of online platforms in respect of notices issued by Trusted Flaggers can be found in [Article 22 of the DSA](#) and the [FAQ Document](#) published on An Coimisiún's website.

Key information about the Applicant

The Central Bank of Ireland ("the CBI" or "the Applicant") submitted an application for Trusted Flagger status under Article 22 of the Digital Services Act (DSA) in November 2024. The CBI is a statutory body with responsibility for central banking and the regulation of the financial system in Ireland. The period of accreditation requested by the Applicant is three years and the area of expertise specified is financial scams and fraud, including the provision and/or offer of financial services without authorisation.

The CBI, established by the Central Bank of Ireland Act 1942, is the national competent authority responsible for regulating and overseeing the financial system in Ireland. The CBI is an independent, public body funded by fees and levies and does not rely on the Exchequer for funding. The CBI's Governor and Board of Directors are appointed for fixed terms, ensuring decisions are made independently, without external influence.

The CBI operates within a legal structure to serve the public interest by maintaining monetary and financial stability while ensuring that the financial system operates in the best interests of consumers and the wider economy. One of the CBI's primary objectives is to ensure that financial service providers in Ireland are regulated and that the best interests of the public are protected. One of the ways in which the CBI fulfils this objective is by combating and preventing unauthorised providers of financial services. Unauthorised providers are entities and/or individuals who provide or offer to provide regulated financial products or services without requisite authorisation from the CBI.

Section 5A(1)(f) of the Central Bank Reform Act 2010 mandates the CBI the function of "*monitoring the provision of financial services to consumers of those services to the extent that the Bank considers appropriate, for the purposes of protecting the public interest and the interests of consumers*". The CBI combats 'unauthorised entities' to protect consumers and ensure the integrity of the financial system. 'Unauthorised entities' refer to firms that operate within the financial services sector without the necessary authorisation or license from the CBI.



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The CBI has the authority to publish warning notices naming the person(s) or firms who are providing financial services without the appropriate authorisation or who are presenting themselves as a regulated financial service provider where they do not have the appropriate authorisation to do so. The CBI also publishes a [list of unauthorised firms](#) in respect of whom warning notices have been published.

The CBI also works to raise awareness among consumers and businesses about the importance of dealing only with authorised and regulated entities. This includes publishing information on how to check if a firm is properly authorised, guidance on how to avoid scams and report illegal financial activities, as well as running public awareness campaigns.

The CBI sought Trusted Flagger status in order to further disrupt and combat entities which are providing and/or offering to provide regulated financial services online without authorisation. Trusted Flagger status allows the CBI to better protect the public from the risk of fraud and scams in financial services by providing a fast-track review process when flags of illegal content are raised with providers of online platforms. In turn, this will support their overall financial regulation activities in the public interest and further enable them to tackle unauthorised financial activities at source.

Assessment of application

The application submitted by the Central Bank of Ireland was assessed to determine whether the Applicant met the conditions for the award of Trusted Flagger status. The assessment was conducted in accordance with the guidelines set out in An Coimisiún's Guide and was underpinned by a robust internal assessment framework developed to support the review of applications for Trusted Flagger status. The Guide informs interested bodies of An Coimisiún's assessment and decision-making process to determine whether an applicant meets the Trusted Flagger status conditions. Together, the Guide and the assessment framework support evidence-based, transparent, consistent, and proportionate decision-making by An Coimisiún in the exercise of its statutory functions regarding Article 22. The Guide is informed by Irish and European legislation, consultation, data-gathering and independent research. The Guide can be accessed [here](#).

The following sections provide a high-level outline of the key aspects of the application and the evidence that An Coimisiún assessed during the assessment process to arrive at its decision to award the Trusted Flagger status to the Central Bank of Ireland.

Expertise and competence

This condition requires that the Applicant has the necessary expertise and competence for the purpose of detecting, identifying and notifying illegal content.

The assessment focused on the Applicant's current experience in detecting and identifying illegal content in its stated area of expertise. The CBI has submitted evidence to demonstrate a proven record of over ten years' experience in detecting and identifying suspected unlawful content in financial services based on processing complaints received from the public, national and international stakeholders and peer regulators. This has been demonstrated by the employment of a number of the CBI's own mechanisms; the CBI provided detail on the high number of Warning Notices, Directions, Reports issued to date, and the use of notice and action mechanism under Article 16 of the DSA. The evidence provided indicates that the team tasked with identifying and reporting these instances is sufficiently experienced and well-equipped from a technological and competency perspective to carry out Trusted Flagger activities and has access to appropriate financial data, transaction monitoring, and industry networks to identify suspicious activities. The reporting lines within the team are considered appropriate for the purpose of conducting reporting activities, with sign off required by a staff member who is at an appropriate level of seniority, with a suitable mix of technical expertise and behavioural competencies. Based on the evidence submitted, An Coimisiún is satisfied that the staff levels



within the Trusted Flagger team, the reporting lines and the recruitment and vetting processes are appropriate for the purpose of conducting Trusted Flaggers activities.

Independence

This condition requires that the Applicant is independent in its decision-making, including financially independent, of providers of online platforms.

The assessment focused on the following aspects:

- whether there are any interests or involvement with online platforms in respect of all members involved in Trusted Flagger activities, directorship positions, measures in place to ensure independence from online platforms,
- funding arrangements in place and whether these are independent from online platforms.

In respect of organisational independence, based on the application and additional information provided, it is considered that the Applicant has provided sufficient information, supported by a Code of Ethics and Conflicts of Interest Policy, to demonstrate that identifying and reporting illegal content is carried out without undue influence from third parties, including but not limited to online platforms. An Coimisiún is satisfied that the decision-making regarding Trusted Flagger activities is confined to the relevant team, who will not be connected to any other activities for the duration of the award period.

In respect of financial independence, the Applicant has provided appropriate evidence to demonstrate that it is self-sufficient and does not rely on funding from the Exchequer or online platforms. The Central Bank of Ireland is responsible for its own budget, and it has the autonomy to determine its financial requirements and how to allocate funds for its activities. The Applicant's financial independence is further supported by their funding model and commitment to transparency. The Central Bank of Ireland publishes an Annual Report which ensures transparency with regard to its financial health, amongst other headings. The Applicant has provided An Coimisiún with the organisation's 2023 Annual Report, which is subject to domestic and international scrutiny. This level of accountability ensures that while the Applicant operates independently, it remains answerable to the public and its stakeholders.

Diligent, Accurate, Objective

This condition requires that the Applicant carries out its activities for the purposes of submitting notices diligently, accurately and objectively.

The assessment focused on methodologies, resources and technologies supporting the conduct of Trusted Flagger activities.

Based on the information provided by the Applicant, the investigation procedure is considered to be methodologically robust due to its structured, multi-pronged approach to identifying, verifying and analysing information on unauthorised financial providers. Before confirming that content is illegal, appropriate assessments and reviews are conducted to ensure decisions are evidence-based and reliable. There is a complaints policy in place along with confirmation from the Applicant of willingness to engage with online platforms should any false positives arise.

In terms of the sign-off and escalation process for Trusted Flagger notifications, An Coimisiún is satisfied that the measures in place are adequate and provide for a diligent and objective process, with a satisfactory level of oversight and accountability.

