NIS Directive
Provisions + ENISA’s activities

Konstantinos Moulinos, Security Expert
The NIS directive

**Scope:** to achieve a high common level of security of NIS within the Union (first EU regulatory act at this level).

**Status:** ADOPTED August 2016.

Deadline for transposition: 9 May 2018 (21 months).

**Provisions:**

1. Improved cybersecurity capabilities at national level
2. Increased EU-level cooperation
3. Obligations for operators of essential services (OES)
4. Obligations for digital service providers (DSP)
1. Improved cybersecurity capabilities at national level

- adopt a national **NIS strategies** to include:
  - Strategic objectives, priorities and governance framework
  - Measures on preparedness, response and recovery
  - Cooperation methods between the public and private sectors
  - Awareness raising, training and education

- designate one or more **national competent authorities**.

- designate one or more **Computer Security Incident Response Teams (CSIRTs)**:
  - Monitoring incidents national level
  - Providing early warning, alerts
  - Incident response
2. Increased EU-level cooperation

- Creates first EU Cooperation Group on NIS, for the following:
  - Provide strategic guidance for CSIRTs network
  - Assist MS in NIS capacity building
  - Support MS in the identification of OES
  - Evaluate national NIS strategies and effectiveness of CSIRTs (on voluntary basis)

- Creates a Network of National CSIRTs, to do the following:
  - Exchange information
  - Provide support and identify forms of coordinated incident response for cross-border incident handling.
3. Obligations for MS on OES

- Identification of operators of essential services.

- Minimum security measures to ensure a level of security appropriate to the risks.

- Incident notification to prevent and minimize the impact of incidents on the IT systems that provide services.

- Make sure authorities have the powers and means to assess security and check evidence of compliance for OES.
ENISA’s role to support MS with OES

In 2017 ENISA plans to assist MS

• Identification of OES
  • Preliminary work started in 2016, namely by:
    - looking into approaches taken by MS in identifying OES;

• Minimum Security Measures for OES
  • Cross sector measures
  • Mapping with well know standards for all sectors

• Incident reporting guidelines for OES
4. Obligations for MS on DSP

- **Minimum security measures**: Technical and organizational measures proportionate to the risk (Implementing act by the COM)

- **Incident notification**: prevent and minimize the impact of incidents on the IT systems used to provide the services (Implementing act by the COM)

Notes:

- Light touch approach to be applied for DSPs!

- NIS directive applicable only to large and medium enterprises!
ENISA’s role in supporting MS on DSP

- Based on previous experiences ENISA will support COM with the following projects:

1) Guidelines for implementing incident notification – DSPs.
   - Assist COM (by providing input for the implementing acts) and MS (by providing guidelines) in incident notification requirements for DSPs.

2) Guidelines for implementing security measures – DSPs.
   - Assist COM (by providing input for the implementing acts) and MS (by providing guidelines) in implementing minimum security measures for DSPs.
# NIS directive - TIMELINE

<table>
<thead>
<tr>
<th>Date</th>
<th>Duration</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>August 2016</td>
<td>-</td>
<td>Entry into force</td>
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<tr>
<td>February 2017</td>
<td>6 months</td>
<td>Cooperation Group starts its tasks</td>
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<tr>
<td>August 2017</td>
<td>12 months</td>
<td>Adoption of implementing on security and notification requirements for DSPs</td>
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<td>February 2018</td>
<td>18 months</td>
<td>Cooperation Group establishes work programme</td>
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<td>9 May 2018</td>
<td>21 months</td>
<td>Transposition into national law</td>
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<td>November 2018</td>
<td>27 months</td>
<td>Member States to identify operators of essential services</td>
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<td>May 2019</td>
<td>33 months (i.e. 1 year after transposition)</td>
<td>Commission report - consistency of Member States' identification of OES</td>
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<tr>
<td>May 2021</td>
<td>57 months (i.e. 3 years after transposition)</td>
<td>Commission review</td>
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Thank you

PO Box 1309, 710 01 Heraklion, Greece
Tel: +30 28 14 40 9710
info@enisa.europa.eu
www.enisa.europa.eu