NIS Directive and the energy sector

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The first EU cybersecurity legislation: NIS Directive ((EU) 2016/1148)

- **Deliverable of the EU Cybersecurity Strategy: An Open, Safe and Secure Cyberspace (2013**
- **Proposed in February 2013 → Adopted in July 2016**

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NIS Directive: Main Features

GREATER CAPABILITIES

Member States have to improve their cybersecurity capabilities.

- NATIONAL COMPUTER SECURITY INCIDENT RESPONSE TEAM (CSIS-RT)
- NATIONAL NIS STRATEGY
- NATIONAL NIS AUTHORITY

COOPERATION

Increased EU-level cooperation

- EU MEMBER STATES COOPERATION GROUP (STRATEGIC)
  - EU MEMBER STATES; EUROPEAN COMMISSION; EUROPEAN UNION AGENCY FOR NETWORK AND INFORMATION SECURITY
- EMERGENCY TEAMS (CSIRTS) NETWORK (OPERATIONAL)
  - EU MEMBER STATES; CERT-EU; EUROPEAN UNION AGENCY FOR NETWORK AND INFORMATION SECURITY

RISK MANAGEMENT

Operators of essential services and Digital Service Providers have to adopt risk management practices and notify significant incidents to their national authorities.

- SECURITY MEASURES
- NOTIFICATION OF MAJOR INCIDENTS

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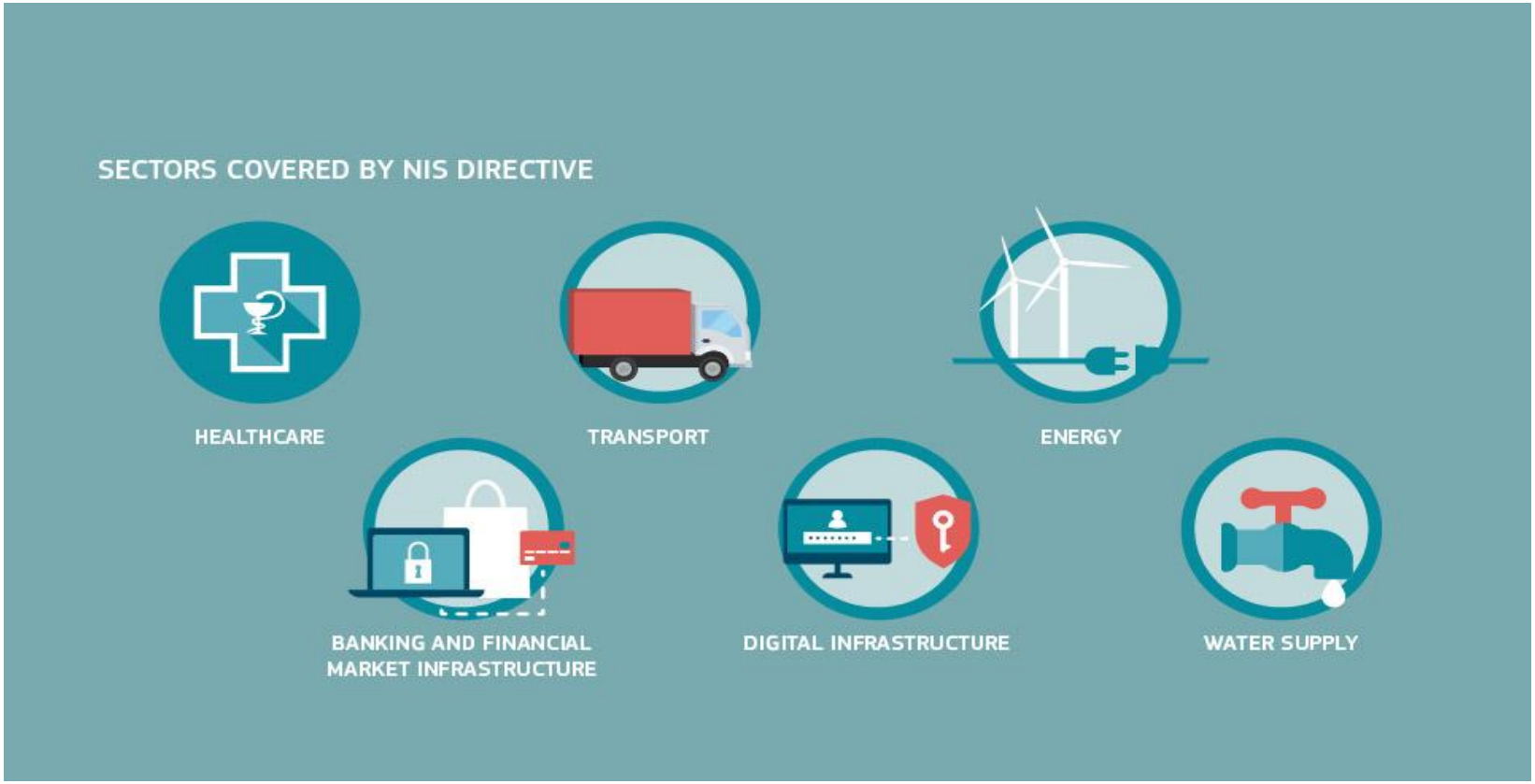
NIS Directive: Sectors covered



Operators of essential services in the energy sector

Electricity

- Electricity undertakings
- Distribution system operators
- Transmission system operators

Gas

- Supply undertakings
- Distribution system operators
- Transmission system operators
- Storage system operators
- LNG system operators
- Natural gas undertakings
- Operators of natural gas refining and treatment facilities

Oil

- Operators of oil transmission pipelines
- Operators of oil production, refining and treatment facilities, storage and transmission

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Example of incident notifiable under NIS

Not all cyber incidents can be **prevented**, but they can be **mitigated**. Member States will have to identify by **9 November 2018** operators of essential services that will be in the scope of the **Directive**. These are businesses that operate in sectors that are vital for our economy and society and rely massively on **ICTs**.

BLACKOUT

Imagine: A ransomware can infect computers of a major supplier of electric power, **blocking access** to their data and **shutting down** the industrial systems used for electricity distribution. The incident can result in a **huge blackout** shutting down all basic services.

Under the **NIS Directive**, as a major supplier of electricity, the company would be identified by its national authority as an operator of essential services. This means the company has to have in place **measures to prevent risks, ensure security** of its network and information systems and **handle incidents**.

IF an incident nonetheless occurs, the electric power company has to **notify** it to its relevant **national authority**. Information sharing is key to receive support and to **prevent future incidents.** The company would also receive **operational assistance** from the national **Computer Security Incident Response Team** and thus be able to shorten the recovery time.

NIS Implementation timeline

Date	Milestone
August 2016	Entry into force
February 2017	Cooperation Group and CSIRT network begins tasks
September 2017	Commission communication on 'Making most of NIS'
30 January 2018	Adoption of implementing acts related to the security and notification requirements for DSPs
8 February 2018	Cooperation Group established its work programme (15 tasks envisaged)
9 May 2018	Deadline for transposition into national law
9 August 2018	Member State to submit summary report to the Cooperation Group on notifications received + Commission report assessing the experience gained with the strategic cooperation
9 November 2018	Member States to identify operators of essential services
9 May 2019	Commission report assessing the consistency of Member States' identification of operators of essential services
9 May 2021	Commission review of the functioning of the Directive

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Thank you for your attention!