

Does NIS2 apply to you?

Find your answer to each of the questions below to determine whether NIS2 applies to your organization or not.

YES

Are you considered to be a medium to large enterprise according to the definition Commission Recommendation 2003/361/EC (for example, employ more than 50 people, enjoy a turnover and/or annual balance sheet total of more than 10 million Euros)?

If no, then most likely NIS2 does not apply to you, since this size cap rule has been introduced. There are several exceptions detailed in Article (2(2)) of the Directive.

NO

YES

Are you currently defined as a critical entity, based on the EU Directive on the resilience of critical entities (CER)?

For the sake of this Directive, a critical entity is considered of particular European significance if it provides an essential service to six or more member states.

NO

Do you provide any of the following?

Trust services covered by Regulation (EU) No 910/2014 ('eIDAS Regulation')?

If yes, then NIS2 applies to you unless these services are used exclusively within closed systems resulting from national law or from agreements between a defined set of participants.

Data center services such as storage, processing, transportation, operate IT and network equipment (for example as a Managed Services Provider), with facilities and infrastructure for power distribution and environmental control?

If this is the case, but you are not classified as per the cloud service definition according to ISO/IEC 17788:2014, then yes, NIS2 applies to you.

Manufacturing of basic pharmaceutical products and pharmaceutical preparations

If yes: Annex I of the directive specifies what sub-sectors in health are covered.

YES

Top-level-domain (TLD) name servers, publicly available recursive domain name resolution services for internet end-users and authoritative domain name resolution services (DNS)?

Services in one of the steps of the postal delivery chain; clearance, sorting or distribution, and pick-up service?

Public electronic communications networks or publicly available electronic communications services?

NO

Are you part of any of the following industries?

Manufacturing of goods such as medical devices, machinery and motor vehicles

If yes: Annex I of the directive specifies what sub-sectors in manufacturing are covered.

YES

Aviation

Financial sector
(bank, insurance, investment)

If yes: the EU Digital Operational Resilience Act (DORA) requirements still take precedence over NIS 2 (lex specialis).

Healthcare

NO

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