Brussels, 16.12.2020
COM(2020) 823 final

ANNEXES 1 to 3

ANNEXES

to the

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on measures for a high common level of cybersecurity across the Union, repealing
Directive 2016/1148

{SEC(2020) 430 final} - {SWD(2020) 344 final} - {SWD(2020) 345 final}
**ANNEX I**

**ESSENTIAL ENTITIES:**

**SECTORS, SUBSECTORS AND TYPES OF ENTITIES**

<table>
<thead>
<tr>
<th>Sector</th>
<th>Subsector</th>
<th>Type of entity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Energy</td>
<td>(a) Electricity</td>
<td>— Electricity undertakings referred to in point (57) of Article 2 of Directive (EU) 2019/944, which carry out the function of ‘supply’ referred to in point (12) of Article 2 of that Directive (^1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>— Distribution system operators referred to in point (29) of Article 2 of Directive (EU) 2019/944</td>
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<td></td>
<td></td>
<td>— Transmission system operators referred to in point (35) of Article 2 of Directive (EU) 2019/944</td>
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<td></td>
<td>— Producers referred to in point (38) of Article 2 of Directive (EU) 2019/944</td>
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<tr>
<td></td>
<td></td>
<td>— Nominated electricity market operators referred to in point 8 of Article 2 of Regulation (EU) 2019/943 (^2)</td>
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<tr>
<td></td>
<td></td>
<td>— Electricity market participants referred to in point (25) of Article 2 of Regulation (EU) 2019/943 providing aggregation, demand response or energy storage services referred to in points (18), (20) and (59) of Article 2 of Directive (EU)</td>
</tr>
</tbody>
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<tbody>
<tr>
<td>(b) District heating and cooling</td>
<td>— District heating or district cooling referred to in point (19) of Article 2 of the Directive (EU) 2018/2001 ((^3)) on the promotion of the use of energy from renewable sources</td>
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<tr>
<td>(c) Oil</td>
<td>— Operators of oil transmission pipelines</td>
</tr>
<tr>
<td></td>
<td>— Operators of oil production, refining and treatment facilities, storage and transmission</td>
</tr>
<tr>
<td></td>
<td>— Central oil stockholding entities referred to in point (f) of Article 2 of Council Directive 2009/119/EC ((^4))</td>
</tr>
<tr>
<td>(d) Gas</td>
<td>— Supply undertakings referred to in point (8) of Article 2 of Directive (EU) 2009/73/EC ((^5))</td>
</tr>
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<td></td>
<td>— Distribution system operators referred to in point (6) of Article 2 of Directive 2009/73/EC</td>
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<tr>
<td></td>
<td>— Transmission system operators referred to point (4) of Article 2 of Directive 2009/73/EC</td>
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<tr>
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<td>— Storage system operators referred to in point (10) of Article 2 of Directive 2009/73/EC</td>
</tr>
<tr>
<td></td>
<td>— LNG system operators referred to in point (12) of Article 2 of Directive 2009/73/EC</td>
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<table>
<thead>
<tr>
<th>(e) Hydrogen</th>
<th>Operators of hydrogen production, storage and transmission</th>
</tr>
</thead>
<tbody>
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<td>2. Transport</td>
<td>(a) Air</td>
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</tbody>
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| (b) Rail | — Infrastructure managers referred to in point (2) of Article 3 of Directive 2012/34/EU\(^{10}\)  
| | — Railway undertakings referred to in point (1) of Article 3 of Directive 2012/34/EU, including operators of service facilities referred to in point (12) of Article 3 of Directive 2012/34/EU  
| (c) Water | — Inland, sea and coastal passenger and freight water transport companies, referred to for maritime transport in Annex I to Regulation (EC) No 725/2004 \(^{11}\), not including the individual vessels operated by those companies  
| | — Managing bodies of ports referred to in point (1) of Article 3 of Directive 2005/65/EC \(^{12}\), including their port facilities referred to in point (11) of Article 2 of Regulation (EC) No 725/2004, and entities operating works and equipment contained within ports  
| | — Operators of vessel traffic services referred to in point (o) of Article 3 of Directive 2002/59/EC \(^{13}\)  
| (d) Road | — Road authorities referred to in point (12) of Article 2 of Commission  

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<table>
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<th>3. Banking</th>
<th>Delegated Regulation (EU) 2015/962 (14) responsible for traffic management control</th>
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</thead>
<tbody>
<tr>
<td>Credit institutions referred to in point (1) of Article 4 of Regulation (EU) No 575/2013 (16)</td>
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</tr>
<tr>
<td>Central counterparties (CCPs) referred to in point (1) of Article 2 of Regulation (EU) No 648/2012 (18)</td>
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</tr>
<tr>
<td>5. Health</td>
<td>Healthcare providers referred to in point (g) of Article 3 of Directive 2011/24/EU (19)</td>
</tr>
</tbody>
</table>

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| 6. Drinking water | Suppliers and distributors of water intended for human consumption referred to in point (1)(a) of Article 2 of Council Directive 98/83/EC\(^\text{23}\) but excluding distributors for whom distribution of water for human consumption is only part of their general activity of distributing other commodities and goods which are not considered essential or important services |

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| 7. Waste water | Undertakings collecting, disposing or |

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\(^{20}\)[Regulation of the European Parliament and of the Council on serious cross-border threats to health and repealing Decision No 1082/2013/EU, reference to be updated once the proposal COM (2020)727 final is adopted]


\(^{22}\)[Regulation of the European Parliament and of the Council on a reinforced role for the European Medicines Agency in crisis preparedness and management for medicinal products and medical devices, reference to be updated once the proposal COM(2020)725 final is adopted]

<table>
<thead>
<tr>
<th>8. Digital infrastructure</th>
<th>treating urban, domestic and industrial waste water referred to in points (1) to (3) of Article 2 of Council Directive 91/271/EEC(^{24})</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>— Internet Exchange Point providers</td>
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<td>— DNS service providers</td>
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<td></td>
<td>— TLD name registries</td>
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<td></td>
<td>— Cloud computing service providers</td>
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<td>— Data centre service providers</td>
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<td>— Content delivery network providers</td>
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<td></td>
<td>— Trust service providers referred to in point (19) of Article 3 of Regulation (EU) No 910/2014(^{25})</td>
</tr>
<tr>
<td></td>
<td>— Providers of public electronic communications networks referred to in point (8) of Article 2 of Directive (EU) 2018/1972(^{26}) or providers of electronic communications services referred to in point (4) of Article 2 of Directive (EU) 2018/1972 where their services are publicly available</td>
</tr>
<tr>
<td>9. Public administration</td>
<td>— Public administration entities of central governments</td>
</tr>
<tr>
<td></td>
<td>— Public administration entities of NUTS level 1 regions listed in</td>
</tr>
</tbody>
</table>

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| 10. Space | Operators of ground-based infrastructure, owned, managed and operated by Member States or by private parties, that support the provision of space-based services, excluding providers of public electronic communications networks referred to in point (8) of Article 2 of Directive (EU) 2018/1972 |

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## ANNEX II

### IMPORTANT ENTITIES:

**SECTORS, SUBSECTORS AND TYPES OF ENTITIES**

<table>
<thead>
<tr>
<th>Sector</th>
<th>Subsector</th>
<th>Type of entity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Postal and courier services</td>
<td></td>
<td>Postal service providers referred to in point (1) of Article 2 of Directive 97/67/EC (^{28}) and providers of courier services</td>
</tr>
<tr>
<td>2. Waste management</td>
<td></td>
<td>Undertakings carrying out waste management referred to in point (9) of Article 3 of Directive 2008/98/EC (^{29}) but excluding undertakings for whom waste management is not their principal economic activity</td>
</tr>
<tr>
<td>3. Manufacture, production and distribution of chemicals</td>
<td></td>
<td>Undertakings carrying out the manufacture, production and distribution of substances and articles referred to in points (4), (9) and (14) of Article 3 of Regulation (EC) No 1907/2006 (^{30})</td>
</tr>
<tr>
<td>4. Food production, processing and distribution</td>
<td></td>
<td>Food businesses referred to in point (2) of Article 3 of Regulation (EC) No 178/2002 (^{31})</td>
</tr>
<tr>
<td>5. Manufacturing</td>
<td>(a) Manufacture of</td>
<td>Entities manufacturing medical devices</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Class of Undertaking</th>
<th>Undertakings carrying out any of the economic activities referred to in section C division 26 of NACE Rev. 2</th>
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</thead>
<tbody>
<tr>
<td>(b) Manufacture of computer, electronic and optical products</td>
<td>Undertakings carrying out any of the economic activities referred to in section C division 27 of NACE Rev. 2</td>
</tr>
<tr>
<td>(c) Manufacture of electrical equipment</td>
<td>Undertakings carrying out any of the economic activities referred to in section C division 28 of NACE Rev. 2</td>
</tr>
<tr>
<td>(d) Manufacture of machinery and equipment n.e.c.</td>
<td>Undertakings carrying out any of the economic activities referred to in section C division 29 of NACE Rev. 2</td>
</tr>
<tr>
<td>(e) Manufacture of motor vehicles, trailers and semi-trailers</td>
<td>Undertakings carrying out any of the economic activities referred to in section C division 30 of NACE Rev. 2</td>
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</table>

6. Digital providers

- Providers of online marketplaces
- Providers of online search engines
- Providers of social networking services platform

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<table>
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<th>Directive (EU) 2016/1148</th>
<th>This Directive</th>
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<td>Annex I (2) (a) (v)</td>
<td>Article 10 (2) (f)</td>
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