




NIS2

Cross Border Cooperation

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AGENDA

1. Introduction
2. NIS2 in the Danish Energy Sector
3. Cross border Cooperation
4. Questions





INTRODUCTION

Division for Risk Preparedness

30+ colleagues

Covering all areas of Risk preparedness i the Danish energy sector

- Electricity
- Gas
- Oil
- The future

Sectorial responsibility

Member of NOST

Audits

100 + companies

80 individual audits (some companies cooperate)

40 per year

Production, distribution, transmission, balancing etc.

Must create value (not just compliance)

Gives insights in to the reality of the sector

Makes issues and problems more apparent

NIS2 (and CER)

Our task is to implement and follow up on the implementation (the principal of sectorial responsibility)

Working towards an integrated implementation of NIS2 and CER

There is only a short time to implement and several issues to handle.

Currently in close cooperation with other relevant ministries in Denmark.

The Danish Ministry of Defense has the overall responsibility for the implementation



NIS2 and Cross Border Cooperation



A LOT OF ISSUES

Providers of essential services

Remote access

Supply chain management

Cross Border Cooperation

New companies

Construction phase

Audits – compliance or value

New sectors

Sub contractors

Different methods





CROSS BORDER COOPERATION

Issues

- Multinational companies
- Control centers
- Balance responsible parties
- Different levels of implementation
- Coordination between several competent authorities
- Knowledge sharing
- Shared methods / approaches
- Audits and enforcements
- No knowledge of risk maturity in other countries
- Others.

Not possible?

- Same level of implementation (who is included under NIS2)
- Shared legislation (provisions)
- Same method of audit
- Combined audit (international)
- Audits in other countries (for now?)
- Full disclosure at all times (sharing audit reports etc.)

Possible?

- Full mapping of already ongoing forums of cooperation
- Sharing relevant information, e.g. on cross border incidents
- Allowing others to perform audits within national borders
- Make use of relevant material from other audits (as evidence, reducing own need)
- Similar national provisions in several EU Member States
 - Legal basis for sharing information
 - Legal basis for audits in other countries
- Focusing on security rather than box-checking compliance.



TRANSPOSITION OF THE NEW REQUIREMENTS ON JOINT SUPERVISIONS – PRELIMINARY IDEAS

TRIGGERING SITUATIONS

1. A Service provider of energy
 - provides services in more than one MS
 - its network and information systems are located in one or more MS
2. Where appropriate and with common agreement

OVERALL TYPES OF COOPERATION

- information requests / sharing incident reports
- and supervisory measures,
- including requests to carry out on-site inspections or off-site supervision or targeted security audits

CRITERIA – OF THE MEASURES

- can be implemented in an **effective, efficient and consistent** manner.
- coordinated approach
- Proportionate
- Creating additional value for the energy company/service provider



NATIONAL PROVISIONS ON JOINT SUPERVISOR - IDEAS

Audits - example – along the lines of:

Where an energy service provider provides services in more than one Member States, the Danish Energy Agency and the competent authorities of the concerned Member States shall cooperate with and assist each other as necessary.

Such cooperation shall include but not be limited to:

- a) enforcement and supervisory measures
- b) requests to carry out on-site inspections or security audits

Sharing relevant information - example

Where appropriate and with common agreement, the Danish Energy Agency may carry out joint supervisory actions with competent authorities of relevant EU Member States.

To this end the Danish Energy Agency may share security and incident reports with Competent Authorities in other Member States.

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Questions?