

SCHEDULE

Amendments of retained EU law

PART 2

Retained direct EU legislation

Commission Implementing Regulation (EU) 2018/151

14.—(1) Commission Implementing Regulation (EU) 2018/151 of 30 January 2018 laying down rules for application of Directive (EU) 2016/1148 of the European Parliament and of the Council as regards further specification of the elements to be taken into account by digital service providers for managing the risks posed to the security of network and information systems and of the parameters for determining whether an incident has a substantial impact is amended as follows.

- (2) For “digital service provider”, in each place it occurs, substitute “RDSP”.
- (3) For “digital service providers”, in each place it occurs, substitute “RDSPs”.
- (4) After Article 1, insert—

“Article 1A

Interpretation

In this Regulation—

“NIS Regulations” means the Network and Information Systems Regulations 2018;

“RDSP” has the same meaning as in the NIS Regulations.”.

- (5) In Article 2—
 - (a) In paragraph 1, for “point (a) of Article 16(1) of Directive (EU) 2016/1148” substitute “regulation 12(2)(c)(i) of the NIS Regulations”;
 - (b) in paragraph 2, for “point (b) of Article 16(1) of Directive (EU) 2016/1148” substitute “regulation 12(2)(c)(ii) of the NIS Regulations”;
 - (c) in paragraph 3, for “point (c) of Article 16(1) of Directive (EU) 2016/1148” substitute “regulation 12(2)(c)(iii) of the NIS Regulations”;
 - (d) in paragraph 4, for “point (d) of Article 16(1) of Directive (EU) 2016/1148” substitute “regulation 12(2)(c)(iv) of the NIS Regulations”;
 - (e) in paragraph 5, for “point (e) of Article 16(1) of Directive (EU) 2016/1148” substitute “regulation 12(2)(c)(v) of the NIS Regulations”.
- (6) In Article 3—
 - (a) in paragraph 1, for “point (a) of Article 16(4) of Directive (EU) 2016/1148” substitute “regulation 12(7)(a)(i) of the NIS Regulations”;
 - (b) in paragraph 2, for “point (b) of Article 16(4) of Directive (EU) 2016/1148” substitute “regulation 12(7)(a)(ii) of the NIS Regulations”;
 - (c) in paragraph 3—
 - (i) for “point (c) of Article 16(4) of Directive (EU) 2016/1148” substitute “regulation 12(7)(a)(iii) of the NIS Regulations”;
 - (ii) after “Member States”, insert “ of the EU ”;

Changes to legislation: *There are currently no known outstanding effects for the The Network and Information Systems (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 14. (See end of Document for details)*

- (d) in paragraph 4, for “point (d) of Article 16(4) of Directive (EU) 2016/1148” substitute “regulation 12(7)(a)(iv) of the NIS Regulations”;
 - (e) in paragraph 5, for “point (e) of Article 16(4) of Directive (EU) 2016/1148” substitute “regulation 12(7)(a)(v) of the NIS Regulations”.
- (7) In Article 4—
- (a) in paragraph 1—
 - (i) in point (a), before “Union” insert “ European ”;
 - (ii) in point (b), before “Union” insert “ European ”;
 - (iii) for point (d)—
 - (aa) before “Union” insert “ European ”;
 - (bb) for “EUR 1000 000” substitute “ £880,000 ”;
 - (b) omit paragraph 2.
- (8) After Article 5, omit the words from “This Regulation” to “Member States.”.

Commencement Information

II Sch. para. 14 in force at 20.1.2021, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Network and Information Systems (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 14.