



National Cybersecurity Agency

Decision of the Director General of the National Cybersecurity Agency

pursuant to Article 31, paragraphs 1 and 2, of Legislative Decree no. 138 of 4 September 2024, adopted in accordance with the procedures set out in Article 40, paragraph 5, letter I), which, pursuant to Article 42, paragraph 1, letter c), in the initial application phase, establishes the basic procedures and specifications for fulfilling the obligations set out in Articles 23, 24, 25, 29, and 32 of the same decree.

THE GENERAL DIRECTOR

SEEN Legislative Decree No. 82 of June 14, 2021, as converted with amendments into Law No. 109 of August 4, 2021, containing *"Urgent provisions on cybersecurity, definition of the national cybersecurity architecture, and establishment of the National Cybersecurity Agency"*;

SEEN Legislative Decree no. 4 September 2024 138, *implementing Directive (EU) 2022/2555 on measures for a high common level of cybersecurity across the Union, amending Regulation (EU) No. 910/2014 and Directive (EU) 2018/1972 and repealing Directive (EU) 2016/1148*, the so-called NIS Decree, and in particular Article 31, paragraphs 1 and 2, which provides that, for the purposes referred to in Articles 23, 24, 25, 27, 28 and 29, the competent National NIS Authority shall establish proportionate obligations, taking due account of the degree of exposure of entities to risks, the size of the entities and the probability of incidents occurring, as well as their severity, including their social and economic impact, as well as the terms, modalities, specifications and gradual implementation times of such obligations;

HAVING SEEN Article 40, paragraph 5, letter I), of the NIS Decree, which provides that such obligations are established by one or more Resolutions of the National Cybersecurity Agency, having consulted the Committee for the Implementation of the NIS Regulation;

HAVING ALSO SEEN Article 42, paragraph 1, letter c), of the NIS Decree, which provides, during the initial application phase, that the competent national NIS Authority shall establish the basic methods and specifications for fulfilling the aforementioned obligations;

SEEN the decree of the President of the Council of Ministers of 10 March 2023, appointing Prefect Bruno Frattasi as Director General of the National Cybersecurity Agency;

SEEN the *"National Framework for Cybersecurity and Data Protection"*, 2025 edition (National Framework), developed by the Cyber Intelligence and Information Security Research Center (CIS) of Sapienza University of Rome and the Cybersecurity National Lab of the National Inter-University Consortium for Informatics (CINI), in collaboration with the National Cybersecurity Agency (ACN), as a support tool for public and private organizations in cybersecurity strategies and processes;

CONSIDERING that the technical annexes containing the aforementioned basic specifications, illustrated in the Second plenary meeting of the NIS Implementation Committee, held on January 28



National Cybersecurity Agency

2025, were shared with the sector authorities and trade associations also through the sectoral tables referred to in Article 11, paragraph 4, letter f), of the NIS decree;

IN ACCORDANCE WITH the feedback received;

HAVING HEARD the Table for the implementation of the NIS discipline at the meeting of 10 April 2025;

HAVING CONSIDERED to initiate the information procedure pursuant to Directive (EU) No. 2015/1535 of the European Parliament and of the Council of 9 September 2015;

CONSIDERING the degree of exposure of subjects to risks, the size of the subjects and the probability of accidents occurring, as well as their severity, including their social and economic impact;

ADOPT THIS DETERMINATION

Article 1 (Definitions)

1. For the purposes of this determination, the following definitions shall apply:

- a) "NIS decree", Legislative Decree no. 138 of 4 September 2024;
- b) "National Cybersecurity Agency" means the National Cybersecurity Agency referred to in Article 5, paragraph 1, of Legislative Decree No. 82 of 14 June 2021;
- c) "NIS National Competent Authority", the National Competent Authority referred to in Article 10, paragraph 1, of the NIS Decree;
- d) "NIS Sector Authorities", the Administrations referred to in Article 11, paragraphs 1 and 2, of the NIS decree;
- e) "NIS subject", a subject, referred to in Article 2, paragraph 1, letter hhh), of the decree NIS, of a public or private legal nature that falls within the scope of the NIS Decree;
- f) "essential subjects", the NIS subjects considered essential pursuant to the NIS decree;
- g) "important subjects", NIS subjects considered important pursuant to the NIS Decree;
- h) "communication of inclusion in the list of NIS subjects", the communication referred to in Article 7, paragraph 3, letter a), of the NIS decree;
- i) "administrative and management bodies", the administrative and management bodies referred to in Article 23 of the NIS Decree, including, where present, the board of directors of NIS entities;
- j) "basic security measures", basic specifications for the obligations set out in Articles 23 and 24 of the NIS Decree, developed in accordance with the National Framework and organised into functions, categories, subcategories and requirements;
- k) "basic significant incidents" means the basic specifications describing incidents significant as per Article 25 of the NIS Decree;



National Cybersecurity Agency

- l) “relevant information and network systems”, information and network systems whose compromise would have a significant impact on the confidentiality, integrity and availability of the activities and services for which the NIS entity falls within the scope of the NIS Decree;
- m) “domain name registration service providers”, the providers referred to in Article 2, paragraph 1, letter oo), of the NIS Decree;
- n) “top-level domain name registries”, the registrars referred to in Article 2, paragraph 1, letter pp), of the NIS Decree;
- o) “PSNC-NIS subjects”, the subjects referred to in Article 1, paragraph 2-bis, of Legislative Decree no. 105 of 2019 who are NIS subjects;
- p) “PSNC information and network systems”, information and network systems included in the list referred to in Article 1, paragraph 2, letter b), of Legislative Decree no. 105 of 2019
- q) “essential service operators”, so-called OSE, the NIS entities identified before the date of entry into force of the NIS decree as essential service operators pursuant to Legislative Decree no. 65 of 18 May 2018;
- r) “OSE information and network systems”, information and network systems of the essential service operator that enable the essential services for which the operator itself has been identified pursuant to Legislative Decree 18 May 2018, no. 65;
- s) “telco operators”, NIS entities that provide public electronic communications networks or electronic communications services accessible to the public pursuant to Legislative Decree no. 259 of 1 August 2003, to a number of users equal to or greater than, even alternatively:
 - 1) 1% of the national user base, calculated on the basis of data published by the Quarterly Communications Observatory of the Communications Regulatory Authority;
 - 2) to one million;
- t) “telco information and network systems”, information and network systems for access to the fixed or mobile network, from a workstation or mobile terminal, identified as critical by the telco operator as it is potentially able to provide, for each indicated service:
 - 1) a percentage of users equal to or greater than 1% of the national user base for that service, based on data published by the Quarterly Communications Observatory edited by the Communications Regulatory Authority;
 - 2) a user base of one million or more.

Article 2

(Adoption of basic specifications)

1. In the first application phase of the NIS decree, the basic specifications referred to in the Annexes 1, 2, 3 and 4, which form an integral part of this determination.
2. The basic security measures, to be implemented by the administrative and management bodies and in terms of IT security risk management measures, are established:
 - a) for important subjects, in Annex 1;
 - b) for essential subjects, in Annex 2.



National Cybersecurity Agency

3. Significant basic incidents are established:

- a) for important subjects, in Annex 3;
- b) for essential subjects, in Annex 4.

Article 3

(Deadlines for the adoption of basic specifications)

1. The deadline for adopting the basic security measures referred to in Annexes 1 and 2 is set at eighteen months from receipt by the NIS entity of the notification of inclusion in the list of NIS entities.
2. The deadline for fulfilling the obligation to notify significant basic accidents described in Annexes 3 and 4 is set at nine months from receipt by the NIS entity of the communication of inclusion in the list of NIS entities.

Article 4

(Security, Stability, and Resilience of Domain Name Systems)

1. Without prejudice to the provisions of Article 29 of the NIS Decree, within eighteen months of receiving notification of inclusion in the list of NIS entities, the top-level domain name registry managers and domain name registration service providers shall comply with the provisions of the aforementioned Article, paragraphs 1 and 2, and shall adopt and make public the policies and procedures referred to in paragraph 3 of the same Article.
2. The methods of compliance with the provisions referred to in Article 29, paragraphs 1 and 2, as well as the policies and procedures referred to in paragraph 3 of the same Article, are approved by the administrative and management bodies.
3. Pursuant to Article 32, paragraph 3, top-level domain name registries and domain name registration service providers shall adopt policies to ensure a level of IT security consistent with the specifications set out in Annex 1.
4. The IT security policies referred to in paragraph 3 are approved by the administrative and management bodies.

Article 5

(Notification obligations for PSNC-NIS entities)

1. Without prejudice to the provisions of Article 33 of the NIS Decree, PSNC-NIS entities shall notify the significant basic incidents referred to in Annex 4, pursuant to Article 25 of the NIS Decree, limited to information and network systems other than PSNC systems.
2. The deadline for the obligation referred to in paragraph 1 starts from the date of entry into force of this determination.



National Cybersecurity Agency

Article 6

(Transitional regime for essential service operators)

1. Without prejudice to the provisions of Article 2, paragraph 2, and Article 3, paragraph 1, essential service operators, limited to OSE information and network systems, to the extent not in conflict with the law and the NIS Decree, shall ensure the maintenance of the technical and organizational measures already adopted before the entry into force of the NIS Decree pursuant to Legislative Decree no. 65 of 18 May 2018.
2. In order to ensure the continuity of the incident notification obligation referred to in Article 12, paragraph 5, of Legislative Decree No. 65 of 18 May 2018, from the entry into force of this determination, pursuant to Article 25 of the NIS Decree, essential service operators, limited to OSE information and network systems, shall notify the significant basic incidents of which:
 - a) in Annex 3, if they are important subjects;
 - b) in Annex 4, if they are essential subjects.
3. The deadline for fulfilling the obligations referred to in this article starts from the date of entry into force of this determination.

Article 7

(Transitional regime for telco operators)

1. Without prejudice to the provisions of Article 2, paragraph 2, and Article 3, paragraph 1, telco operators, limited to telco information and network systems, insofar as they do not conflict with the law and the NIS decree, ensure the maintenance of security measures and integrity of networks and services already adopted before the entry into force of the NIS decree pursuant to the decree of the Minister of Economic Development of 12 December 2018.
2. In order to ensure the continuity of the accident notification obligation referred to in Article 40, Paragraph 3, letter b), of Legislative Decree No. 259 of 1 August 2003, pursuant to Article 25 of the NIS Decree, from the entry into force of this determination, telco operators, limited to telco information and network systems, shall notify significant basic incidents:
 - a) referred to in Annex 3, if they are important subjects;
 - b) referred to in Annex 4, if they are essential subjects.
3. For the purposes of paragraph 2, in defining the expected level of service referred to in Annexes 3 and 4, telco operators shall consider the following cases as significant basic incidents:
 - a) duration greater than one hour and percentage of affected users greater than fifteen percent of the total national users of the affected service;
 - b) duration greater than two hours and percentage of affected users greater than ten percent of the total national users of the affected service;
 - c) duration greater than four hours and percentage of affected users greater than five percent of the total national users of the service concerned;



National Cybersecurity Agency

- d) duration greater than six hours and percentage of affected users greater than two percent of the total national users of the affected service;
 - e) duration greater than eight hours and percentage of affected users greater than one percent of the total national users of the affected service.
4. The deadline for the fulfillment of the obligations referred to in this article starts from the date of entry into force of this determination.

Article 8 (Financial provisions)

1. This determination does not result in new or increased burdens on public finances, also pursuant to Article 12, paragraph 6, of the NIS Decree.

Article 9 (Advertising)

1. This decision is published on the institutional websites of the National Cybersecurity Agency and the NIS sector authorities. It will also be communicated through publication in the Official Journal of the Italian Republic.

Article 10 (Entry into force and transitional provisions)

1. For anything not covered by this determination, the provisions of the NIS decree.
2. This determination shall enter into force on 30 April 2025.
3. Article 2, paragraphs 2 and 3, and Article 3 shall enter into force on the day following the implementation of the information procedure pursuant to Directive (EU) No. 2015/1535 of the European Parliament and of the Council of 9 September 2015.

Rome, *date of the protocol*

THE GENERAL DIRECTOR
Bruno Frattasi