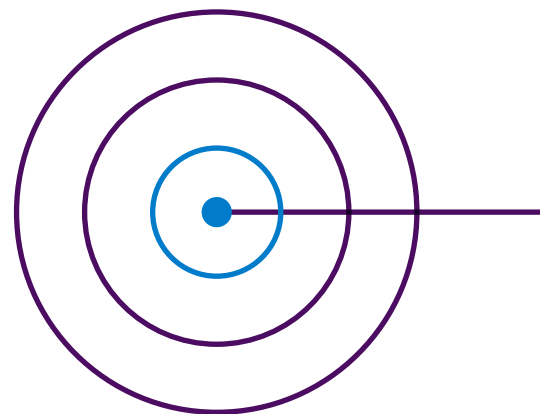




Dutch Authority for Digital
Infrastructure
*Ministry of Economic Affairs and
Climate Policy*

Network and Information Systems Security Act

Notification obligation for digital service providers



Notification of incidents by digital service providers

It all seems such a matter of course: we have electricity, employees can travel safely by train, water comes out of our taps and customers can buy and sell all manner of items over the Internet. All these things that we take for granted depend on networks and information technology. These services can all be delivered reliably through properly functioning networks and the right, available information. However, networks and information are vulnerable. Organisations that provide essential services or digital services must reduce their vulnerability by maintaining their resilience to threats.

The Dutch Authority for Digital Infrastructure supervises compliance with the Network and Information Systems Security Act (*Wet beveiliging netwerk- en informatiesystemen*, Wbni) for the energy sector, digital infrastructure and digital service providers. These organisations must report security incidents in their network and information systems to the Dutch Authority for Digital Infrastructure.

This brochure provides information on the process for reporting incidents by digital service providers.

Reporting incidents

Notification obligation for digital service providers

Digital service providers are obliged to report incidents with

a significant impact to the Dutch Authority for Digital Infrastructure and the CSIRT-DSP without delay. Use the flowchart below to determine whether your organisation is a digital service provider that is subject to a notification obligation under the Wbni.

How to report an incident

- Phone the Dutch Authority for Digital Infrastructure hotline: 088-0416200 (available 24 hours a day, 5 cents per minute + your usual call charges)
- Please fill in the appropriate report form and return it to us. Applications and returns can be submitted via: wbni@rdi.nl.

Do the check:



The Wbni does **NOT** apply for your company

YES

The Wbni **DOES** apply for your company

The Dutch Authority for Digital Infrastructure is highly committed to ensuring the security of your report. For that reason, we provided providers with the option of submitting files using PGP encryption. The public PGP key is available on our website.

Which incidents to report

All incidents with a significant impact on your services in the European Union must be reported to the Dutch Authority for Digital Infrastructure and the CSIRT-DSP without delay. An incident is defined as any event with a measurably harmful impact on the security of network and information systems. Significant impact may, for example, include complete disruption of services to your customers.

The Dutch Authority for Digital Infrastructure hotline

088-0416200 (available 24 hours a day, 5 cents per minute + your usual call charges)

Request a report form:

Send an email to wbni@rdi.nl

The thresholds that determine whether an incident has had a significant impact have been established. Use the flowchart below to determine whether an incident has had a significant impact. The notification obligation only applies if your organisation has access to information necessary for the assessment.

An incident has occurred

The following information is crucial if you provide services to designated providers of essential services in the Netherlands or in another Member State of the European Union: If an incident at your organisation has a significant impact on the continuity of essential services of such providers, they must likewise report the incident to their own regulator and their own CSIRT. You must also always report an incident to the Dutch Authority for Digital Infrastructure yourself. The Dutch Authority for Digital Infrastructure supervises providers of essential services in the Energy and Digital Infrastructure sectors.

Information to include in a report

After discovering an incident, not all relevant information may be known to you. Report what you know! After an initial notification to the Dutch Authority for Digital Infrastructure, digital service providers may provide additional information at a later date. It is also possible to withdraw and close a notification.

Next steps following a report

After you have reported an incident to the Dutch Authority for Digital Infrastructure, we will contact you and you will be asked to provide additional information. We may launch an investigation into the incident.

This does not mean that we will automatically take enforcement action. However, such enforcement action

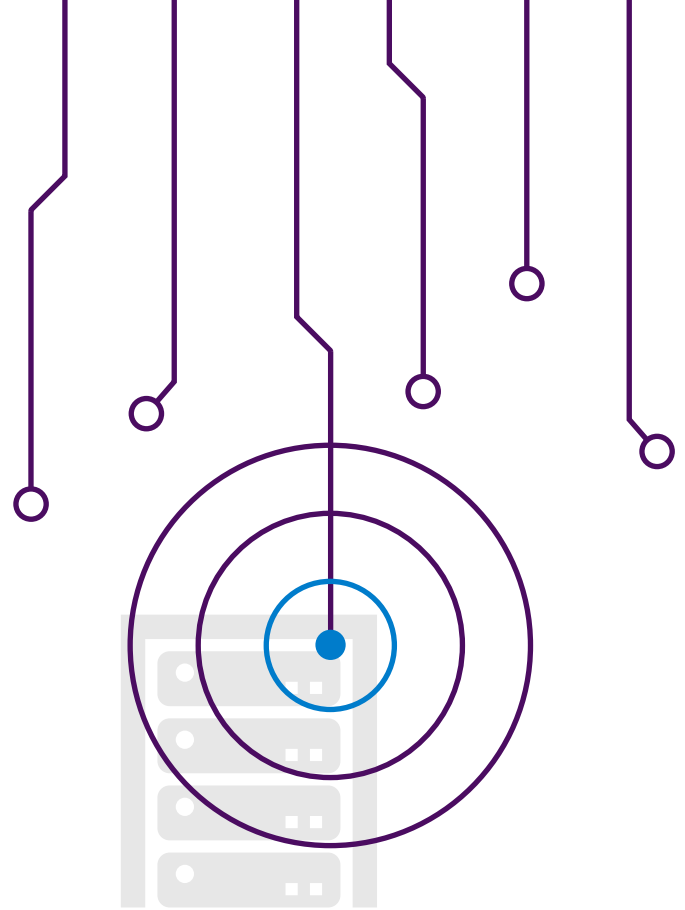
An incident has occurred:



may be taken when your organisation has acted in violation of the law.

If public awareness is necessary to prevent or control an incident, the Dutch Authority for Digital Infrastructure may inform the general public about the reported incident. You will be consulted on the matter in advance. Your organisation may likewise be asked to inform the public.

the Dutch Authority for Digital Infrastructure will only disclose confidential information relating to your organisation to third parties to the extent permitted by law. This will only be done if confidentiality is sufficiently guaranteed and where there are adequate safeguards to ensure that the information will not be used for any other purpose. The Public Access to Government Information Act (*Wet openbaarheid van bestuur*) does not apply to this confidential information.



Find out more / Questions

Please go to www.rdi.nl/wbni
or contact us by email at wbni@rdi.nl