Algorithm Audit

Flowchart – NIS2 scope (Art. 2, 3, 26 and Annex I, II NIS2 Directive (EU) 2022/2555)

This schematic representation shows the logic required to determine whether an organisation is an essential entity, an important entity or not in scope of the NIS2 Directive (EU) 2022/2555, implemented in the Netherlands as the Cyberbeveiligingswet (Cbw): the EU-presence check of Article 2 and 26, the categories that fall under NIS2 regardless of size (Article 2(2) to (4) and 3(1)), including domain name registration service providers (Article 2(4)) and entities identified by the member state (Article 2(2)(b) to (e)), the sector of Annex I (energy, transport, banking, financial market infrastructures, health, drinking water, waste water, digital infrastructure, ICT service management, space) or Annex II (postal and courier services, waste management, chemicals, food, manufacturing, digital providers, research), and the size of the organisation according to the EU SME definition (Recommendation 2003/361/EC). The outcomes are indicative. The complete questions can be found in the AI AQT tool itself.

