An Roinn Comhshaoil,
Aeráide agus Cumarsáide
Department of the Environment,
Climate and Communications

NCSC
National Cyber
Security Centre

NIS 2
Enforcement
and Penalties

NIS2 provides national authorities
with a minimum list of enforcement
powers for non-compliance

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Enforcement and Penalties

NIS2 provides national authorities with a minimum list of enforcement powers for non-compliance, including:

A	Issue **warnings** for non-compliance
B	Issue **binding instructions**
C	Order to **cease conduct** that is non-compliant
D	Order to **bring risk management measures** or reporting obligations in compliance to a specific manner and within a specified period
E	Order to **inform the natural or legal person(s)** to whom they provide services or activities which are potentially affected by a significant cyber threat
F	Order to **implement the recommendations** provided as a result of a security audit within a reasonable deadline
G	**Designate a monitoring officer** with well-defined tasks over a determined period of time to oversee the compliance
H	Order to **make public** aspects of non-compliance
I	Impose administrative **fines**
J	An essential entities **certification or authorisation concerning the service can be suspended**, if deadline for taking action is not met
K	And those responsible for discharging managerial responsibilities at chief executive officer or legal representative level can be temporarily **prohibited from exercising managerial functions** (applicable to essential entities only, not important entities).

NIS2 makes provision to impose administrative fines for infringements.

A maximum of **at least 10,000,000 EUR or up to 2% of the total worldwide annual turnover** of the undertaking to which the **ESSENTIAL ENTITY** belongs in the preceding financial year, whichever is higher.

A maximum of **at least 7,000,000 EUR or 1,4% of the total worldwide annual turnover** of the undertaking to which the **IMPORTANT ENTITY** belongs in the preceding financial year, whichever is higher.

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