

CER FAQs - NTA WEBSITE

1) What are the Critical Entities Resilience (CER) Regulations?

The CER Regulations implement the CER Directive (EU) 2022/2557 in Ireland through the EU (Resilience of Critical Entities) Regulations 2024 (S.I. 559/2024). They establish a national framework to identify Critical Entities and require them to assess risks, prepare resilience plans and take measures to ensure the continuity of essential services.

2) Who are the Competent Authorities (CA) for CER in Ireland?

The Competent Authorities in Ireland are:

- Commission for Regulation of Utilities: Energy - electricity, oil and gas
- Irish Aviation Authority: Transport - Air
- Commission for Railway Regulation: Transport – Rail and Public Transport
- Marine Survey Office of the Department of Transport: Transport - Water
- National Transport Authority (NTA): Transport - Road and Public Transport
- Central Bank: Banking and Financial market infrastructure
- Health Information and Quality Authority: Health – Provision of services
- Minister for Health: Health – Research and development
- Health Products Regulatory Authority: Health- Manufacturing and distribution of productions, Manufacturing of devices
- Responsible Minister: Public Administration
- Environmental Protection Agency: Drinking water, Wastewater
- Commission for Communications Regulation: Digital Infrastructure
- Minister for Agriculture, Food and Marine: Food

Ireland's Department of Defence acts as the Single Point of Contact (SPOC) for national coordination.

3) What are the NTA's primary functions under CER?

NTA's core functions under CER include:

- Identifying and designating Critical Entities and maintaining the sector list.
- Assessing compliance, including audits, inspections and information requests.
- Cooperating and exchanging information with the Department of Defence (SPOC), other national authorities, NIS2 authorities and EU counterparts.

4) Which "Essential Services" is the NTA the CA for under CER?

The NTA is the Competent Authority for essential services related to road transport. They are:

- Traffic management control, including aspects related to road network planning, control and management services
- Intelligent Transport Systems (ITS) services
- Public passenger transport services by road

Related entities that can be designated as 'Critical Entities' in this sector are:

- Road authorities: Public authorities responsible for the planning, control or management of roads
- ITS operators: where ITS means systems where information and communication technologies are applied, including infrastructure, vehicles and users, and in traffic management and mobility management, as well as for interfaces with other modes of transport
- Public service operators: Public or private entities that operate public passenger transport services by bus

5) How will entities be classified Critical Entities by the NTA?

To be considered a Critical Entity:

- The entity must provide one or more essential services;
- The entity must operate in Ireland, and its critical infrastructure must be in the State; and
- An incident impacting the entity would significantly disrupt the provision of its essential service, or other essential services in regulated sectors that depend on it.

As part of its designation process, when assessing the impact of an incident on an essential service, the NTA will consider:

- The number of users relying on the essential service provided by the entity in question;
- The entity's market share in the relevant market for the essential service;
- The importance of the entity in maintaining an adequate level of the essential service, considering the availability of alternative means for the delivery of that essential service;
- The potential impact of incidents on economic and societal activities, the environment, public safety and security and public health, within the State, including both the severity and duration of these impacts;
- The extent to which other sectors and subsectors rely on the essential service in question;
- The geographical area affected, including any cross-border implications or vulnerabilities in insular, remote or mountainous areas.

6) My organisation has been designated as a Critical Entity – what happens now?

1. **Conduct a Risk Assessment (RA):** Every Critical Entity must carry out a RA that identifies:
 - a. All relevant natural, man-made, technical and cross-sector risks;
 - b. Vulnerabilities in infrastructure, systems, processes and personnel;
 - c. Potential impacts on the continuity of the essential services.

This RA must be completed within 9 months of designation.

2. **Prepare and implement a Resilience Plan (RP):** Each Critical Entity must prepare a RP based on the findings of its RA. The plan must set out the measures the entity will take to:

- a. Prevent incidents;
- b. Protect critical infrastructure and premises;
- c. Respond to and mitigate incidents;
- d. Recover and ensure business continuity;
- e. Manage employee security;
- f. Raise staff awareness and training.

This RP must be completed within 10 months of designation.

3. **Cooperation with the NTA:** Critical Entities must cooperate with the NTA, provide information when requested, participate in audits or inspections and designate a liaison officer as the point of contact.
4. **Incident Notification:** Critical Entities must notify the NTA without undue delay of any incident that significantly disrupts, or could significantly disrupt, the continuity of their essential service.

7) What are the incident reporting requirements?

Critical Entities must notify the NTA of any incident that significantly disrupts the continuity of their essential service. For cross-border incidents, Critical Entities must report incidents that may have a significant impact in another Member State.

When the NTA receives an incident notification, it must share relevant information with the Department of Defence and, where appropriate, with other national authorities and EU counterparts to support national and cross-border situation. The Department of Defence is responsible for coordinating any notifications to affected Member States.

8) What are the possible fines and penalties?

Where an infringement is identified, the NTA may issue a written direction requiring the Critical Entity to take the necessary and proportionate measures to remedy it within a specified timeframe.

Failure to comply with certain requirements, including providing requested information or implementing required measures constitutes an offence and may result in penalties of:

- a summary conviction or a class A fine;
- on conviction on indictment to a fine not exceeding €50,000 (individual) or €500,000 (other than individual)

9) Where can I find more information to support my actions as a Critical Entity?

The recently developed Department of Defence National Strategy on the resilience of Critical Entities 2026-2029 provides very helpful information for Critical Entities and it can be found here: [National-Strategy-on-the-Resilience-of-Critical-Entities-20262029.pdf](#)

10) How does CER interact with the NIS2 Directive?

There is a clear overlap between the CER Regulations (S.I. 559/2024) and the NIS2 Directive. Under the national framework, most entities identified as Critical Entities under CER (other than those in the banking and financial market infrastructure sectors) will also be considered Essential Entities under NIS2. The Regulations require CER Competent Authorities to cooperate and exchange information with NIS2 authorities on cyber and non-cyber risks, threats and incidents affecting Critical Entities, and to notify NIS2 authorities of any entities they identify as CEs. Where an organisation is subject to both regimes, best

efforts will be made to ensure supervisory and enforcement activity is coordinated to avoid duplication. Further national guidance will be provided as the NIS2 transposition progresses.

CER INFORMATION, LEGISLATION AND GUIDANCE

Office of Emergency Planning: [Office of Emergency Planning](#)

CER: [Critical Entities Resilience \(CER\) Information](#)

CER Directive (EU) 2022/257: The main Directive establishing the CER framework:

[Directive - 2022/2557 - EN - CER - EUR-Lex](#)

Press release: [Tánaiste signs new regulations to enhance the resilience of the operators of essential services in the State](#)

European Union (Resilience of Critical Entities) Regulations 2024:

[S.I. No. 559/2024 - European Union \(Resilience of Critical Entities\) Regulations 2024](#)

Commission	Delegated	Regulation	(EU)	2023/2450:
Establishes a list of essential services to enhance the resilience of critical entities in the EU				

[Delegated regulation - EU - 2023/2450 - EN - EUR-Lex](#)

December 9, 2022: Council recommendation on a Union-wide coordinated approach to strengthen the resilience of critical infrastructure: <https://data.consilium.europa.eu/doc/document/ST-15623-2022-INIT/en/pdf>

Critical Entities Resilience: [Critical Entities Resilience - Joint Research Centre - European Commission](#)

Critical Entities Resilience Group (CERG): EU level group supporting implementation of the CER Directive: [0c3b514e-79e0-4303-ad9c-568cf1189c16_en](#)

Critical infrastructure resilience at EU-level: [Critical infrastructure resilience at EU-level - Migration and Home Affairs](#)

Commission with Guidelines on the resilience of critical entities: [Communication with guidelines on the resilience of critical entities - Migration and Home Affairs](#)

EU Commission non-binding guidelines on the application of Article 13 of the CER Directive: [Guidelines on the application of Article 13\(5\) of Directive \(EU\) 2022/2557 on the resilience of critical entities | Migration and Home Affairs](#)

NIS2 Directive : [Directive - 2022/2555 - EN - EUR-Lex](#)