

## ANNEX II

**TYPES OF ENTITIES FOR THE PURPOSES OF POINT (4) OF ARTICLE 4**

Sector	Subsector	Type of entity
1. Energy	(a) Electricity	— Electricity undertakings as defined in point (35) of Article 2 of Directive 2009/72/EC of the European Parliament and of the Council <sup>a</sup> , which carry out the function of ‘supply’ as defined in point (19) of Article 2 of that Directive
		— Distribution system operators as defined in point (6) of Article 2 of Directive 2009/72/EC
		— Transmission system operators as defined in point (4) of Article 2 of Directive 2009/72/EC
	(b) Oil	— Operators of oil transmission pipelines
		— Operators of oil production, refining and treatment facilities, storage and transmission
	(c) Gas	— Supply undertakings as defined in point (8) of Article 2 of Directive 2009/73/EC of the

---

*Status: This is the original version (as it was originally adopted).*

---

			European Parliament and of the Council <sup>b</sup>
			— Distribution system operators as defined in point (6) of Article 2 of Directive 2009/73/EC
			— Transmission system operators as defined in point (4) of Article 2 of Directive 2009/73/EC
			— Storage system operators as defined in point (10) of Article 2 of Directive 2009/73/EC
			— LNG system operators as defined in point (12) of Article 2 of Directive 2009/73/EC
			— Natural gas undertakings as defined in point (1) of Article 2 of Directive 2009/73/EC
			— Operators of natural gas refining and treatment facilities
2.	Transport	(a) Air transport	— Air carriers as defined in point (4) of Article 3 of Regulation (EC) No 300/2008 of the European Parliament and of the Council <sup>c</sup>

	<p>— Airport managing bodies as defined in point (2) of Article 2 of Directive 2009/12/EC of the European Parliament and of the Council<sup>d</sup>, airports as defined in point (1) of Article 2 of that Directive, including the core airports listed in Section 2 of Annex II to Regulation (EU) No 1315/2013 of the European Parliament and of the Council<sup>e</sup>, and entities operating ancillary installations contained within airports</p>
	<p>— Traffic management control operators providing air traffic control (ATC) services as defined in point (1) of Article 2 of Regulation (EC) No 549/2004 of the European Parliament and of the Council<sup>f</sup></p>
(b) Rail transport	<p>— Infrastructure managers as defined in point (2) of Article 3 of Directive 2012/34/EU of the European Parliament and of the Council<sup>g</sup></p> <p>— Railway undertakings as defined in point (1) of Article 3 of</p>

---

*Status: This is the original version (as it was originally adopted).*

---

		Directive 2012/34/EU, including operators of service facilities as defined in point (12) of Article 3 of Directive 2012/34/EU
(c)	Water transport	— Inland, sea and coastal passenger and freight water transport companies, as defined for maritime transport in Annex I to Regulation (EC) No 725/2004 of the European Parliament and of the Council <sup>h</sup> , not including the individual vessels operated by those companies
		— Managing bodies of ports as defined in point (1) of Article 3 of Directive 2005/65/EC of the European Parliament and of the Council <sup>i</sup> , including their port facilities as defined in point (11) of Article 2 of Regulation (EC) No 725/2004, and entities operating works and equipment contained within ports
		— Operators of vessel traffic services as defined in point (o) of Article 3 of Directive 2002/59/EC of the

		European Parliament and of the Council <sup>l</sup>
	(d) Road transport	<p>— Road authorities as defined in point (12) of Article 2 of Commission Delegated Regulation (EU) 2015/962<sup>k</sup> responsible for traffic management control</p> <p>— Operators of Intelligent Transport Systems as defined in point (1) of Article 4 of Directive 2010/40/EU of the European Parliament and of the Council<sup>l</sup></p>
3.	Banking	Credit institutions as defined in point (1) of Article 4 of Regulation (EU) No 575/2013 of the European Parliament and of the Council <sup>m</sup>
4.	Financial market infrastructures	<p>— Operators of trading venues as defined in point (24) of Article 4 of Directive 2014/65/EU of the European Parliament and of the Council<sup>n</sup></p> <p>— Central counterparties (CCPs) as defined in point (1) of Article 2 of Regulation (EU) No 648/2012 of the European Parliament and of the Council<sup>o</sup></p>

*Status: This is the original version (as it was originally adopted).*

5.	Health sector	Health care settings (including hospitals and private clinics)	Healthcare providers as defined in point (g) of Article 3 of Directive 2011/24/EU of the European Parliament and of the Council <sup>p</sup>
6.	Drinking water supply and distribution		Suppliers and distributors of water intended for human consumption as defined in point (1)(a) of Article 2 of Council Directive 98/83/EC <sup>q</sup> but excluding distributors for whom distribution of water for human consumption is only part of their general activity of distributing other commodities and goods which are not considered essential services
7.	Digital Infrastructure		<p>— IXPs</p> <p>— DNS service providers</p> <p>— TLD name registries</p>
a	Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC (OJ L 211, 14.8.2009, p. 55).		
b	Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94).		
c	Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 (OJ L 97, 9.4.2008, p. 72).		
d	Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges (OJ L 70, 14.3.2009, p. 11).		
e	Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1).		
f	Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation) (OJ L 96, 31.3.2004, p. 1).		
g	Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (OJ L 343, 14.12.2012, p. 32).		
h	Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security (OJ L 129, 29.4.2004, p. 6).		
i	Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security (OJ L 310, 25.11.2005, p. 28).		
j	Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC (OJ L 208, 5.8.2002, p. 10).		
k	Commission Delegated Regulation (EU) 2015/962 of 18 December 2014 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide real-time traffic information services (OJ L 157, 23.6.2015, p. 21).		

- 
- l** Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (OJ L 207, 6.8.2010, p. 1).

---

  - m** Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).

---

  - n** Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349).

---

  - o** Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories (OJ L 201, 27.7.2012, p. 1).

---

  - p** Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare (OJ L 88, 4.4.2011, p. 45).

---

  - q** Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).
-