



DE BESTUURDER IN CONTROL

EEN GENERIEKE AANPAK

ONLINE TRUST COALITIE



Table 1: Overview of EU Legislation in the Digital Sector

Applicable law	Published in the Official Journal of the European Union
In negotiation	Proposal by the European Commission entered the legislative process.
Planned initiative	Mentioned by the European Commission as potential legislative initiative

Research & Innovation	Industrial Policy	Connectivity	Data & Privacy	IPR	Cybersecurity	Law Enforcement	Trust & Safety	E-commerce & Consumer Protection	Competition	Media	Finance
Digital Europe Programme Regulation, (EU) 2021/694	Recovery and Resilience Facility Regulation, (EU) 2021/241	Frequency Bands Directive, (EEC) 1987/372	General Data Protection Regulation (GDPR), (EU) 2016/679	Database Directive, (EC) 1996/93	Regulation for a Cybersecurity Act, (EU) 2019/881	Law Enforcement Directive, (EU) 2016/680	Product Liability Directive (PLD), (EC) 1985/274, 2022/0302(COD)	Unfair Contract Terms Directive (UCTD), (EEC) 1993/13	Technology Transfer Block Exemption, (EC) 2014/316	Satellite and Cable I Directive, (EEC) 1993/83	Common VAT system, (EC) 2006/112, 2022/0407(CNS)
Horizon Europe Regulation, (EU) 2021/695, (EU) 2021/764	InvestEU Programme Regulation, (EU) 2021/523	Radio Spectrum Decision, (EC) 2002/676	Regulation to protect personal data processed by EU institutions, bodies, offices and agencies, (EU) 2018/1725	Community Design Directive, (EC) 2002/6, 2022/0391(COD)	Regulation to establish a European Cybersecurity Competence Centre, (EU) 2021/887	Directive on combating fraud and counterfeiting of non-cash means of payment, (EU) 2019/713	European Standardization Regulation, (EU) 2012/1025	E-commerce Directive, (EC) 2000/31	Company Law Directive, (EU) 2017/1132, 2023/0089(COD)	Information Society Directive, (EC) 2001/29	Payment Service Directive 2 (PSD2), (EU) 2015/2366, 2023/0209(COD)
Regulation on a pilot regime distributed ledger tech. market, (EU) 2022/858	Connecting Europe Facility Regulation, (EU) 2021/1153	Broadband Cost Reduction Directive, (EU) 2015/611, 2023/0046(COD)	Regulation on the free flow of non-personal data, (EU) 2018/1807	Enforcement Directive (IPR), (EC) 2004/48	NIS 2 Directive, (EU) 2022/2585	Regulation on terrorist content online, (EU) 2021/784	Radio Equipment Directive (RED), (EU) 2014/53	Unfair Commercial Practices Directive (UCPD), (EC) 2005/29	Market Surveillance Regulation, (EU) 2019/1020	Audio-visual Media Services Directive (AVMSD), (EU) 2010/13	Digital Operational Resilience Act (DORA Regulation), (EU) 2022/2554
	Regulation on High Performance Computing Joint Undertaking, (EU) 2021/1173	Open Internet Access Regulation, (EU) 2015/2120	Open Data Directive (PSI), (EU) 2019/1024	Directive on the protection of trade secrets, (EU) 2016/943	Information Security Regulation, 2022/0084(COD)	Temporary CSAM Regulation, (EU) 2021/1232, 2022/0155(COD)	eIDAS Regulation, (EU) 2014/910, 2021/0136(COD)	Directive on Consumer Rights (CRD), (EU) 2011/83	P2B Regulation, (EU) 2019/1160	Portability Regulation, (EU) 2017/1128	Crypto-assets Regulation (MICA), (EU) 2023/1114
	Regulation on Joint Undertakings under Horizon Europe, (EU) 2021/2085, 2022/0033(INLE)	European Electronic Communications Code Directive (EECC), (EU) 2018/1972	Data Governance Act (DGA Regulation), (EU) 2022/858	Standard essential patents, 2023/0133(COD)	Cybersecurity Regulation, 2022/0085(COD)	E-evidence Regulation, 2018/0108(COD)	Regulation for a Single Digital Gateway, (EU) 2018/1724	e-invoicing Directive, (EU) 2014/55	Vertical Block Exemption Regulation (VBER), (EU) 2022/720	Satellite and Cable II Directive, (EU) 2019/789	Digital euro, 2023/0212(COD)
	Decision on a path to the Digital Decade, (EU) 2022/2481	Roaming Regulation, (EU) 2022/612	ePrivacy Regulation, 2017/0093(COD)	Design Directive, 2022/0392(COD)	Cyber Resilience Act, 2022/0272(COD)	Digitalization of travel documents	General Product Safety Regulation, (EU) 2023/988	Geo-Blocking Regulation, (EU) 2019/302	Digital Market Act (DMA Regulation), (EU) 2022/1925	Copyright Directive, (EU) 2019/790	Financial Data Access Regulation, 2023/0205(COD)
	European Chips Act (Regulation), 2022/0032(COD)	Regulation on the Union Secure Connectivity Programme, (EU) 2023/888	European Data Act (Regulation), 2022/0047(COD)	Compulsory licensing of patents, 2023/0129(COD)	Cyber Solidarity Act (Regulation), 2023/0109(COD)		Machinery Regulation, (EU) 2023/1230	Digital content Directive, (EU) 2019/770	Regulation on distortive foreign subsidies, (EU) 2022/2580	European Media Freedom Act, 2022/0277(COD)	Payment Services Regulation, 2023/0210(COD)
	European critical raw materials act (Regulation), 2023/0073(COD)	.eu top-level domain Regulation, (EU) 2019/517	European Health Data Space (Regulation), 2022/0140(COD)				AI Act (Regulation), 2021/0106(COD)	Directive on certain aspects concerning contracts for the sale of goods, (EU) 2019/771	Horizontal Block Exemption Regulations (HBER), (EU) 2023/1086, (EU) 2023/1067		Revision of the late payments Directive
	Establishing the Strategic Technologies for Europe Platform policy programme (RSPP, STEP), 2023/0199(COD)	New radio spectrum policy programme (RSPP, 2.0)	Regulation on data collection for short-term rental, 2022/0358(COD)				Eco-design Regulation, 2022/0095(COD)	Digital Services Act (DSA Regulation), (EU) 2022/2065	Platform Work Directive, 2021/0414(COD)		
		Telecoms Act / Fair Share Initiative	Harmonization of GDPR enforcement 2023/0202(COD)				AI Liability Directive, 2022/0303(COD)	Right to repair Directive, 2023/0083(COD)	Single Market Emergency Instrument (SMEI), 2022/0278(COD)		
			Interoperable Europe Act, 2022/0379(COD)					Political Advertising Regulation, 2021/0381(COD)			
			Access to vehicle data, functions and resources					Multimodal digital mobility services (MDMS)			
			GreenData4all					Consumer protection: strengthened enforcement cooperation			
								Consumer rights: adapting ADR to digital markets			



WAT BETEKEN DAT CONCREET?



- Risks, conform toepasselijke wet- en regelgeving
- Maatregelen om die risks effectief te beheersen
- Normen en standaarden zoals EUCS, ISO27001, BIO/BIR, et cetera



- Periodieke interne audits
- Periodieke externe audits conform kwaliteitsnormen zoals ISAE3402

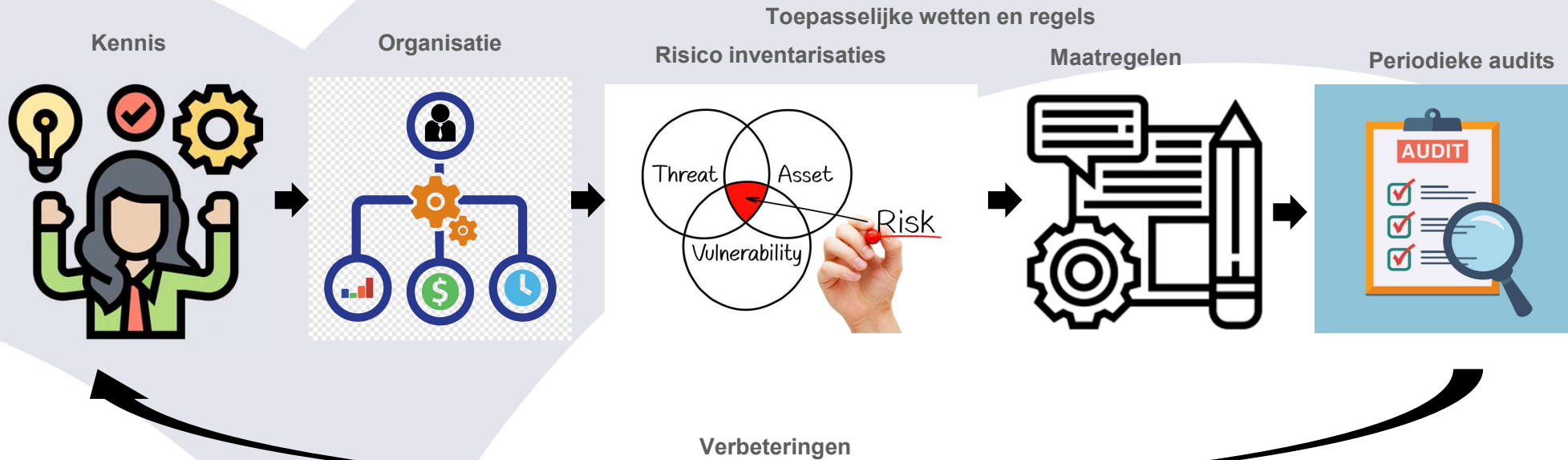


- rapportages geschikt voor :
 - Interne stakeholders (RVC)
 - Klanten en “dependents”
 - Toezichhouders

Voorbeeld: Digitale jaarrekening, assurance reports



HANDELINGSPERSPECTIEF BESTUURDER: 5 STAPPEN





HANDELINGSPERSPECTIEF BESTUURDERS

Stap 1: competenties en vaardigheden

- Kern: Bestuur en RvC heeft voldoende kennis van zaken
 - Gaat om kennis van IT GRC, niet primair van de IT zelf
 - Opleidingen TIAS



HANDELINGSPERSPECTIEF BESTUURDERS

Stap 2: Richt uniforme "digital control" in

- Lees de nieuwe Corporate Governance Code
- Gebruik het NRI (Norea Reporting Initiative) als template voor wat je moet managen
 - Hanteer de **ISO38500** :
RACI, budget, rapportages



HANDELINGSPERSPECTIEF BESTUURDERS

Stap 3: Doe een grondige risico-inventarisatie

- Hou rekening met alle toepasselijke wetten – en regels
 - Vraag hulp aan experts (bijv ICTrecht)
- Overheid geeft tips en voorbeelden (DTC/NCSC/RDI sites)



HANDELINGSPERSPECTIEF BESTUURDERS

Stap 4: Maak 1 *integrale* "set" van controls

- i.e. mitigerende maatregelen
- Hanteer normenkaders

Voorbeelden: EUCS, ISO2700x,

- En voer die in



HANDELINGSPERSPECTIEF BESTUURDERS

Stap 5: laat dit geheel periodiek (jaarlijks) beoordelen

- Tip: gebruik het NRI
- Doe ook interne audits
- Externe beoordeling en assurance rapportage
 - Hanteer kwaliteitsnormen (ISAE3402, EUCS)

Optioneel: Maak 3 rapport versies, geschikt voor interne stakeholders, klanten & ketenpartners en toezichthouders

-> EN HERHAAL DE 5 STAPPEN NA ELKE AUDIT <-



EN HERHAAL DE CYCLUS JAARLIJKS