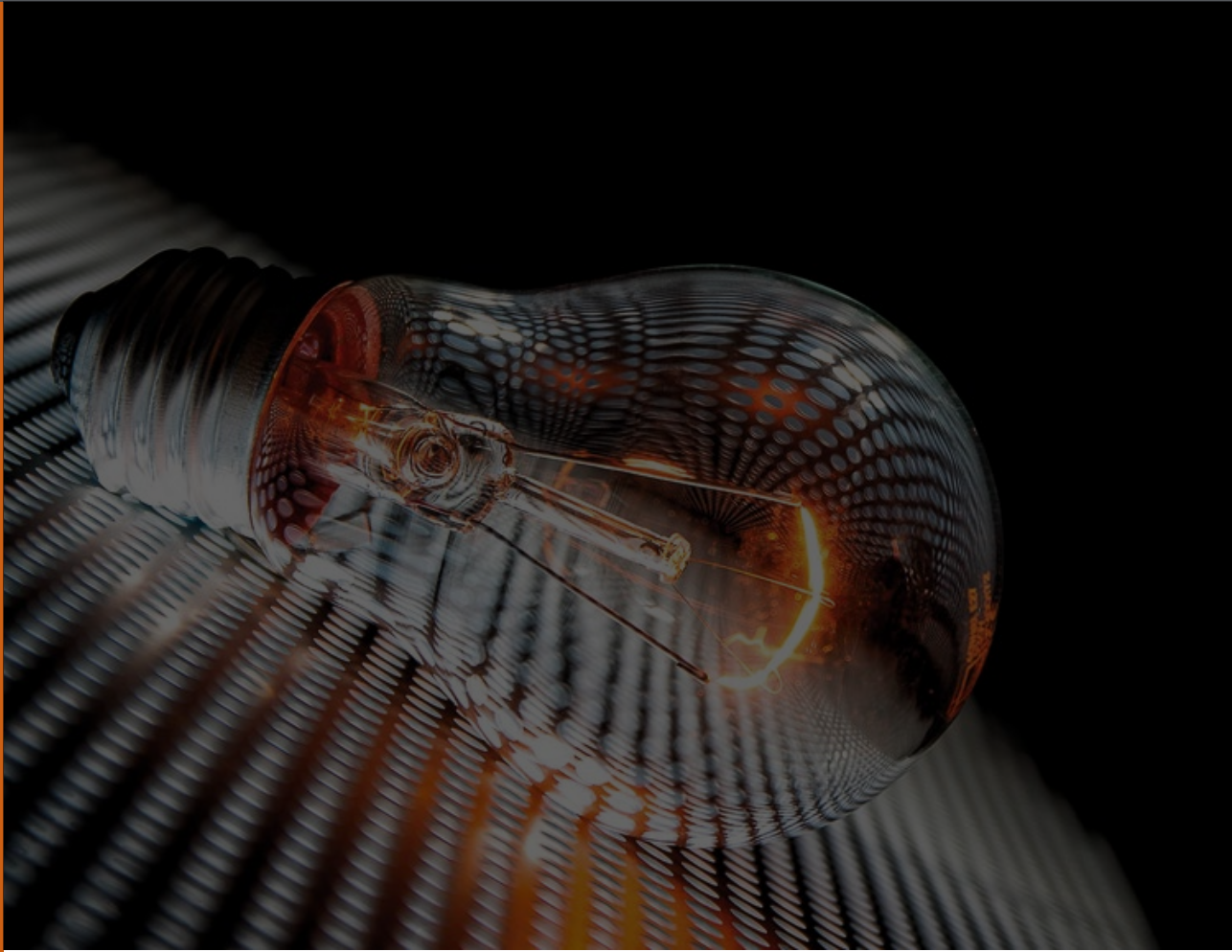


October 2024



KINSTELLAR

EU Legislation:

Implementation Status in
Kinstellar Jurisdictions



New development regarding NIS 2 Directive implementation in various Kinstellar jurisdictions

The EU's NIS2 Directive is a cybersecurity act aimed at improving overall cybersecurity in the EU. Member States must implement it by 17 October 2024. Here's an update from Kinstellar TMT teams in various jurisdictions:

STATUS

	<h3>Bulgaria</h3> <p>A draft Bill for Amendment and Supplement of the Cybersecurity Act, aiming to transpose the NIS2 Directive, was published for public consultation on 4 July 2024. The consultation attracted a variety of stakeholders and following an extensive amount of contributions, the draft has been submitted to the Bulgarian Parliament. The bill has not yet been put to a parliamentary vote</p>
	<h3>Croatia</h3> <p>Implementation of Directive NIS2 in Croatia has progressed significantly over the past year. The new Croatian Cybersecurity Act (OG No. 14/2024) came into force on 15 February 2024, expressly implementing NIS2 provisions.</p>
	<h3>Czech Republic</h3> <p>The NIS2 transposition deadline of 17 October 2024 will not be met and the Draft Cybersecurity Act will not come into force until next year, likely 1Q 2025. Revised version of the Act was submitted to the first chamber of Czech Parliament and is currently going through parliament committees.</p>
	<h3>Hungary</h3> <p>The NIS 2 regime has been implemented the detailed rules are under adoption or waiting to go into effect. A new Act on Cybersecurity Certification and Oversight has been adopted that both implements NIS 2 and the ENISA regulation (2019/881/EU). Decree 10/2023. (V. 15.) by the Supervisory Authority of Regulated Activities went into effect on 24 May 2024 and provides detailed rules. In the middle of the summer, both the competent regulatory authority and the Government adopted a decree on the detailed rules of the NIS 2 regime; Decree 7/2024. (VI. 24.) of the President of the Supervisory Authority of Controlled Activities sets up the registry of the auditors who are entitled to perform cybersecurity audits in Hungary and Decree 7/2024. (VI. 24.) of the Minister heading the Cabinet Office of the Prime Minister sets out the security classification of the NIS 2 implementation and certain defence measures. Further detailed rules are expected to be adopted by the Government Authority before 18 October 2024.</p>
	<h3>Romania</h3> <p>The NIS 2 Directive has not been transposed yet. However, on August 15, 2024, the National Cyber Security Directorate (DNSC) launched for public debate the draft bill on the transposition of Directive (EU) 2022/2555 of the European Parliament and of the Council of December 14, 2022 (NIS 2 Directive). We cannot estimate how long the process will take.</p>
	<h3>Slovakia</h3> <p>On 2 October 2024, the Slovak government has approved the amendment to the Slovak Cybersecurity Act implementing NIS 2 Directive with proposed date of effect set on 1 January 2025. The next step is the discussion at the parliamentary level.</p>



New development regarding Regulation on a Single Market For Digital Services (Digital Services Act) implementation in various Kinstellar jurisdictions

The Digital Services Act (DSA), outlined in Regulation (EU) 2022/2065, constitutes a legal framework within EU legislation aimed at contemporizing the provisions of the Electronic Commerce Directive 2000. It specifically addresses issues pertaining to illegal content, transparent advertising, and disinformation within the digital realm. Here's an update from Kinstellar TMT teams in various jurisdictions:

STATUS

	<h3>Bulgaria</h3> <p>A draft bill aiming to provide the national implementing measures under the Digital Services Act was published for public consultation on 15 December 2023. The term of the public consultation has expired, but the results are not published yet and the draft bill has not been submitted to the Parliament. To overcome the delay in the legislative process in June 2024 Bulgarian Council of Ministers officially designated the Communications Regulation Commission (the regulator in the field of electronic communications) as the Digital Services Coordinator. Following the designation, the Commission undertook its first administrative step - a call for submission of information by the providers of intermediary services. However, implementing legislation is not yet in place.</p>
	<h3>Croatia</h3> <p>Currently in the consultation phase to implement the DSA. Act is included in legislative plan of Croatian Parliament for 2024 but there are no indications of exact timing. In accordance with the Regulation, Croatian Government has passed the Decision on the appointed of the Digital Services Coordinator - Croatian Regulatory Authority for Network Industries.</p>
	<h3>Czech Republic</h3> <p>A draft of the new Digital Economy Act aiming to provide the national implementing measures under the Digital Services Act is currently in the legislative procedure. The draft Act is intended to replace the current Act on Certain Information Society Services and it revises the current legal framework for digital services. The draft Act now reached the Czech Parliament. Adoption is expected soon.</p>
	<h3>Hungary</h3> <p>A new act, called the Act on certain rules for internet intermediary services has been adopted to implement the DSA. The detailed rules will be set out in the decrees of the Hungarian media authority, called the National Media and Communications Authority. The Act will go into effect in stages until 19 October 2024 and also amends acts like the Copyright Act or the E-Commerce Act.</p>
	<h3>Romania</h3> <p>A new act, called Act No. 50/2024 on the establishment of measures for the implementation of Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a single market for digital services and amending Directive 2000/31/EC (Digital Services Regulation) and amending and supplementing Act No. 365/2002 on electronic commerce has been adopted to implement the DSA. The act was published in the Romanian Official Gazette on 19 March 2024 and entered into force on 22 March 2024.</p>
	<h3>Slovakia</h3> <p>The implementation of DSA to the Slovak law system is being realised by the Amendment to the Slovak Media Services Act. The amendment is in a state of negotiation with the submitter, which is the Ministry of Culture of the SR.</p>



The Representative Actions Directive (EU) 2020/1828 - implementation status in Kinstellar EU jurisdictions

The Representative Actions Directive (EU) 2020/1828 (the RAD) is an EU law that enables consumers to file collective legal actions against companies for violations of their rights, such as consumer protection and data privacy, allowing for a more effective and streamlined process for addressing common grievances. It enhances consumer protection and access to justice by facilitating collective legal actions. Here's an update from Kinstellar teams in various jurisdictions:

STATUS



Bulgaria

The RAD has not been implemented in Bulgaria. A new draft bill for the transposition of RAD was submitted to Parliament on 11 September 2024. The bill has not yet been put to a parliamentary vote. Bulgaria has pre-identified qualified entities for cross-border representative actions.



Croatia

RAD is implemented in Croatian legal system via Representative Actions for Protection of Collective Interests and Consumer Rights Act (Official Gazette no 59/23). The Act entered into force on 25 June 2023.



Czech Republic

In Czechia, the RAD transposition has been completed through the Act on Collective Civil Proceedings, which entered into force on 1 July 2024. The Act entered into force on 1 July 2024.



Hungary

RAD has been transposed into fifteen acts of law in Hungary, eight of which are acts that amend other acts of law. Among the amended acts is two major acts of law (the consumer protection Act and the code of stamp duty). Most of the main rules are transposed into Hungarian consumer protection act: Act CLV of 1997 on consumer protection. The full list of acts is available [here](#).



Romania

The RAD has been transposed in Romania through Act No. 414/2023 on the conduct of representative actions for the protection of the collective interests of consumers. The act was published in the Romanian Official Gazette on 20 December 2023 and entered into force on 23 December 2023.



Slovakia







The new Act on Actions for the Protection of the Collective Interests of Consumers and on Amendments and Additions to Certain Acts was adopted by the Slovak Parliament on 21 June 2023 and entered into force on 25 July 2023.







The General Product Safety Regulation (EU) 2023/988 – implementation status in Kinstellar EU jurisdictions

Regulation (EU) 2023/988, supersedes Directive 2001/95/EC with the objective of safeguarding consumer health and safety while promoting the effective operation of the internal market. Here's an update from Kinstellar teams in various jurisdictions:

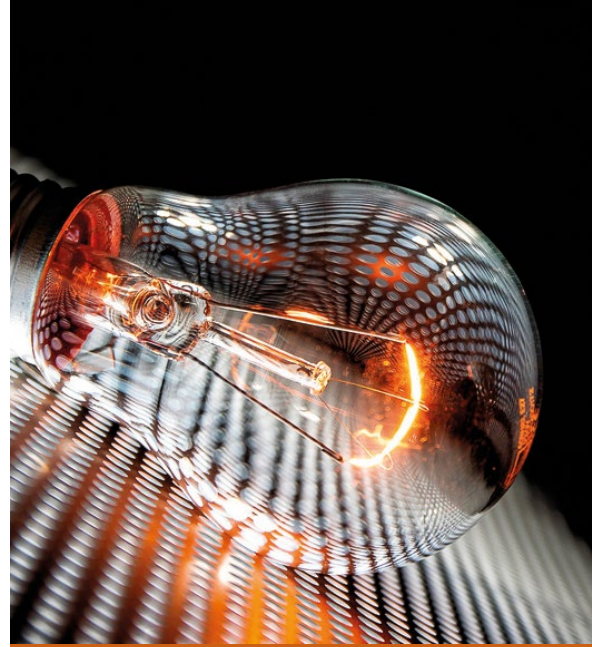
STATUS

	<h3>Bulgaria</h3> <p>A new draft bill aiming at the implementation of the General Product Safety Regulation was submitted to the Parliament on 11 September (the same draft bill will also transpose the Representative Actions Directive (EU) 2020/1828). As of this moment, the bill has not been yet put to a parliamentary vote.</p>
	<h3>Croatia</h3> <p>Legislation implementing a part of the Regulation (EU) 2023/988 has been passed on 14 March 2024 and will be directly applicable from 13 December 2024. There are no other legislative proposals at the moment in regard to the implementation of the rest of General Product Safety Regulation.</p>
	<h3>Czech Republic</h3> <p>No pending local legislative proposals at the moment in regard to the implementation of the General Product Safety Regulation in the Czech Republic.</p>
	<h3>Hungary</h3> <p>The Regulation will only be directly applicable from 13 December 2024. A legislative amendment to this effect has not yet been issued.</p>
	<h3>Romania</h3> <p>The Regulation will only be directly applicable from 13 December 2024. However, a draft bill on establishing measures for the application of Regulation (EU) 2023/988 of the European Parliament and of the Council on general product safety was published for public consultation on 3 July 2024. The term of the public consultation has expired, but the results are not published yet and the draft bill has not been submitted/put to voting at the Parliament.</p>
	<h3>Slovakia</h3> <p>The implementation is planned as an amendment to the Slovak Act on General Product Safety. Inter-ministerial comments are ongoing.</p>

-  implemented;
-  specific version of the draft act is already in place, not approved by the legislative body yet;
-  preliminary information - implementation in process / ongoing discussion; and
-  no information - the implementation not in process / no discussion taking place



For any further details or information, please contact us



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