**DRAFTING COMMITTEE MEETING**

**Microsoft Teams**

**8th November from 14:00 to 17:00**

**Minutes**

* Meeting was opened by the Chairperson and Co-chairperson.
* Votes were taken regarding participation of additional ACER Committee member to the Drafting Committee. The unanimous vote has been achieved and the participation has been approved.
* The co-chairperson presented the amended Terms of Reference where the “vice-chairperson” position has been replaced by “co-chairperson”.
* A vote was taken regarding the amendment of the Terms of Reference and with a unanimous vote, the Terms of Reference have been approved.
* Co-chairperson presented the recap and the work done so far stressing the attention to the short deadline for delivering the Network Code on Cybersecurity to ACER and informed the group about upcoming Workshops in the framework of the Public Consultation on Cybersecurity taking place on 19th November and 8th December 2021.
* Co-chairperson informed about the start of the Public Consultation on 12th November 2021.
* The General Chapter work was recapped by explaining the work done so far. Different chapters have been aligned into a legal text to be sent out for the Public Consultation. The emphasis of the work was put on aligning the phrasing with the existing legislation and whether the same terminology is employed. The continuous work on the governance structure together with the EC and ACER is ongoing. For the current regulatory oversight approach the already existing network codes and guidelines which was requested by some of the stakeholders.
* The question by SmartEN was raised in regards of the short timing which leads to the concern that regulatory gap will not be performed due to the short time.
* Certification sub-group presented the cybersecurity requirements and relevant aspects in their chapters. SmartEn raised a question whether these requirements will be the final ones to which the sub-group answered positively. ACER enquired Certification sub-group to include the possibility to revise the requirements regularly.
* Cross Border Cyber Risk Management and Functional Requirements sub-group discussed the work to be performed by the cybersecurity working group that will be established after the Network Code on Cybersecurity comes into force and information sharing issue in regards of the bottom-up approach.
* Information Sharing sub-group presented and explained more on the exercises expected to be performed by the critical impact entities.
* The European Commission emphasized that legal questions need to be clarified with the Drafting Team, especially when it comes to third country legislation.
* ENISA mentioned the need to assess what the NCCS will bring in terms of the workload and resources.
* ACER emphasized the governance issue and if no alignment is found, the European Commission should consider extending the timeline. SmartEN agreed with ACER and mentioned that the regulatory oversight is a very important topic and some NCCS deadlines are not realistic and need to be reconsidered.
* At the end of the meeting it was agreed to share the meeting invitation and call details for the Public Consultation workshop on 19th November 2021.