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ANNEX

ANNEX

to the

**PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF
THE COUNCIL**

**amending Directive (EU) 2022/2555 as regards simplification measures and alignment
with the [Proposal for the Cybersecurity Act 2]**

ANNEX

AMENDMENTS TO ANNEXES I AND II TO DIRECTIVE (EU) 2022/2555

1. Annex I is amended as follows:

- (a) in point 1(a), the fourth indent in the third column is replaced by the following:
- ‘—Producers as defined in Article 2, point (38), of Directive (EU) 2019/944 of the European Parliament and of the Council*, excluding producers whose total generation capacity does not exceed 1 MW

*Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125, ELI: <http://data.europa.eu/eli/dir/2019/944/oj>).’;

- (b) in point 1(e), the text in the third column is replaced by the following:
- ‘— Hydrogen undertakings as defined in Article 2, point (14) of Directive (EU) 2024/1788 of the European Parliament and of the Council** which carry out the function of ‘production’ for commercial purposes;
- Hydrogen storage operators as defined in Article 2, point (6) of Directive (EU) 2024/1788
- Hydrogen transmission network operators as defined in Article 2, point (26) of Directive (EU) 2024/1788’

** Directive (EU) 2024/1788 of the European Parliament and of the Council of 13 June 2024 on common rules for the internal markets for renewable gas, natural gas and hydrogen, amending Directive (EU) 2023/1791 and repealing Directive 2009/73/EC (OJ L, 2024/1788, 15.7.2024, ELI: <http://data.europa.eu/eli/dir/2024/1788/oj>);

- (c) in point 2(d), the second indent in the third column is replaced by the following:
- ‘— Intelligent Transport Systems service providers as defined in Article 4, point (5) of Directive 2010/40/EU of the European Parliament and of the Council***

*** 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, ELI: <http://data.europa.eu/eli/dir/2010/40/oj>).’;

- (d) in point 5, the first indent in the third column is replaced by the following:
- ‘— Healthcare providers as defined in Article 3, point (g), of Directive 2011/24/EU of the European Parliament and of the Council****, excluding providers of services to which Directive 2011/24/EU does not apply pursuant to its Article 1(3), point (a)’

****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, ELI: <http://data.europa.eu/eli/dir/2011/24/oj>).;

(e) in point 8, the third column, the following indents are added:

‘— Providers of European Digital Identity Wallets pursuant to Article 5a(2) of Regulation (EU) No 910/2014

— Providers of European Business Wallets pursuant to Regulation (EU) [...] [OJ to insert reference to the Regulation of the European Parliament and of the Council establishing the European Business Wallets]

— Operators of submarine data transmission infrastructure where they are not covered as another type of entity’;

2. in Annex II, point 3 is amended as follows:

(a) the text in the first column is replaced by the following:

‘3. Manufacture and production of chemicals’;

(b) the text in the third column is replaced by the following:

‘— Undertakings carrying out the manufacture of substances, as referred to in Article 3, point (9), of Regulation (EC) No 1907/2006 of the European Parliament and of the Council****, where the undertaking is subject to the general obligation to register substances on their own or in mixtures pursuant to Article 6 of Regulation (EC) No 1907/2006

— Undertakings carrying out the production of articles, as defined in Article 3, point (3) of Regulation (EC) No 1907/2006, from substances or mixtures, where the undertaking is subject to the obligation to notify substances in articles pursuant to Article 7(2) of Regulation (EC) No 1907/2006’

***** Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1, ELI: <http://data.europa.eu/eli/reg/2006/1907/oj>).’