Briefing paper

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NIS2 Directive: EU vs. Denmark — Key differences that matter

Discover how Denmark's NIS2 implementation differs from the EU framework — and why these differences matter for your organizations compliance strategy.

Introduction

The NIS2 Directive was created to enhance cybersecurity across the EU. While it provides a common baseline, member states have flexibility in how they implement it. As a result, there are important differences in scope, requirements, and enforcement.

In Denmark, NIS2 has been transposed into national law through Bill L141 (*the Danish NIS2 Act*), entering into force on 1 July 2025, with registration deadlines for covered entities by 1 October 2025. These differences can significantly affect your compliance strategy, risk management, and operational planning.

1. Jurisdiction and scope

EU: Applies to essential and important entities in sectors such as energy, healthcare, transport, and finance.

Denmark: Expands scope to include DNS providers, cloud services, data centres, online marketplaces, and social networks with headquarters in Denmark. Certain entities, such as specific financial institutions, law enforcement, and national security, are exempt.

2. Security requirements

EU: Sets minimum cybersecurity standards but leaves details to national authorities.

Denmark: Imposes stricter obligations, including risk management, supply chain security, backup management, and personnel security. Certified ICT products and services must be used where applicable.

3. Incident reporting

EU: Requires timely reporting but does not fix exact deadlines.

Denmark: Establishes clear timelines — initial reporting within 24 hours, an update within 72 hours, and a final report within one month — under a central coordinating authority.

4. Sanctions and enforcement

EU: Allows fines and penalties but leaves amounts and enforcement to member states.

Denmark: Introduces higher fines, increased audits, and stronger enforcement mechanisms. Non-compliance may lead to penalties of up to DKK 10 million or 2% of global turnover, in line with EU ceilings.

Conclusion

Denmark's implementation of NIS2 is among the stricter in Europe. For organizations operating in Denmark, this means:

- Broader inclusion under the directive.
- More detailed technical and organizational requirements.
- Faster and more structured incident reporting.
- Stronger enforcement and higher penalties.

It is therefore essential to understand not only the EU framework but also Denmark's specific obligations when designing your compliance strategy.

Sources

Directive (EU) 2022/2555 (NIS2 Directive), EUR-Lex

Danish Parliament, Bill L141 — NIS2-loven, 2024

European Commission, NIS2 overview (2023)

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