

New Critical Infrastructure Act – Major Changes for Essential Service Providers

On 19 August 2025, Act No. 266/2025 Coll., on the Resilience of Critical Infrastructure Entities and on Amendments to Related Acts (the Critical Infrastructure Act), entered into force, replacing the existing regulation of critical infrastructure under the Crisis Management Act and transposes Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC (i.e. the CER Directive).

The Act establishes a comprehensive framework to strengthen the security and resilience of the state, the economy and the population against modern threats.

Why this Act matters

The new Critical Infrastructure Act:

- expands the range of monitored sectors and subsectors,
- abandons the model focused only on physical facilities – the central element is now the essential service provided,
- introduces specific obligations and penalties for non-compliance.

Essential Service Provider

An essential service provider is anyone **who delivers a service essential for the functioning of the state, the economy, security, or public health in one of the defined sectors and subsectors** (e.g. energy, transport, banking, healthcare, digital infrastructure, public administration, food production and distribution, etc.) and **who also meets the significance criteria set by government regulation**.

Main obligations of essential service providers:

- within 3 months of starting the service, **provide the authorities with information on the service, compliance with significance criteria, and critical infrastructure** in the Czech Republic as well as in other EU Member States,
- continuously **report changes** that may affect the classification of the service or its provision.

After fulfilling this reporting obligation, the provider may subsequently be designated as a critical infrastructure entity.

Critical Infrastructure Entity

A critical infrastructure entity is an **essential service provider whose inclusion on the list of critical infrastructure entities is decided by the Ministry of the Interior, based on a proposal from another state authority or the Czech National Bank.** The list of entities is not public.

Main obligations of critical infrastructure entities:

- **risk assessment** within 9 months of being listed,
- **resilience plan within 10 months** of being listed, to be updated at least every 4 years,
- appointment of a **critical infrastructure manager** and ensuring conditions for their work,
- identification of **critical suppliers** and submission of their details,
- **reliability checks for certain employees** (criminal record, sensitive activities),
- **incident reporting and communication** via the critical infrastructure portal,
- **participation in** resilience testing **exercises.**

Sanctions for the breach of obligations of a critical infrastructure entity:

- up to CZK 25 million or 0.3 % of annual turnover,
- for repeated breaches, up to CZK 50 million or 1.5 % of turnover.

European Critical Infrastructure Entity

If an essential service provider operates in more than 6 EU Member States and is designated as such by the European Commission, it becomes a **European critical infrastructure entity.** This status entails additional obligations – e.g. providing risk assessments to the European Commission, granting its advisory missions access to information, and implementing corrective measures.

Key Deadlines

- **Entry into force:** 19 August 2025
- **Deadline for fulfilling the reporting obligation:** 1 March 2026

How to prepare

- Conduct an **internal audit** of the services you provide and compare them with the defined sectors.
- Verify whether you meet the **significance criteria.**
- Comply with the Act and consult with advisors about the next steps.

You can read more in our [article](#).



Mgr. Jakub Málek
managing partner
malek@plegal.cz



Mgr. Nikola Tomíčková
junior lawyer
tomickova@plegal.cz



Mgr. Ondřej Růžicka
attorney
ruzicka@plegal.cz