



Norwegian  
Communications  
Authority

# The new data centre regulation

- **obligation to register and to ensure an appropriate level of security**

# Data centres – part of Norway’s digital foundation

Data centres are a key component of the digital foundation. This is reflected in several recent policy documents:

- Norwegian data centres – sustainable, digital powerhouses (the data centre strategy from 2021)
- Report from the telecom security committee
- The Digital Norway of the Future - National Digitalisation Strategy 2024–2030 – the Government will
  - Work to ensure that Norway is an attractive place for the data centre establishments that contribute to value creation
  - Present a new data centre strategy



# The Electronic Communications Act

- Entry into force 1<sup>st</sup> January 2025
- Implements the European Electronic Communications Code ((EU) 2018/1972)
- First time that data centres have been regulated in this legislation
- The purpose of the new law includes ensuring an appropriate level of security in data centres



# Data centre and data centre services

Defined in § 1-5 nr. 36 and 37

## **Data center:**

A facility, part of a facility, or a group of facilities used to house, connect, and operate IT and network equipment for data storage, data processing, or data transmission, and related activities.

## **Data center service:**

A service that facilitates the housing, connection, and operation of IT and network equipment for data storage, data processing, and data transmission. The service also includes physical security, power, and cooling, and may include other related services.



# Data centre operator

Defined in § 1-5 nr. 38:

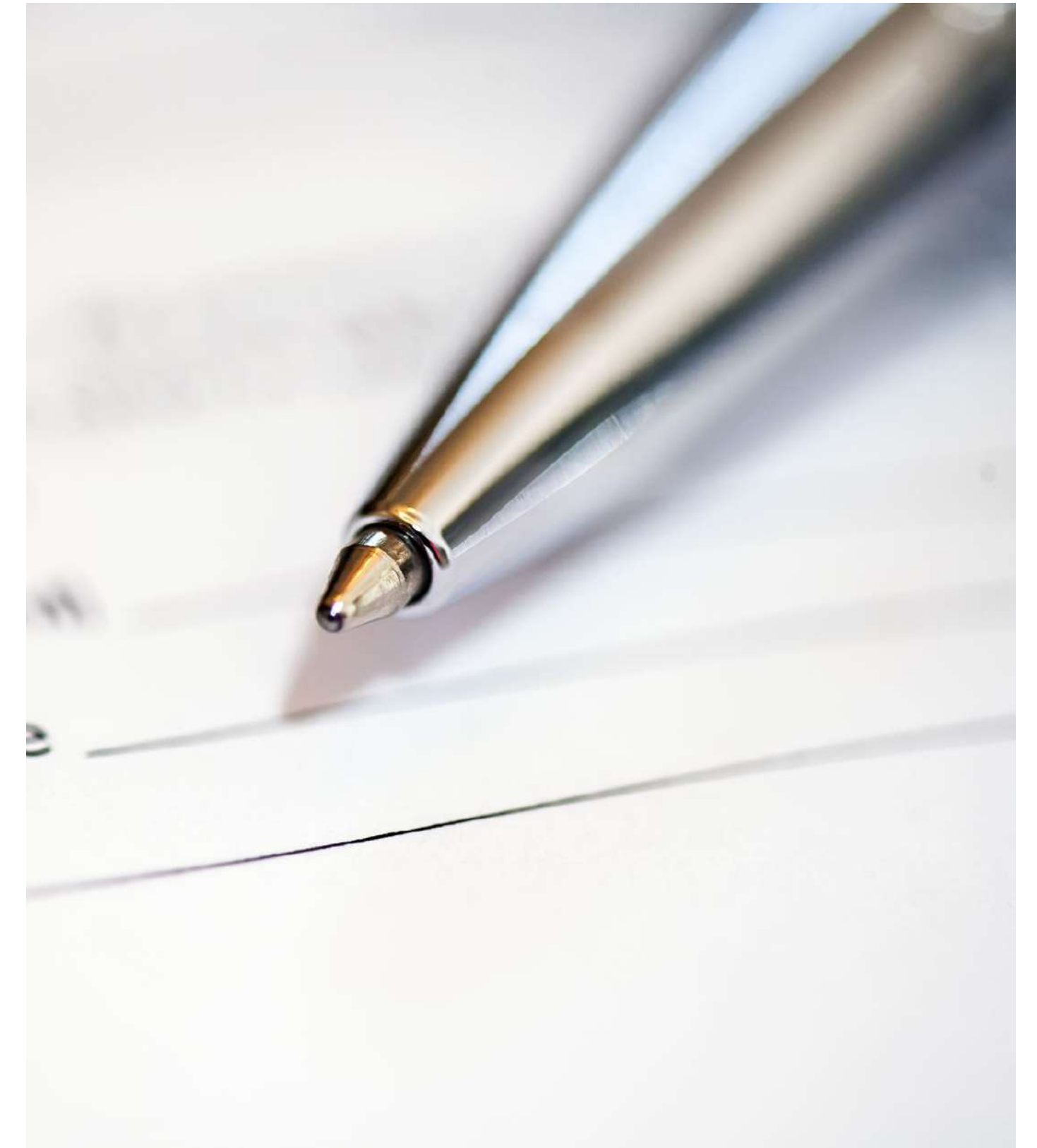
A physical or legal person who

- a. Offers others access to data center services for remuneration, *or*
- b. Operates a data center with a subscribed electrical capacity above 0,5 MW (includes internal company data centers, except for the defense sector, the police, and the Police Security Service)



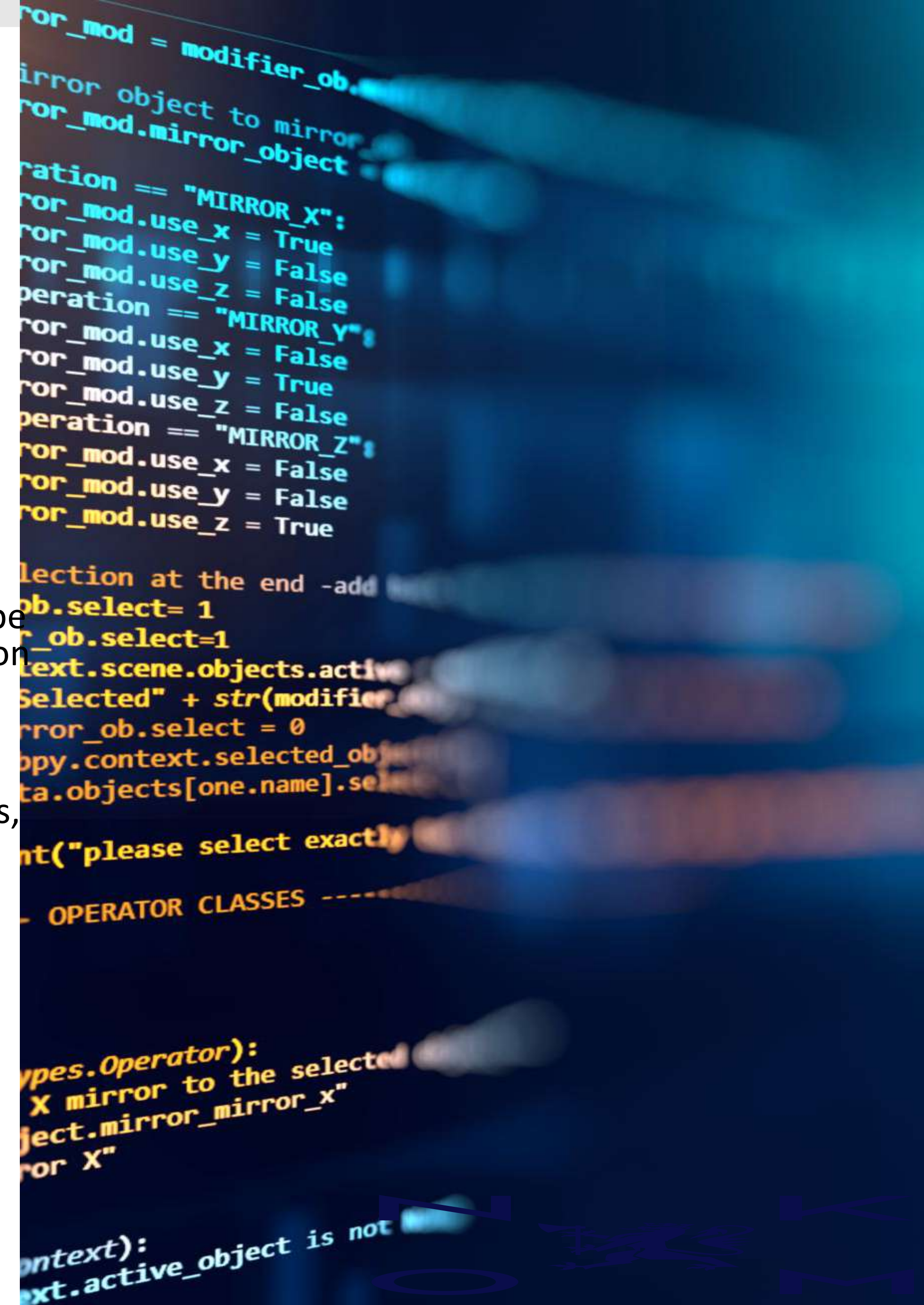
# Duty to register

- Registration required prior to start-up (not an approval scheme)
- Transitional provision – all existing operators need to register by 1<sup>st</sup> July 2025
- Registration through Nkoms website



# Information to be registered

- Name of the data centre operator
- Norwegian organization number (or the legal status, form, and registration number of the data centre operator if registered in a trade register or similar public register in the EEA)
- Address, web address and physical location of the data centres
- Contact information to a representative of the data centre operator (able to be physically present and with necessary authority and knowledge to follow up on inquiries from authorities)
- Description of the services offered
- Information about Norwegian state, county, and municipal authorities, bodies, and entities that are customers of the data centre operator
- An estimate of the percentage of power consumption to be used for cryptocurrency mining
- Information on the subscribed electrical capacity
- Expected start of operations



# The main legal provisions of the law

- The main elements set out in § 3-7 of the Electronic Communications Act
- Operators shall (among other)
  - offer and maintain data centre services with an appropriate level of security for the users in peacetime, crises and war
  - maintain appropriate level of preparedness
  - entities important to the community shall be prioritised when necessary
  - systematically follow up security and preparedness and document an appropriate level of security
- Datacentre operators may also require police certificate for certain personnel according to § 3-9





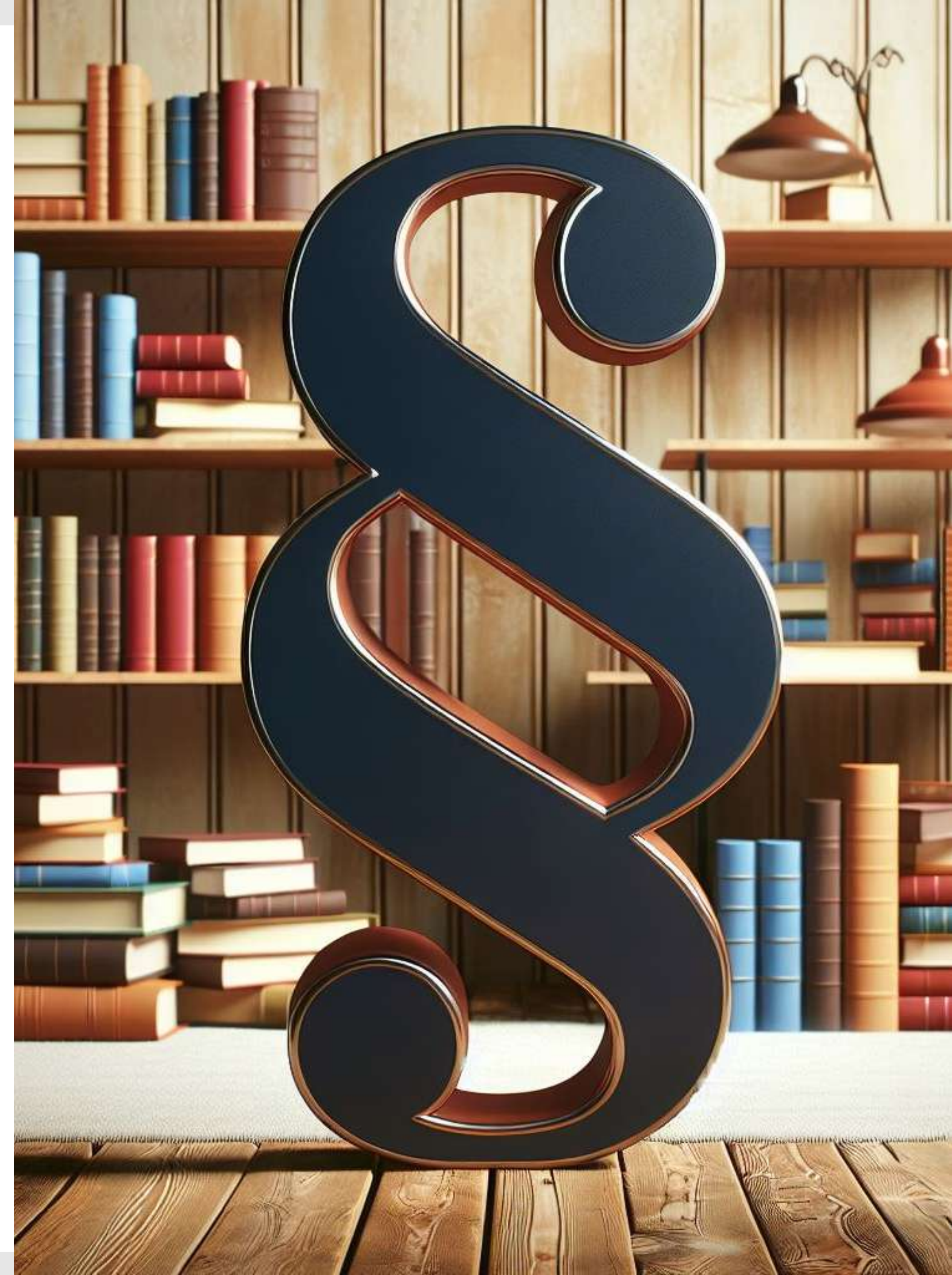
# The main legal provisions of the regulation

- Security management
- Risk assessment
- Basic security measures and damage limitations measures
- Plans to secure information, information systems and management systems
- Preparedness and exercises
- Security audit
- Supply chain security
- Duty to give notice in case of incidents
- National autonomy
- Prioritisation of services



# Supervision and enforcement

- Nkom is supervisory authority
- Nkom has competence to
  - Carry out supervision, including on-site inspections
  - Request necessary information
  - Adopt binding instructions and impose coercive fines and fines



# Guidance and information

- More information can be found at [nkom.no](http://nkom.no)
- More guidance will be made available continuously

