



Critical Infrastructure Asset Class Definition Guidance

The following document provides guidance on critical infrastructure asset classes. Definitive definitions of each class of critical infrastructure asset are provided in the [Security of Critical Infrastructure Act 2018](#) and the associated [legislative instruments](#). Please also refer to these instruments when determining whether a critical infrastructure asset applies to you or your organisation.

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01

Asset Definition Guidance for Broadcasting

Are my asset(s) **critical broadcasting asset(s)**?

My asset(s) are located in Australia

My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))

My asset(s) are [broadcasting transmission asset\(s\)](#) i.e.

- Radiocommunications transmitters
 - Broadcasting transmission towers OR
 - Associated transmission facilities
- Used or capable of being used in connection with the transmission of a:
- National broadcasting service
 - Commercial radio broadcasting service OR
 - Commercial television broadcasting service

A tower, pole, mast or similar structure used to supply a broadcasting service by means of radiocommunications using the broadcasting services bands or a datacasting service provider under and in accordance with the conditions of a datacasting licence ([Schedule 4 of the Broadcasting Services Act 1992](#)).

Defined in the *Broadcasting Services Act 1992*, [sections 6](#) and [13](#).

My broadcasting transmission asset(s) are owned or operated by the same **entity** and located on a **critical transmission site**

There are no critical transmission sites for these purposes at current.

OR

My broadcasting transmission asset(s) are owned or operated by the same **entity** and located on at least 50 different sites and not **broadcasting re-transmission sites**

Radiocommunications transmitter, broadcasting transmission tower or associated transmission facility used in connection with the transmission of a service that does no more than re-transmit programs transmitted by a broadcasting service, which are exempt from the regulatory regime established by the Broadcasting Service Act 1992 (see s 212).

OR

My broadcasting transmission asset(s) are owned or operated by an **entity** that has been prescribed as critical to the transmission of a broadcasting service – includes TX Australia Pty Ltd

If YES, your asset(s) are critical broadcasting asset(s) located in the Communications Sector.

01

Asset Definition Guidance for Broadcasting (cont.)

Am I a **reporting entity** for critical broadcasting asset(s)?

I am the entity referred to in the applicable asset definition.

I, together with any associates, hold an interest of **at least 10%** in the asset, including any joint interests.

I hold an interest in a critical broadcasting asset such that I am in a position to **directly or indirectly control** the asset.

E.g. Company A owns broadcasting transmission towers on at least 50 sites around Australia. Even if other companies are using them for broadcasting, Company A would be the responsible entity for the asset.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder

If YES, you are a **responsible entity** for critical broadcasting asset(s).

If YES, to either of these, you are a **direct interest holder** for critical broadcasting asset(s).

If NO, you are not a **reporting entity** for critical broadcasting asset(s).

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program*	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓	✓	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗

*Proposed Telecommunications Security and Risk Management Program.



02

Asset Definition Guidance for Domain Name Systems

Are my asset(s) **critical domain name systems asset(s)**?

My asset(s) are located in Australia



My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))



My asset(s) are managed by an **entity** that is critical to the administration of an Australian domain name system

.au Domain Administration Ltd is critical to the administration of an Australian domain name system

an entity that administers the **.au ccTLD system** (the system used in providing the '.au' country code Top Level Domain (ccTLD) internet service) is critical to the administration of an Australian domain name system



My asset(s) are used in connection with the administration of an Australian domain name system



My asset(s) are critical to the administration of an Australian domain name system

The following assets within the **.au ccTLD system** are critical to the administration of an Australian domain name system:

- registry database;
- public WHOIS service;
- '.au' top level authoritative DNS name servers
- the following second level authoritative DNS name servers:
 - .com.au • .id.au • .asn.au
 - .net.au • .edu.au • .gov.au
 - .org.au



A **WHOIS service** (<https://whois.auda.org.au/>) means a service or tool that provides domain information, including (any of) the following:

- domain registrar;
- registrar contact information;
- domain name status;
- DNS name servers;
- IP addresses of DNS name servers;
- technical contact information;
- DNSSEC information;
- registrant information;
- registrant contact information.



If YES, your asset(s) are critical domain name systems, within the Communications Sector.

02

Asset Definition Guidance for Domain Name Systems (cont.)

Am I a **reporting entity** for critical domain name systems asset(s)?

I am the entity referred to in the applicable asset definition.

I, together with any associates, hold an interest of **at least 10%** in the asset, including any joint interests.

I hold an interest in a critical domain name systems (DNS) asset such that I am in a position to **directly or indirectly control** the asset.

Currently only **.au Domain Administration Ltd** is listed in the applicable asset definition.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder.

If YES, you are a **responsible entity** for a critical domain name systems.

If YES, to either of these, you are a **direct interest holder** for a critical domain name systems.

If NO, you are not a **reporting entity** for critical domain name systems.

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program*	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓	✓	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗

*Proposed application



03

Asset Definition Guidance for Telecommunications

Are my asset(s) **critical telecommunications asset(s)**?

My asset(s) are:

- located in Australia; or
- include a satellite-based facility that is included in the Register of Space Objects kept under section 86 of the *Space (Launches and Returns) Act 2018*; or
- a submarine cable in *Australian waters* (as defined by section 2 of Schedule 3A to the Telecommunications Act).

My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))

My asset(s) are a **telecommunications network**

Telecommunications network means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided and/or unguided electromagnetic energy.

OR

My asset(s) are any other asset used in connection with the supply of a *carriage service*.

Carriage service means a service for carrying communications by means of guided and/or unguided electromagnetic energy.

My asset(s) are owned or operated by a **carrier** or a **carriage service provider**

Carriage service provider is a person who supplies or proposes to supply a listed carriage service to the public using a network unit owned by one or more carriers, or a network unit in relation to which a nominated carrier declaration is in force (s87 *Telecommunications Act 1997*).

Carrier means the holder of a carrier licence i.e. a licence granted under s56 of the *Telecommunications Act 1997*.

My asset(s) are used to supply a **carriage service**

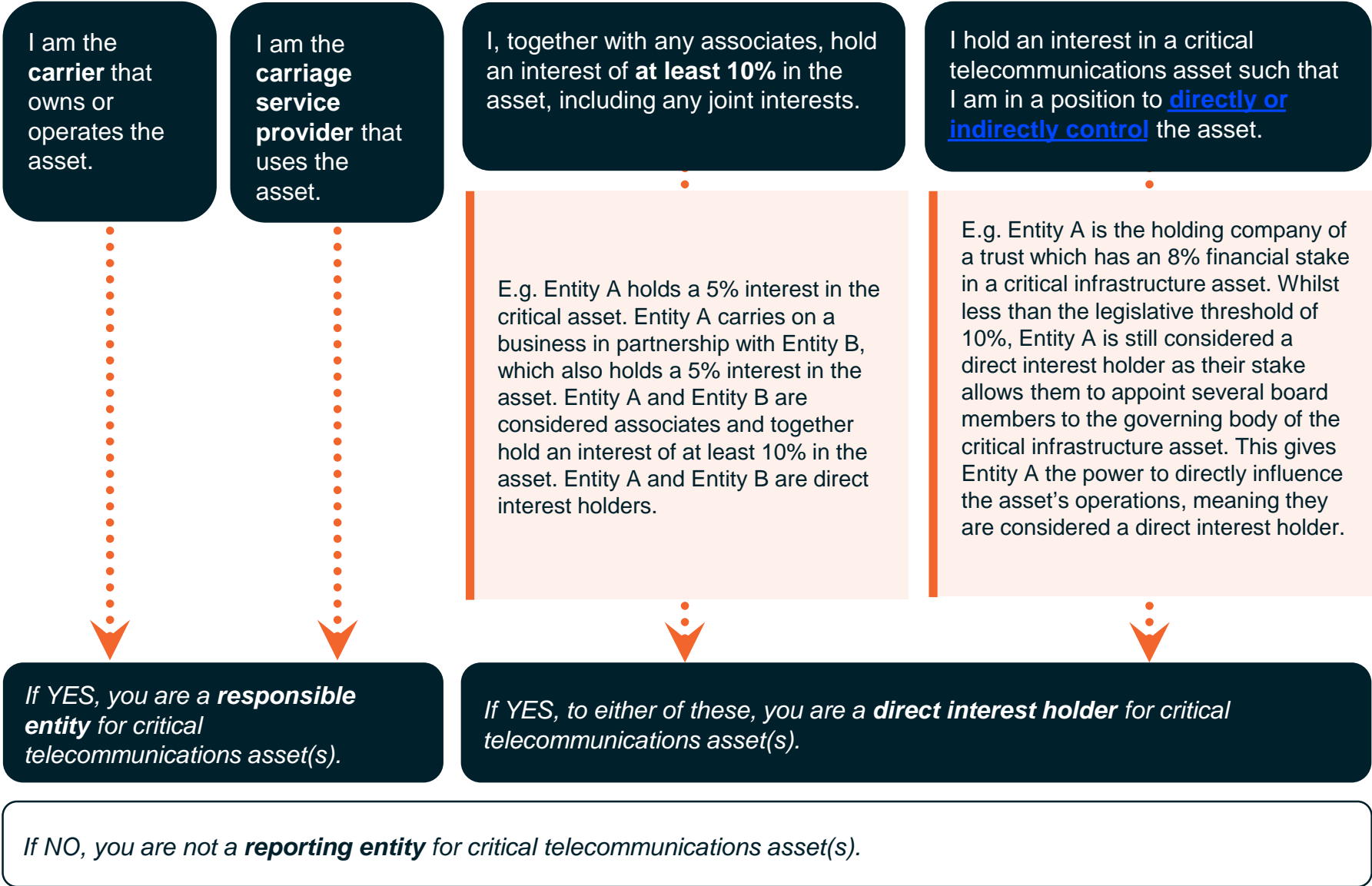
Carriage service means a service for carrying communications by means of guided and/or unguided electromagnetic energy.

If YES, your asset(s) are critical telecommunications asset(s) located in the Communications Sector.

03

Asset Definition Guidance for Telecommunications (cont.)

Am I a **reporting entity** for critical telecommunications asset(s)?





04

Asset Definition Guidance for Data Storage or Processing

Are my asset(s) **critical data storage or processing asset(s)**?

My asset(s) are located in Australia



My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))



My asset(s) are owned or operated by an entity that is a **data storage or processing provider**

A **data storage or processing provider** is an entity that provides a data storage or processing service

A **data storage or processing service** is a service that enables end-users to store or back-up data provided on a commercial basis, OR that involves the use of one or more computers provided on a commercial basis



Examples of these services include:

- Software-as-a-service (SaaS)
- Infrastructure-as-a-service (IaaS)
- Platform-as-a-service (PaaS)

The asset(s) is used wholly or primarily to provide a data storage or processing service that relates to **business critical data** AND is provided by the entity to an end-user that is either:

Business critical data is:

- [Personal information](#) related to at least 20,000 individuals
- Information related to R&D regarding a CI asset
- Information related to any systems needed to operate a CI asset
- Information needed to operate a CI asset OR
- Information relating to risk management and business continuity (however described) of a CI asset



The Commonwealth, a State or a Territory, or a body corporate established by a law of the Commonwealth, a State or a Territory

OR

The [responsible entity](#) for a [critical infrastructure asset](#)

See guidance for other asset classes [here](#).



My organisation **knows** that its asset(s) is being used in this way



If YES, and your asset does NOT fall under the definition of any other critical infrastructure asset, your asset(s) are critical data storage or processing asset(s), within the Data Storage or Processing Sector.

04

Asset Definition Guidance for Data Storage or Processing (cont.)

Am I a **reporting entity** for critical data storage or processing asset(s)?

I am the entity referred to in the applicable asset definition.

I, together with any associates, hold an interest of **at least 10%** in the asset, including any joint interests.

I hold an interest in a critical data asset such that I am in a position to **directly or indirectly control** the asset.

E.g. Company A owns a data centre that provides data management services for highly classified Government cloud workloads. Company A would be the responsible entity for the data centre which is a critical data storage and processing asset.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder

If YES, you are a **responsible entity** for critical data storage or processing asset(s).

If YES, to either of these, you are a **direct interest holder** for critical data storage or processing asset(s).

If NO, you are not a **reporting entity** for critical data storage or processing asset(s).

What are my **obligations under the Act**?

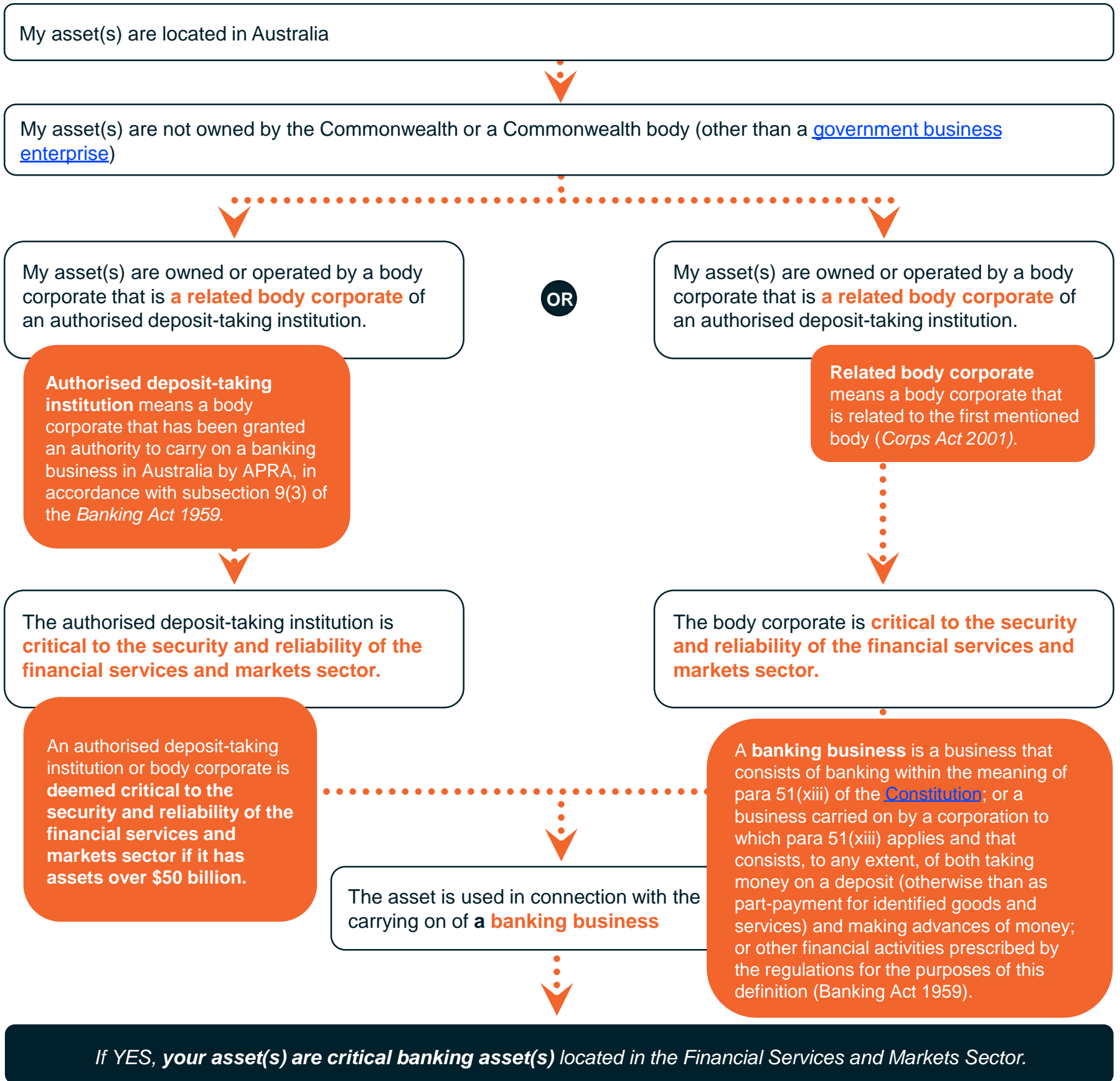
Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓	✓	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗



05

Asset Definition Guidance for Banking

Are my asset(s) **critical banking asset(s)**?



05

Asset Definition Guidance for Banking (cont.)

Am I a **reporting entity** for critical banking asset(s)?

I am the **authorised deposit-taking institution** or the **body corporate** mentioned above?

E.g. For an Australian Bank that has assets over \$50 billion, its asset(s) that are used in connection to its banking business would be the critical banking assets, and the Australian Bank would be the responsible entity.

If YES, you are a **responsible entity** for critical banking asset(s).

I, together with any associates, hold an interest of **at least 10%** in the asset, including any joint interests.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

If YES, to either of these, you are a **direct interest holder** for critical banking asset(s).

I hold an interest in a critical freight infrastructure asset such that I am in a position to **directly or indirectly control** the asset.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder.

If NO, you are not a **reporting entity** for critical banking asset(s).

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✗	✗	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✗	✗	✗	✗	✗



06

Asset Definition Guidance for Financial Market Infrastructure

Are my asset(s) **critical financial market infrastructure asset(s)**?

My asset(s) are located in Australia

My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))

My asset(s) are owned or operated by an Australian **body corporate** that holds an Australian market licence **OR** owned or operated by an **associated entity** of an Australian body corporate that holds an Australian market licence.

OR

My asset(s) are owned or operated by an Australian **body corporate** that holds an Australian **CS facility licence** **OR** owned or operated by an associated entity of an Australian **body corporate** that holds an Australian CS facility licence.

OR

My asset(s) are owned or operated by an Australian **body corporate** that holds a **benchmark administrator licence** **OR** owned or operated by an **associated entity** of an Australian body corporate that holds a benchmark administrator licence.

OR

My asset(s) are owned or operated by an Australian **body corporate** that holds an **Australian derivative trade repository licence** **OR** owned or operated by an **associated entity** of an Australian body corporate that holds an Australian derivative trade repository licence.

OR

My asset(s) are used in connection with the operation of a **payment system** that is critical to the security and reliability of the financial services and markets sector.

A clearing and settlement (CS) facility is a facility that clears and settles transactions in financial products.

All licences listed have the same meaning as in [Chapter Z](#) of the *Corporations Act 2001*. Further information on each of the four named financial licences can be found on the [ASIC website](#).

This currently includes **Mastercard, Visa, EFTPOS** and the **New Payments Platform**. See [s10\(5\) of the Rules](#).

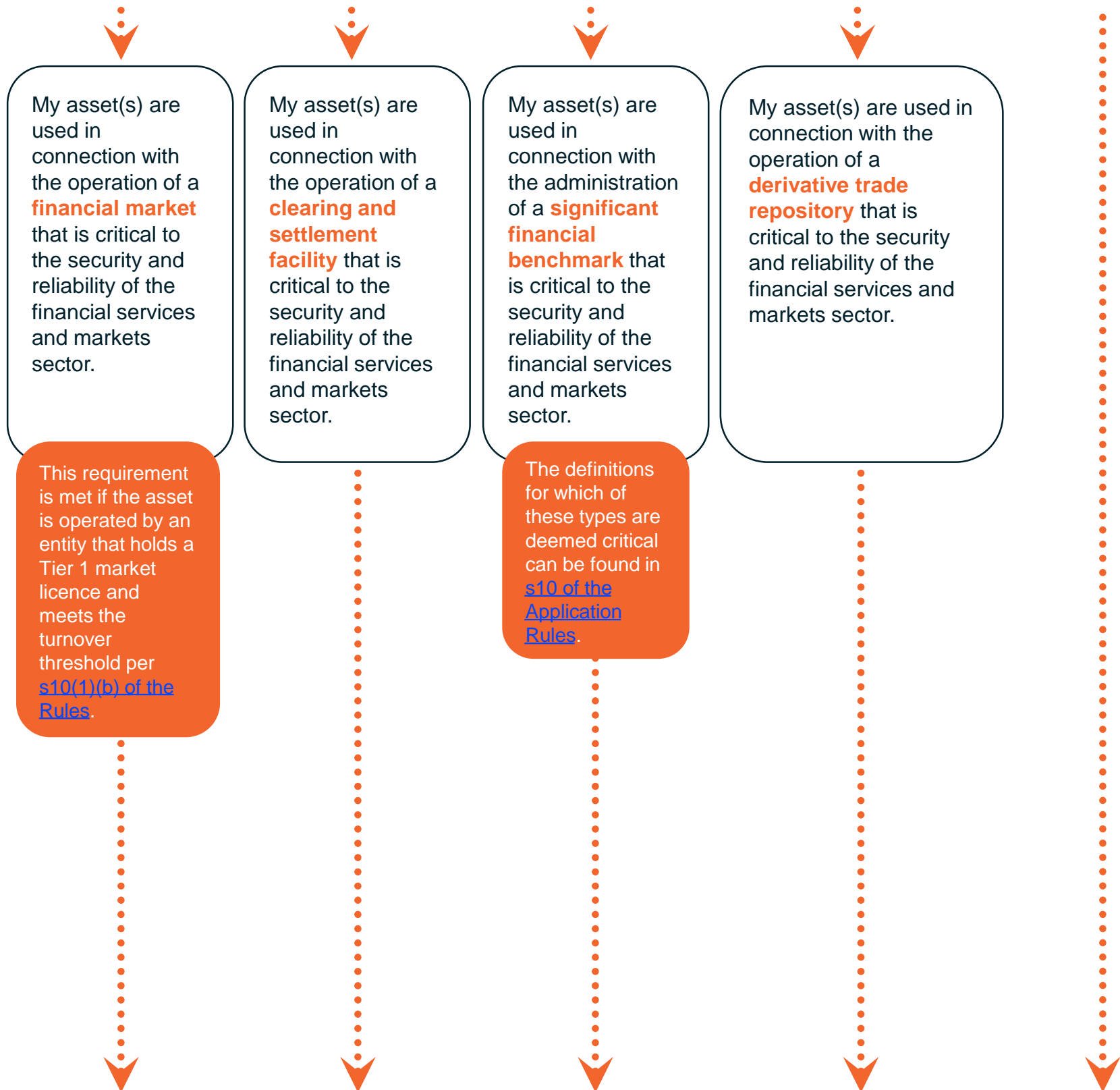
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06

Asset Definition Guidance for Financial Market Infrastructure (cont.)

Are my asset(s) **critical financial market infrastructure asset(s)**?



If YES, to any of these, your asset(s) are critical financial market infrastructure asset(s) located in the Financial Services and Markets Sector.

Continue next page

06

Asset Definition Guidance for Financial Market Infrastructure (cont.)

Am I a **reporting entity** for critical financial market infrastructure asset(s)?

I am a **body corporate** or **associated entity** as described above.

I, together with any associates, hold an interest of **at least 10%** in the asset, including any joint interests.

I hold an interest in a critical financial market infrastructure asset such that I am in a position to **directly or indirectly control** the asset.

An entity is an associated entity if it fulfils a recognised corporate relationship. This include subsidiaries, holding companies, principals etc.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder.

If YES, you are a **responsible entity** for critical financial market infrastructure asset(s).

If YES, to either of these, you are a **direct interest holder** for critical financial market infrastructure asset(s).

If NO, you are not a **reporting entity** for critical financial market infrastructure asset(s).

Payment Systems: What are my **obligations under the Act**?

**Proposed application*

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program*	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓	✓	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗

Other Critical Financial Market Infrastructure: What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program*	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✗	✓	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✗	✗	✗	✗	✗



07

Asset Definition Guidance for Insurance

Are my asset(s) **critical insurance asset(s)**?

My asset(s) are located in Australia

My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))

My asset(s) are owned or operated by an **entity** that carries on an **insurance business**, OR owned or operated by a body corporate that is a **related body corporate** of an entity that carries on insurance business

Where a body corporate is a holding company, a subsidiary, or a subsidiary of a holding company of another body corporate, the first mentioned body and the other body are **related** to each other (s50 *Corps Act 2001*).

Insurance business means the business of undertaking liability, by way of insurance (including reinsurance), in respect of any loss or damage, including liability to pay damages or compensation, contingent upon the happening of a specified event. Includes any business incidental to insurance, but does not include exceptions listed under the definition in the [Insurance Act 1973](#).

My asset(s) are owned or operated by an **entity** that carries on **life insurance business**, OR owned or operated by a body corporate that is a **related body corporate** of an entity that carries on life insurance business

Life insurance business means a business that consists of any of the following: the issuing of life policies, the issuing of sinking fund policies, the undertaking of liability under life policies, the undertaking of liability under sinking fund policies, any business related to this. See exceptions at [s11 Life Insurance Act 1995](#).

My asset(s) are owned or operated by an **entity** that carries on **health insurance business**, OR owned or operated by a body corporate that is a **related body corporate** of an entity that carries on health insurance business

See the flow diagram outlined in [s115-10 of the Private Health Insurance Act 2007](#) to determine whether you are a **health insurance business**.

[s13](#) of the Application Rules prescribes where an entity or body corporate is considered **critical** to the security and reliability of the sector.

The **entity** or body corporate is **critical** to the security and reliability of the financial services and markets sector

The asset is **used in connection with** the carrying on of the relevant insurance business (insurance, life insurance or health insurance)

If YES, your asset(s) are critical Insurance asset(s) located in the Financial Services and Markets Sector.

07

Asset Definition Guidance for Insurance (cont.)

Am I a **reporting entity** for critical insurance asset(s)?

I am the entity referred to in the applicable asset definition above.

I, together with any associates, hold an interest of **at least 10%** in the asset, including any joint interests.

I hold an interest in a critical insurance asset such that I am in a position to **directly or indirectly control** the asset.

E.g. life insurance Company A owns twelve shopfronts in Australia, an extensive IT database network and significant financial asset(s) including bonds, equities and real estate. The total value of these asset(s) is over \$5 billion. Company A is therefore a reporting entity, per the asset definitions and the Rules.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder.

If YES, you are a **responsible entity** for critical insurance asset(s).

If YES, to either of these, you are a **direct interest holder** for critical insurance asset(s).

If NO, you are not a **reporting entity** for critical insurance asset(s).

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✗	✗	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✗	✗	✗	✗	✗



08

Asset Definition Guidance for Superannuation

Are my asset(s) **critical superannuation asset(s)**?

My asset(s) are located in Australia



My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))



My asset(s) are owned or operated by an **RSE licensee** (as a **trustee for a registerable superannuation entity**) that has asset(s) over \$20 billion

RSE licensee means a constitutional corporation, body corporate or group of individual trustees that holds an RSE licence granted under [s29D](#) of the *Superannuation Industry (Supervision) Act 1993*.

Registerable superannuation entity (**RSE**) licenses are granted by the Australian Prudential Regulatory Authority to an eligible:

- regulated superannuation fund; or
- approved deposit fund; or
- pooled superannuation trust; but not to self managed superannuation funds.



My asset(s) are used in connection with the operation of a **superannuation fund**

Must be materially connected to superannuation services or products. For example, equities in shares that are invested for the purposes of delivering a return on a superannuation account.

A **superannuation fund** means a fund that is an indefinitely continuing fund and is a provident, benefit, superannuation or retirement fund or a public sector superannuation scheme.



If YES to all of these, your asset(s) are critical superannuation asset(s) located in the Financial Services and Markets Sector.

08

Asset Definition Guidance for Superannuation (cont.)

Am I a **reporting entity** for critical superannuation asset(s)?

I am the entity referred to in the applicable asset definition above (i.e. the RSE licensee).

I, together with any associates, hold an interest of **at least 10%** in the asset, including any joint interests.

I hold an interest in a critical superannuation asset such that I am in a position to **directly or indirectly control** the asset.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder.

If YES, you are a **responsible entity** for critical superannuation asset(s).

If YES, to either of these, you are a **direct interest holder** for critical superannuation asset(s).

If NO, you are not a **reporting entity** for critical superannuation asset(s).

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program*	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✗	✗	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✗	✗	✗	✗	✗

*Proposed application



09

Asset Definition Guidance for Water

Are my asset(s) **critical water asset(s)**?

My asset(s) are located in Australia



My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))



My asset(s) are one or more water or sewerage systems or networks that are managed by a single water utility

Water utility means an entity that holds a licence, approval or authorisation (however described), under a law of the Commonwealth, a State or a Territory, to provide water services or sewerage services, or both.

Asset(s) may be one or more water or sewerage systems or networks comprised of physical elements. Examples may include dams, pumps, metres, hydrants, reservoirs, water mains, pressure valves and any electronic asset(s) required for the ongoing function of such items.



My asset(s) ultimately deliver services to at least 100,000 water **connections**



My asset(s) ultimately deliver services to at least 100,000 sewerage **connections**

The point of water or sewerage connection is where the service crosses the property boundary OR where the service joins the network within the property boundary.



If YES, your asset(s) are critical water asset(s) located in the Water and Sewerage Sector.

09

Asset Definition Guidance for Water (cont.)

Am I a **reporting entity** for critical water asset(s)?

I am the water utility which holds the licence, approval or authorisation, under a State, Territory or Commonwealth law to operate the asset to provide the service to be delivered by the asset.

I, together with any associates, hold an interest of **at least 10%** in the asset, including any joint interests.

I hold an interest in a critical water asset such that I am in a position to **directly or indirectly control** the asset.

E.g. A NSW company that has a water access licence **for the purpose of running irrigation** works. If another entity is prescribed by the rules in relation to the asset, that other entity is a responsible entity.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder.

If YES, you are a **responsible entity** for critical water asset(s).

If YES, to either of these, you are a **direct interest holder** for critical water asset(s).

If NO, you are not a **reporting entity** for critical water asset(s).

Water utilities are only required to provide one report and are not required to report on more than one system or network under their control if those individual systems or networks individually meet the 100,000 connections threshold.

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓	✓	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗



10

Asset Definition Guidance for Defence Industry

Are my asset(s) **critical defence industry asset(s)**?

My asset(s) are located in Australia



My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))



My asset(s) are being, or will be, supplied by an **entity** to the **Defence Department**, or the Australian Defence Force, under a contract

Defence Department means the Department of State that deals with defence and that is administered by the Defence Minister.



My asset(s) consists of, or enables, a **critical defence capability**

A **critical defence capability** includes:

- materiel; and
- technology; and
- a platform; and
- a network; and
- a system; and
- a service

that is required in connection with the **defence of Australia** or **national security**. National security means Australia's defence, security or international relations.



If YES, your asset(s) are critical defence industry asset(s) located in the Defence Industry Sector.

10

Asset Definition Guidance for Defence Industry (cont.)

Am I a **reporting entity** for critical defence industry asset(s)?

I am the **entity** referred to in the asset definition.

I, together with any associates, hold an interest of **at least 10%** in the asset, including any joint interests.

I hold an interest in a critical defence industry asset such that I am in a position to **directly or indirectly control** the asset.

E.g. A submarine construction company has been contracted to supply submarines to the Australian Department of Defence. The responsible entity would be the submarine construction company.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder.

If YES, you are a **responsible entity** for critical defence industry asset(s).

If YES, to either of these, you are a **direct interest holder** for critical defence industry asset(s).

If NO, you are not a **reporting entity** for critical defence industry asset(s).

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program*	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✗	✗	✗	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✗	✗	✗	✗	✗

* Part 2 applies to Naval Shipbuilding precinct



11

Asset Definition Guidance for Food and Grocery

Are my asset(s) **critical food and grocery asset(s)**?

My asset(s) are located in Australia



My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))



My asset(s) are a network that is used for the distribution or supply of essential food and groceries

This may include inventory warehouses, distribution centres, supermarkets and logistical plants used to transport supplies.



My asset(s) are owned or operated by an **entity** that is a:



Critical supermarket retailer

This currently includes Aldi Pty Ltd, Coles Group Ltd and Woolworths Group Ltd.

Critical grocer wholesaler

This currently includes Metcash Trading Ltd.

Critical food wholesaler

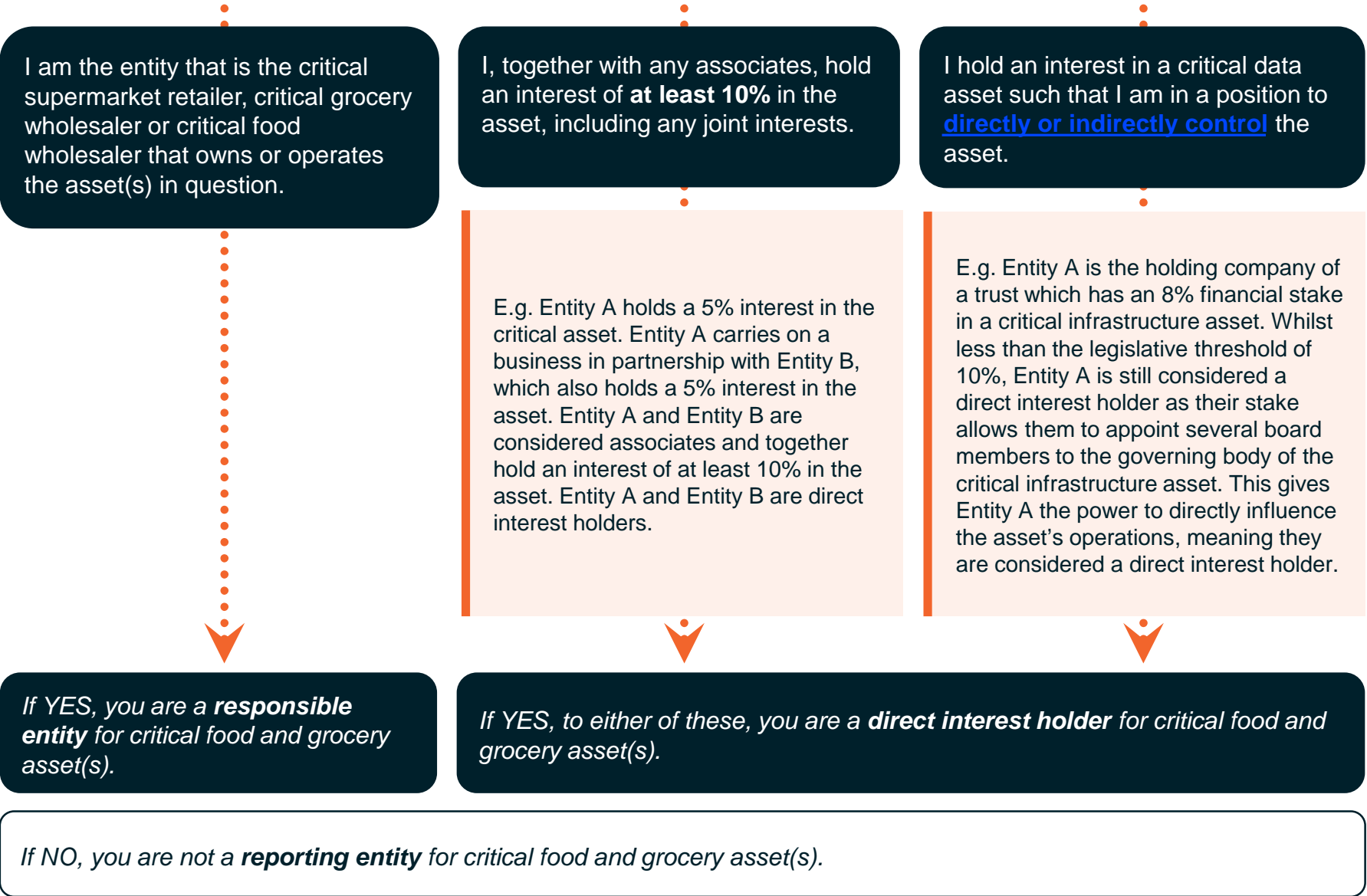


If YES to all, your asset(s) are critical food and grocery asset(s), within the Food and Grocery Sector.

11

Asset Definition Guidance for Food and Grocery (cont.)

Am I a **reporting entity** for critical food and grocery asset(s)?



What are my obligations under the Act?

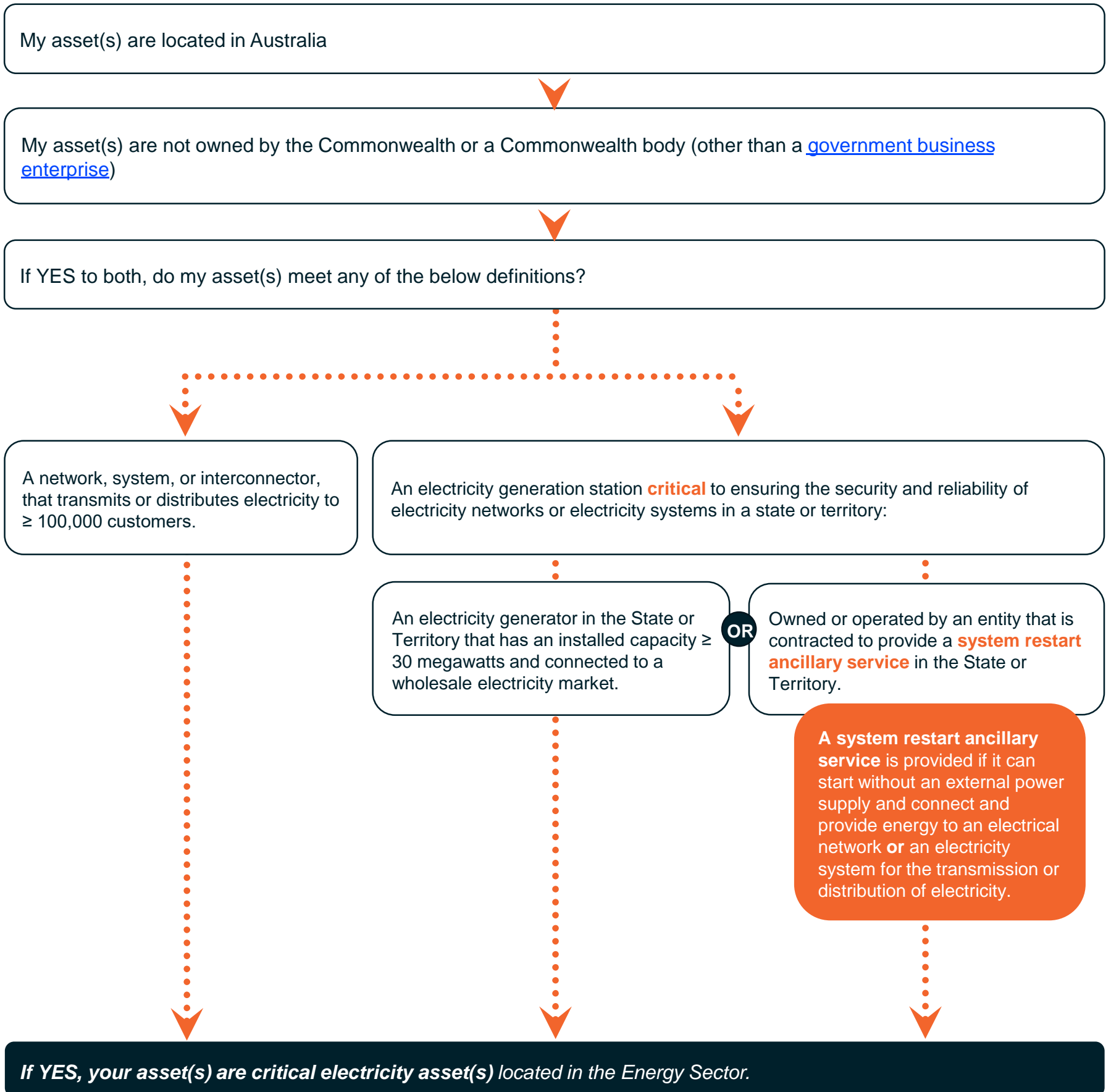
Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓	✓	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗



12

Asset Definition Guidance for Electricity

Are my asset(s) **critical electricity asset(s)**?



12

Asset Definition Guidance for Electricity (cont.)

Am I a **reporting entity** for critical electricity asset(s)?

Which definition below best describes your relationship with the critical electricity asset?

I am the entity which holds the licence, approval or authorisation to operate the critical electricity asset and provide the services to be delivered.

I, together with associates, hold an interest of $\geq 10\%$ in the critical electricity asset, including any joint interests.

I hold an interest in the critical electricity asset such that I am in a position to **directly or indirectly control** the asset.

E.g. X Energy holds the licence to operate an 2500 MW power station and provide the electricity generated to the grid. X Energy would be the responsible entity for the critical electricity asset (the power station).

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder.

If YES, you are a **responsible entity** for critical electricity asset(s).

If YES to either of these, you are a **Direct Interest Holder** for critical electricity asset(s).

If NO, you are not a **reporting entity** for critical electricity asset(s).

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓ **	✓	✓ **	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗

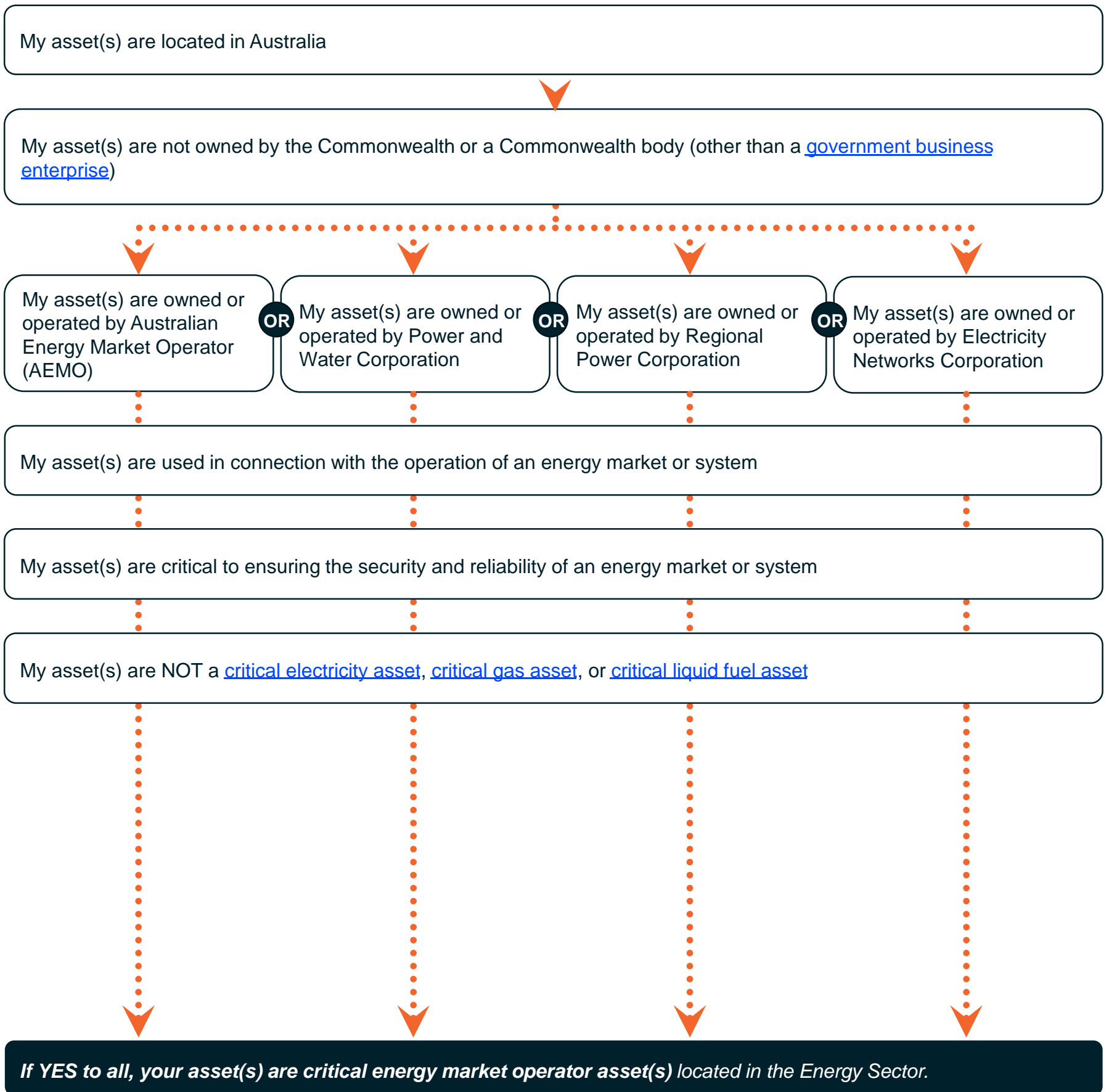
** Except for *Invicta Sugar Mill, Pioneer Sugar Mill, Racecourse Sugar Mill and South Johnstone Sugar Mill and their responsible entities*.



13

Asset Definition Guidance for Energy Market Operator

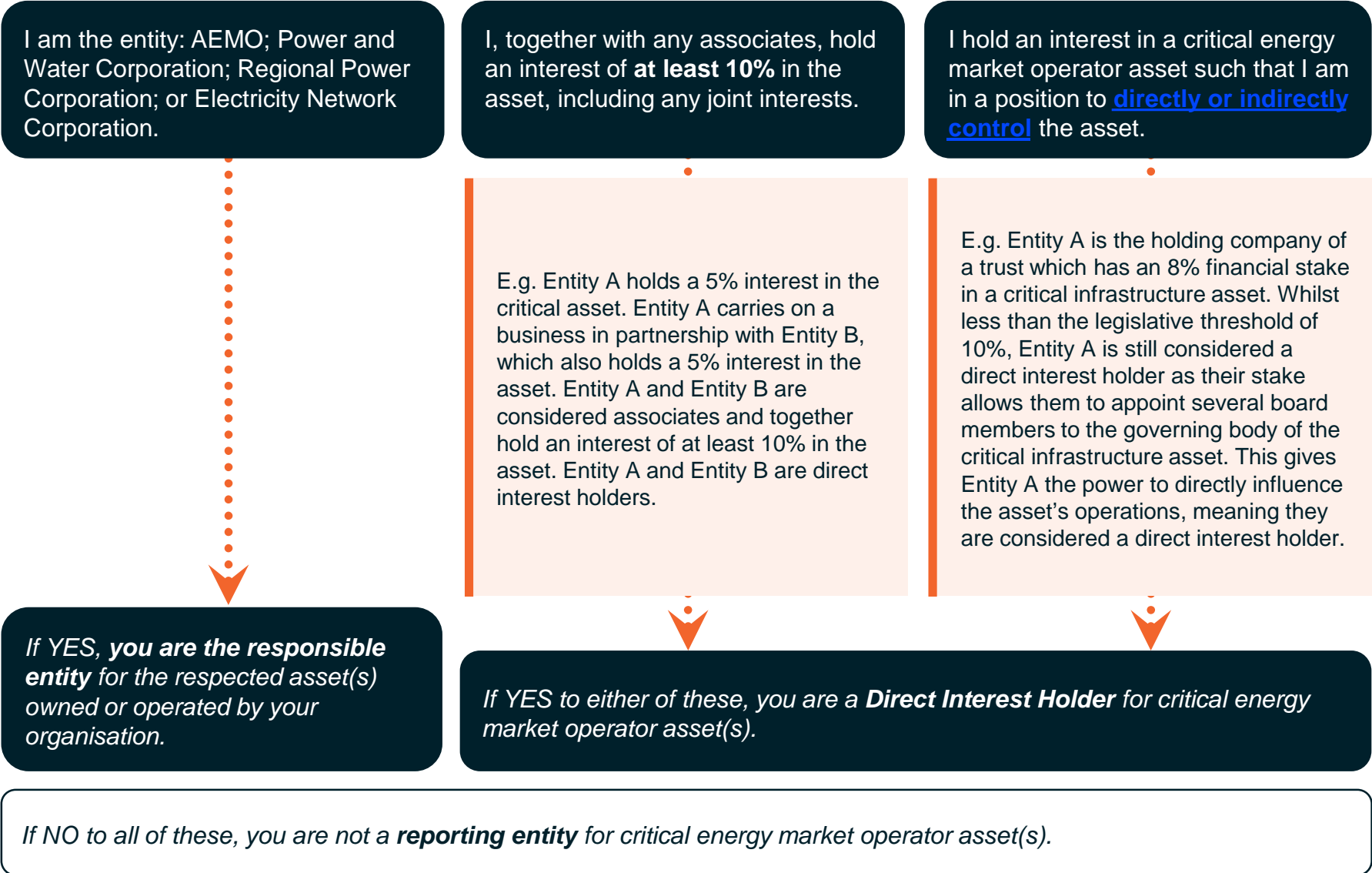
Are my asset(s) **critical energy market operator asset(s)**?



13

Asset Definition Guidance for Energy Market Operator (cont.)

Am I a **reporting entity** for critical energy market operator asset(s)?

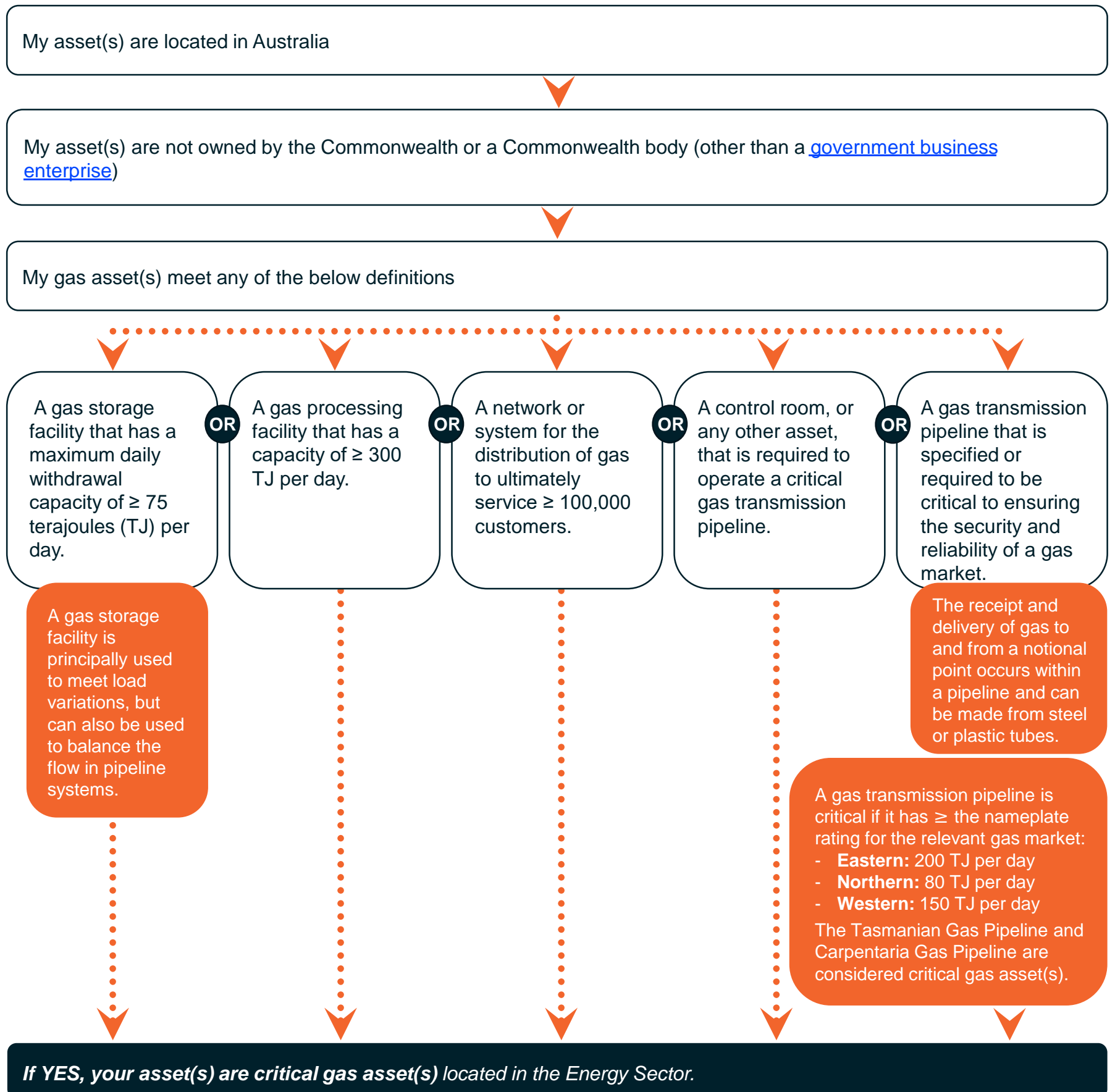




14

Asset Definition Guidance for Gas

Are my asset(s) considered **critical gas asset(s)**?



14

Asset Definition Guidance for Gas (cont.)

Am I a **reporting entity** for critical gas asset(s)?

Which definition below best describes your relationship with the critical gas asset(s)?

I am the entity which holds the licence, approval or authorisation to operate the critical gas asset and provide the services to be delivered.

I, together with associates, hold an interest of $\geq 10\%$ in the critical gas asset, including any joint interests.

I hold an interest in the critical gas asset such that I am in a position to **directly or indirectly control** the asset.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder.

If YES, you are a **responsible entity** for critical gas asset(s).

If YES to either of these, you are a **Direct Interest Holder** for critical gas asset(s).

If NO, you are not a **reporting entity** for critical gas asset(s).

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓	✓	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗



15

Asset Definition Guidance for Liquid Fuel

Are my asset(s) **critical liquid fuel asset(s)**?

My asset(s) are located in Australia

My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))

My asset(s) are a liquid fuel refinery located in Corio, Victoria and Lytton, Queensland

OR

My asset(s) are a liquid fuel storage facility with a capacity of > 50 megalitres of liquid fuel

OR

My asset(s) are a liquid fuel pipeline that is **critical** to ensuring the security and reliability of a liquid fuel market

Liquid fuel refineries located in Corio, Victoria and Lytton, Queensland are considered **critical** to the sector.

The following liquid fuel pipelines are considered critical to ensuring the security and reliability of a liquid fuel market:

- Sydney Metropolitan Pipeline
- Gore Bay Pipeline
- Westernport Altona Geelong Pipeline
- Longford (Dutson) to Hastings Pipeline
- Melbourne Airport Jet Fuel Pipelines
- Jet Fuel Pipeline (Kurnell to Sydney Airport)
- Brisbane Airport Jet Fuel Pipeline
- Perth Airport Jet Fuel Pipeline

If YES to any of these, your asset(s) are critical liquid fuel asset(s) located in the Energy Sector.

15

Asset Definition Guidance for Liquid Fuel (cont.)

Am I a **reporting entity** for critical liquid fuel asset(s)?

Which definition below best describes your relationship with the critical liquid fuel asset(s)?

I operate a liquid fuel refinery, liquid fuel pipeline or liquid fuel storage facility, that is critical to ensuring the security and reliability of a liquid fuel market.

I, together with any associates, hold an interest of **≥ 10%** in the asset, including any joint interests.

I hold an interest in a critical liquid fuel asset such that I am in a position to **directly or indirectly control** the asset.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder

If YES, you are a **responsible entity** for critical liquid fuel asset(s).

If YES to either of these, you are a **Direct Interest Holder** for critical liquid fuel asset(s).

If NO to any of these, you are not a **reporting entity** for critical liquid fuel asset(s).

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓	✓	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗



16

Asset Definition Guidance for Hospital

Are my asset(s) **critical hospital asset(s)**?

My asset(s) are located in Australia



My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))

This exclusion does not extend to State and Territory owned enterprises.



My asset(s) are a **hospital** that has a **general intensive care unit**

Hospital has the same meaning as in the *Private Health Insurance Act 2007*: s121(5). A hospital is a facility for which a declaration under subsection (6) is in force i.e. the Minister has declared in writing that a facility is a hospital. See list of declared hospitals [here](#).

General intensive care unit means an area within a hospital that is equipped and staffed so that it is capable of providing to a patient mechanical ventilation for a period of several days and invasive cardiovascular monitoring, and is supported by:

- during normal working hours—at least one specialist, or consultant physician, in the specialty of intensive care, who is immediately available, and exclusively rostered, to that area; and
- at all times—at least one medical practitioner who is present in the hospital and immediately available to that area; and
- at least 18 hours each day—at least one nurse.



If YES to all, your asset(s) are critical hospital asset(s) located in the Health Care and Medical Sector.

16

Asset Definition Guidance for Hospital (cont.)

Am I a **reporting entity** for critical hospital(s)?

My critical hospital is
a **public hospital**

As specified in the
Ministerial declaration
of the hospital.

Is your organisation the
local hospital network
that operates the
hospital?

E.g. Y Health Services
operates a number of
hospitals in the region
with ICUs. They would
be the responsible
entity for these
hospitals. See list of
LHNs [here](#).

My critical hospital is
a **private hospital**

Is your organisation
the entity that holds
the license, approval
or authorisation under
a law of a State or a
Territory to operate the
hospital?

E.g. X Mission Health
Care are a private
hospital operator that
operate numerous
hospitals with ICUs
across Australia. They
would be the
responsible entity for
these hospitals.

I, together with any
associates, hold an
interest of **at least 10%**
in the asset, including any
joint interests

E.g. Entity A holds a 5%
interest in the critical asset.
Entity A carries on a
business in partnership with
Entity B, which also holds a
5% interest in the asset.
Entity A and Entity B are
considered associates and
together hold an interest of
at least 10% in the asset.
Entity A and Entity B are
direct interest holders.

I hold an interest in a critical
hospital asset such that I am in a
position to **directly or indirectly
control** the asset.

E.g. Entity A is the holding
company of a trust which has an
8% financial stake in a critical
infrastructure asset. Whilst less
than the legislative threshold of
10%, Entity A is still considered a
direct interest holder as their stake
allows them to appoint several
board members to the governing
body of the critical infrastructure
asset. This gives Entity A the power
to directly influence the asset's
operations, meaning they are
considered a direct interest holder.

If YES to either, you are a **responsible entity**
for critical hospital(s).

If YES to either, you are a **direct interest holder** for critical
hospital(s).

If NO, you are not a **reporting entity** for critical hospital(s).

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓	✗ *	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗

*Responsible entities of designated hospitals, which are outlined in Schedule 1 of the [Security of Critical Infrastructure \(Critical Infrastructure Risk Management Program\) Rules](#), have the same obligations as critical hospitals, as well as the obligation to have and maintain a Risk Management Program



17

Asset Definition Guidance for Education

Are my asset(s) **critical education asset(s)**?

My asset(s) are located in Australia

My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))

Asset(s) may include physical education infrastructure, computers and associated hardware, research instruments located in facilities associated with a university, materials used by a tertiary training centre for education purposes etc.

My asset(s) are owned or operated by an **entity** that is registered in the Australian university category of the **National Register of Higher Education Providers**

The **National Register** is administered by the Tertiary Education Quality Standards Agency. To search for registered entities, visit [this page](#).

My education asset(s) are used in connection with undertaking a **program of research** that is **critical** to a critical infrastructure sector (other than higher education and research)

To be **critical** it must be relevant to the other critical infrastructure sector.

OR
My education asset(s) are used in connection with undertaking a program of research that is critical to the **defence of Australia**

E.g. University facilities where defence training / education is developed or delivered, or specific facilities required by navy engineering graduate students.

OR
My education asset(s) are used in connection with undertaking a program of research that is **critical to national security**

National security means Australia's defence, security or international relations.

E.g. A university with an associated National Security research institute with a program or course dedicated to investigating emerging immigration technologies.

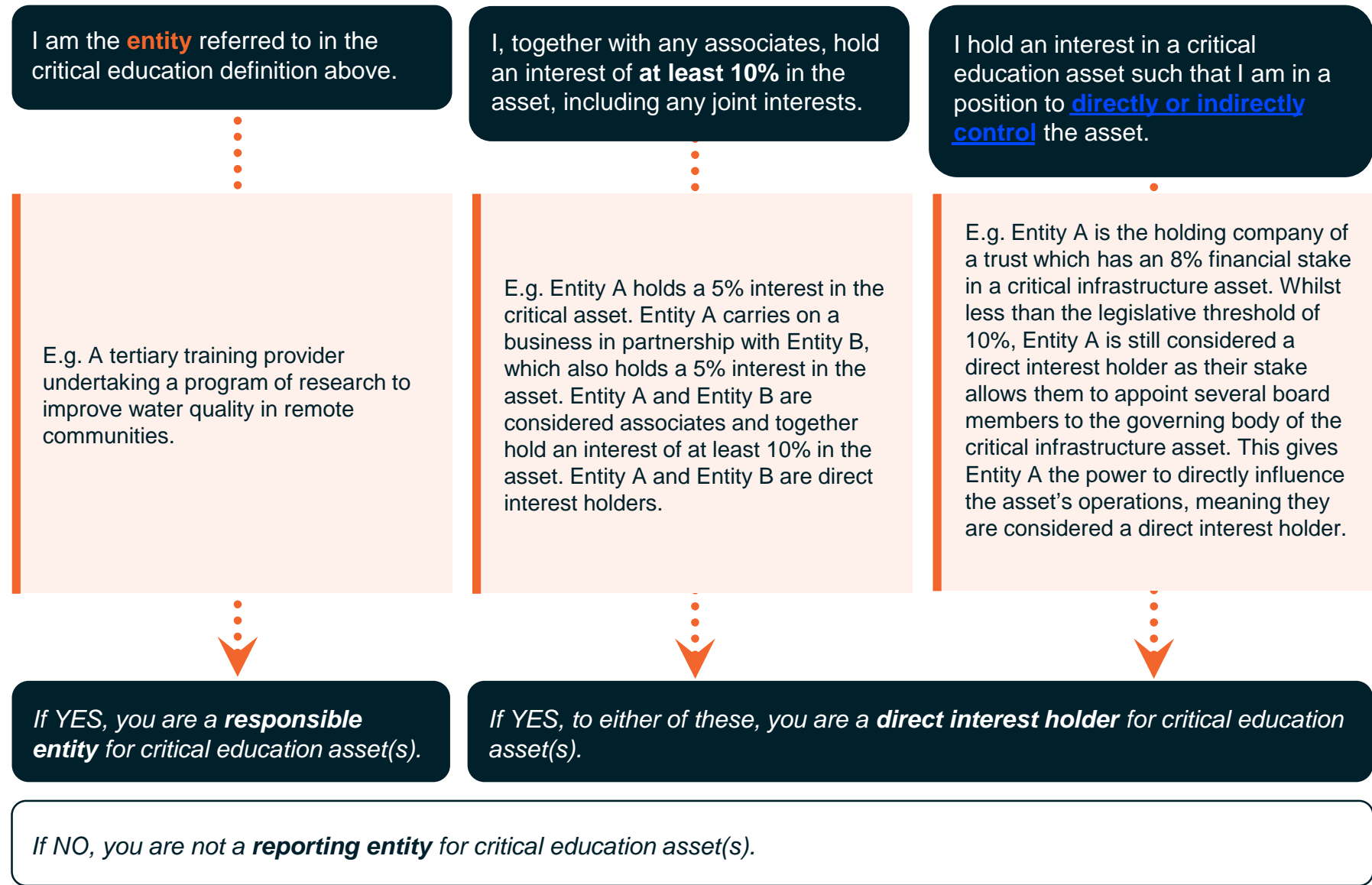
An asset owned or operated by the **Australian National University** used in connection with undertaking a program of research meeting any of the adjacent definitions is a critical infrastructure asset, with the Australian National University as the responsible entity. Rules relating to the **Australian National University** can be found [here](#).

If YES, your asset(s) are critical education asset(s) located in the Higher Education and Research Sector.

17

Asset Definition Guidance for Education (cont.)

Am I a **reporting entity** for critical education asset(s)?



What are my **obligations under the Act?**

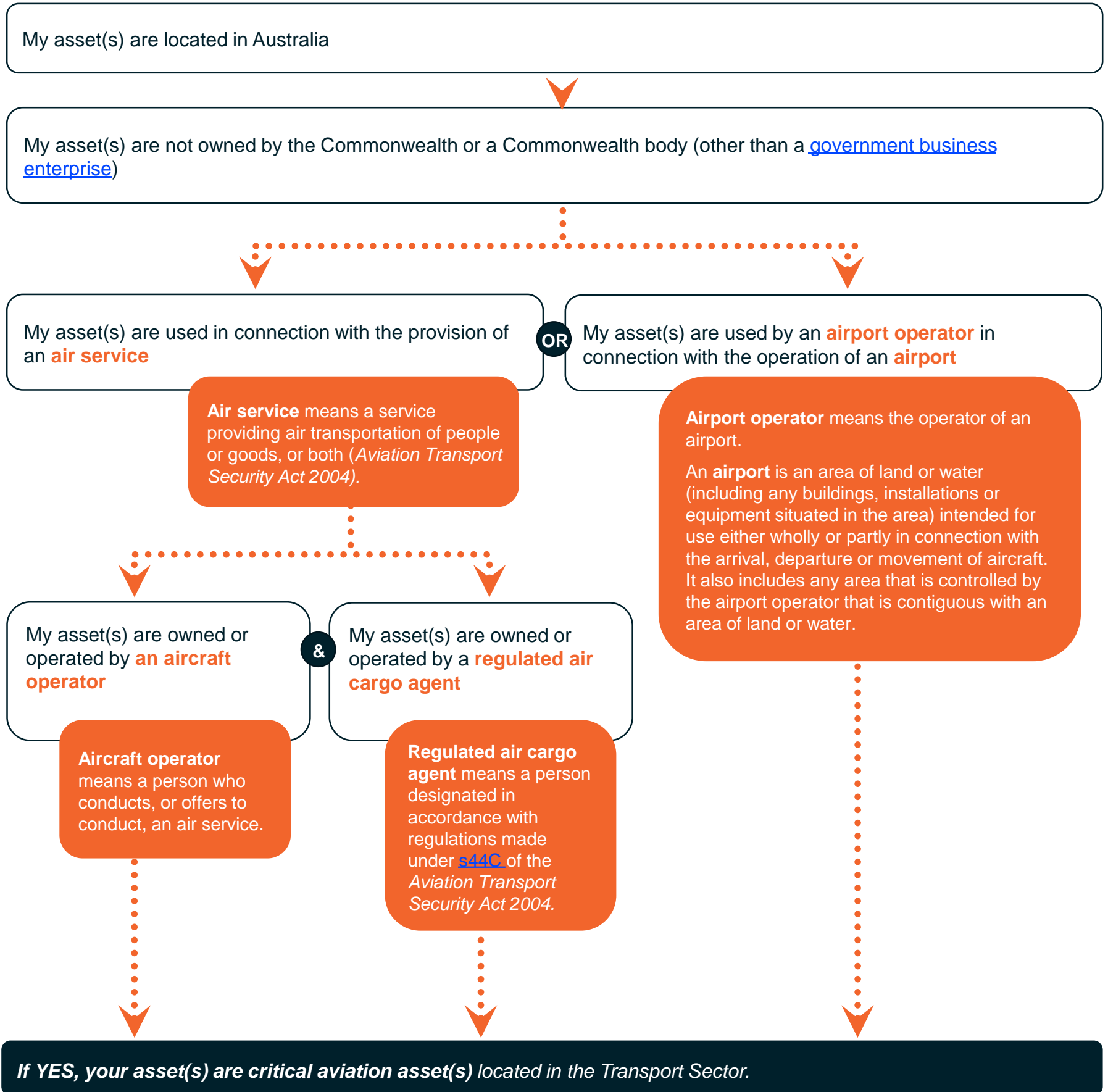
Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✗	✗	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✗	✗	✗	✗	✗



18

Asset Definition Guidance for Aviation

Are my asset(s) **critical aviation asset(s)**?



18

Asset Definition Guidance for Aviation (cont.)

Am I a **reporting** entity for critical aviation asset(s)?

I am the entity operating an asset which comes under the definition for an **aircraft operator and regulated cargo agent** or an **airport operator**.

I, together with any associates, hold an interest of **at least 10%** in the asset, including any joint interests.

I hold an interest in a critical aviation asset such that I am in a position to directly or indirectly control the asset.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.



E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder.

If YES, you are a *responsible entity* for critical aviation asset(s).

If YES, to either of these, you are a **direct interest holder** for critical aviation asset(s).

*If NO, you are not a **reporting entity** for critical aviation asset(s).*

What are my obligations under the Act?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	X	X	 ** for certain entities specified in s5(2) of the Application Rules		Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	X	X	X	X	X



19

Asset Definition Guidance for Freight Infrastructure

Are my asset(s) **critical freight infrastructure asset(s)**?

My asset(s) are located in Australia



My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))



My asset(s) are a road network, rail network or an **intermodal transfer facility** that is critical to the transportation of goods between:

- 2 **States**; or
- A **State** and a **Territory**; or
- 2 **Territories**; or
- 2 **regional centres**.

The Department's position is an **intermodal facility** is any site or facility along the supply chain that contributes to an intermodal movement by providing efficient transfer of goods from one mode of transport to another (refer to the [Report](#) issued by the House Standing Committee on Transport and Regional Services in 2007).

Business transporting goods by road or rail may be captured by the definition of critical freight services asset.

A **regional centre** is a city, or a town that has a population of $\geq 10,000$ people.

The Intermodal transfer facilities listed are:

- | | |
|---------------------|-------------------------------|
| • Chullora, NSW | • Townsville, Qld |
| • Parkes, NSW | • Islington, SA |
| • Altona, Vic | • Penfield, SA |
| • Barnawartha, Vic | • Forrestfield, WA |
| • Dynon-North, Vic | • Kewdale-Welshpool, WA |
| • Dynon-South, Vic | • Brighton Transport Hub, Tas |
| • Acacia Ridge, Qld | |
| • Bromelton, Qld | |



If YES, your asset(s) are critical freight infrastructure asset(s) located in the Transport Sector.

19

Asset Definition Guidance for Freight Infrastructure (cont.)

Am I a **reporting entity** for critical freight infrastructure asset(s)?

I am the Commonwealth, State or Territory Government responsible for management of the asset. I am a body established by a law of the Commonwealth, State or Territory governments responsible for the management of the asset. Where these are not applicable, I am the responsible entity prescribed by the rules in relation to that asset for managing (i.e. listed in [Schedule 1](#)).

E.g. Float Ltd. was established by the X state government to manage intermodal facility A. Float Ltd. is the responsible entity for intermodal facility A.

I, together with any associates, hold an interest of **at least 10%** in the asset, including any joint interests.

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

I hold an interest in a critical freight infrastructure asset such that I am in a position to **directly or indirectly control** the asset.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder.

If YES, you are a **responsible entity** for critical freight infrastructure asset(s).

If YES, to either of these, you are a **direct interest holder** for critical freight infrastructure asset(s).

If NO, you are not a **reporting entity** for critical freight infrastructure asset(s).

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓	✓	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗



20

Asset Definition Guidance for Freight Services

Are my asset(s) **critical freight services asset(s)**?

My asset(s) are located in Australia

My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))

My asset(s) are a network that is used by an **entity** carrying on a business that is critical to the transportation of goods by road, rail, **inland waters** and/or sea?

[Inland waters](#) refers to any non-tidal body of water.

My business has an annual revenue of at least \$150 million

My business provides a freight service that is a road freight transport service, a freight forwarding service, a rail freight transport service or a water freight service

The freight service provided by my business involves the transport or storage of **any** of the following:

Food and groceries, where transported to or from a critical supermarket retailer or a critical grocery wholesaler (found at [s15 Definitions Rules](#))

OR

Therapeutic goods registered on the [Australian Register of Therapeutic Goods](#) moved to or from premises storing such goods

OR

The supply of medicines listed under [Schedules 2, 3 4 or 8 of Part 4 of the current Poisons Standard](#), where transported to or from a premises at which the manufacture of the medicine is permitted under law of a State or Territory

OR

Liquid fuel, where transported to or from a [critical liquid fuel asset](#)

OR

Essential goods and supplies required for water treatment facilities e.g. chlorine.

OR

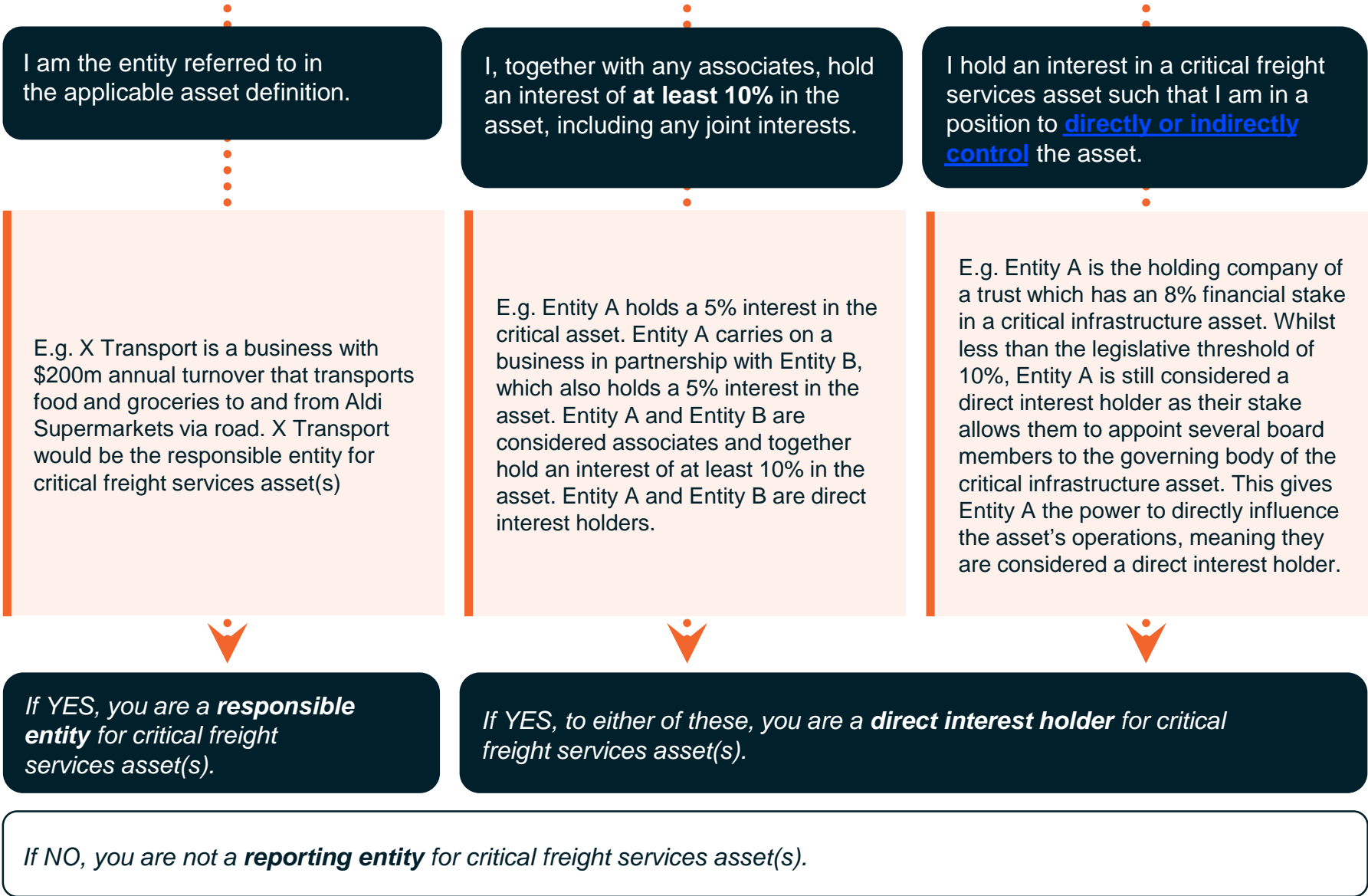
Any other good critical for the operation, maintenance or management of a [critical infrastructure asset](#)

If YES, your asset(s) are critical freight services asset(s) located in the Transport Sector.

20

Asset Definition Guidance for Freight Services (cont.)

Am I a **reporting entity** for critical freight services asset(s)?





21

Asset Definition Guidance for Port

Are my asset(s) **critical port(s)**?

Is my asset land that forms part of:

- Broome Port
- Port of Adelaide
- Port of Brisbane
- Port of Cairns
- Port of Christmas Island
- Port of Dampier
- Port of Darwin
- Port of Eden
- Port of Freemantle
- Port of Geelong
- Port of Gladstone
- Port of Hay Point
- Port of Hobart
- Port of Melbourne
- Port of Newcastle
- Port of Port Botany
- Port of Port Hedland
- Port of Rockhampton
- Port of Sydney Harbour, **or**
- Port of Townsville.

Of the ports listed, **Christmas Island** is the only port located outside mainland Australia or Tasmania. Christmas Island is categorised as an Australian Territory.

Consideration may also need to be given to Australian ports in any of Australia's nine other territories including Antarctica.

A **port** is defined in the *Maritime Transport and Offshore Facilities Security Act 2003 (Cth) s12* as an area of water, or land and water (including any buildings, installations or equipment situated in or on that land or water) intended for use either wholly or partly in connection with the movement, loading, unloading, maintenance or provisioning of ships.

This definition includes:

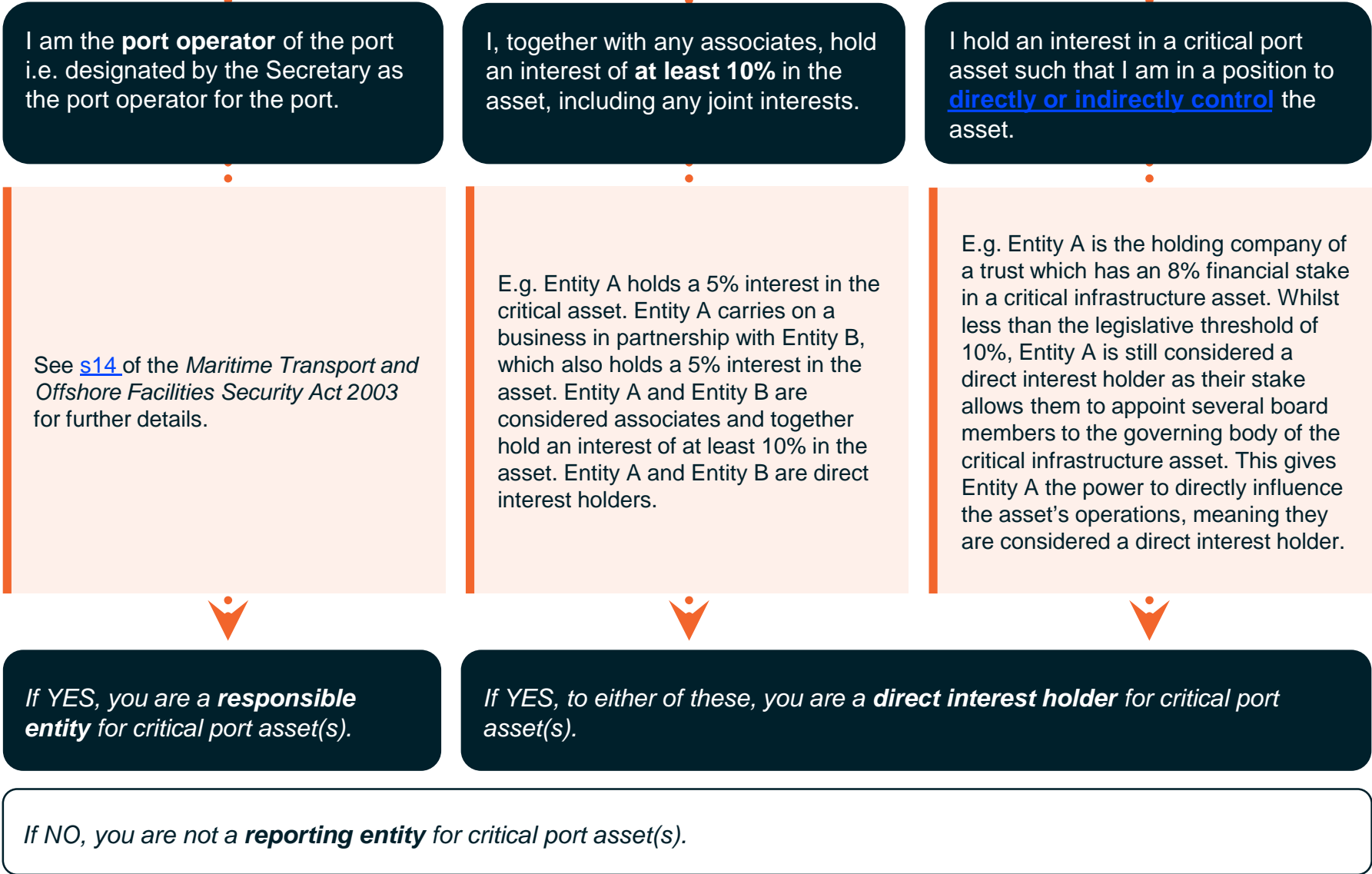
- Areas of water, between the land of the port and the open waters outside the port, intended for use by ships to gain access to loading, unloading or other land-based facilities;
- Areas of open water intended for anchoring or otherwise holding ships before they enter areas of water described above; and
- areas of open water between the areas of water described above.

If YES, your asset(s) are critical port asset(s) located in the Transport Sector.

21

Asset Definition Guidance for Port (cont.)

Am I a **reporting entity** for critical port(s)?



What are my **obligations under the Act?**

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓	✗	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗



22

Asset Definition Guidance for Public Transport

Are my asset(s) **critical public transport asset(s)**?

My asset(s) are located in Australia



My asset(s) are not owned by the Commonwealth or a Commonwealth body (other than a [government business enterprise](#))

This exclusion does not extend to State and Territory owned enterprises.



My asset(s) are a **public transport network or system** managed by a single **entity**

May include rail networks, bus networks, monorail or light rail networks or ferry networks .



My asset(s) are capable of handling at least 5 million passenger journeys per month



My asset(s) are not a **critical aviation asset**

A **critical aviation asset** means an asset that is used in connection with the provision of an air service and is owned or operated by an aircraft operator;

or

an asset that is used in connection with the provision of an air service and is owned or operated by a regulated air cargo agent;

or

an asset that is used by an airport operator in connection with the operation of an airport.



If YES, your asset(s) are critical public transport asset(s) located in the Transport Sector.

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Asset Definition Guidance for Public Transport (cont.)

Am I a **reporting entity** for critical public transport asset(s)?

I am the entity referred to in the asset definition.

I, together with any associates, hold an interest of **at least 10%** in the asset, including any joint interests.

I hold an interest in a critical public transport asset such that I am in a position to **directly or indirectly control** the asset.

E.g. X Transport is a private company that operates a large bus network on behalf of a state government. Though they work in partnership with the state government to provide bus services, they manage their own asset(s) so would be considered the responsible entity for their buses and other network asset(s).

E.g. Entity A holds a 5% interest in the critical asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity B are direct interest holders.

E.g. Entity A is the holding company of a trust which has an 8% financial stake in a critical infrastructure asset. Whilst less than the legislative threshold of 10%, Entity A is still considered a direct interest holder as their stake allows them to appoint several board members to the governing body of the critical infrastructure asset. This gives Entity A the power to directly influence the asset's operations, meaning they are considered a direct interest holder.

If YES, you are a **responsible entity** for critical transport asset(s).

If YES, to either of these, you are a **direct interest holder** for critical public transport asset(s) asset(s).

If NO, you are not a **reporting entity** for critical public transport asset(s).

What are my **obligations under the Act**?

Type of reporting entity	Register your critical asset(s)	Have and maintain a Risk Management Program	Mandatory cyber security incident reporting	Obligation to notify data service providers	Subject to enhanced cyber security obligations
Responsible entities	✓	✗	✓	✓	Only if you have been notified your asset(s) are Systems of National Significance
Direct interest holders	✓	✗	✗	✗	✗