



Australian Government
Department of Home Affairs



CRITICAL
INFRASTRUCTURE SECURITY
CENTRE

Registering a Critical Infrastructure Asset

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Preface

This guidance has been prepared to assist *responsible entities* and *direct interest holders* of critical infrastructure to comply with the obligation to register their asset under the ***Security of Critical Infrastructure Act 2018 (SOCi Act)***. The information contained in this document is general in nature and does not constitute legal advice. Readers are encouraged to obtain legal advice that applies to their particular circumstances.

What is the Register of Critical Infrastructure Assets?

The Register of Critical Infrastructure Assets (the Register) is a database of information about critical infrastructure assets that the Critical Infrastructure Security Centre (the CISC) maintains on behalf of the Secretary. Part 2 of the SOCi Act provides that reporting entities for specified critical infrastructure assets have:

- an initial obligation to provide operational information, and interest and control information relating to critical infrastructure assets (section 23)
- an ongoing obligation to give information and notify the Secretary if information relating to the asset changes (section 24).

The provision of the information from reporting entities allows the CISC to update and maintain the Register. All critical infrastructure asset owners, operators, and direct interest holders must meet their legal obligations under the SOCi Act. The obligations that apply to your business will depend on the kind of critical infrastructure asset that you own, operate, or have a direct interest in. This guide seeks to:

- assist entities to determine whether an asset is a critical infrastructure asset;
- determine if they are a responsible entity or direct interest holder; and
- guide entities in completion of the asset registration forms.

To register your asset visit the CISC website

- To register as the responsible entity for an asset - [Critical Infrastructure Responsible Entity Asset - New Registration form](#)
- To notify of a change to an existing responsible entity registration - [Responsible Entity: Notification of change to an existing registration on the Register of Critical Infrastructure Assets](#)
- To register as a new direct interest holder for an asset - [Direct Interest Holder of a Critical Infrastructure Asset - New Registration form](#)
- To notify of a change to an existing direct interest holder registration - [Direct Interest Holder: Notification of change to an existing registration on the Register of Critical Infrastructure Assets](#)

Why is the Register important?

The Register assists the Government in gaining greater visibility of who owns, controls and has access to critical infrastructure assets. This information enables the Government to develop and maintain a comprehensive picture of national security risks, and apply mitigations where necessary. Analysis of the information in the Register enables the CISC to:

- assess ultimate ownership of assets and influences by particular individuals or companies;
- analyse interdependencies among critical infrastructure assets and sectors; and
- identify commonalities in services being used by critical infrastructure assets, such as shared IT service providers or shared control systems.

Combined with a broader understanding of the threat environment, the Register supports the Government to identify and manage risks to critical infrastructure assets which could cause significant harm to Australia.

The Government uses this information to support industry, through the provision of timely advice, guidance and information on emerging risks. This will help you to continue to provide your essential services that our communities and economy rely upon.

The Register provides the unique benefit of a single comprehensive resource of information on legal and beneficial ownership and control of critical infrastructure assets. Information from the Register can be shared with states and territories in specific circumstances to improve their understanding of critical infrastructure assets in their jurisdiction.

Identifying critical infrastructure assets

What is critical infrastructure?

The **2023 Critical Infrastructure Resilience Strategy** defines critical infrastructure as:

“..those physical facilities, supply chains, information technologies and communication networks, which if destroyed, degraded or rendered unavailable for an extended period, would significantly impact the social or economic wellbeing of the nation, or affect Australia’s ability to conduct national defence and ensure national security”

The SOCI Act outlines 11 critical sectors, and defines each class of critical infrastructure asset within these sectors. A single critical infrastructure asset may include multiple parts which function together as a system or network. This includes premises, computers, and data. These parts and components allow the critical infrastructure asset to carry out a critical function or service. For more specific insights into each individual asset type, please refer to the **Critical Infrastructure Asset Definition Guidance**.

Asset Classes with Register Obligations

Sector	Asset class	Register of Critical Infrastructure Assets
Energy	Critical electricity assets ¹	✓
	Critical gas assets	✓
	Critical energy market operator assets	✓
	Critical liquid fuel assets	✓
Communications	Critical telecommunications assets	✓
	Critical broadcasting assets	✓
	Critical domain name system assets	✓
Data Storage & Processing	Critical data storage or processing assets	✓
Financial services & markets	Critical banking assets	
	Critical superannuation assets	
	Critical insurance assets	
	Critical financial market infrastructure assets ²	✓
Water & sewerage	Critical water assets ³	✓
Healthcare & medical	Designated hospital	✓
	Critical hospital assets	✓
Higher education & research	Critical education assets	
Food & grocery	Critical food and grocery assets	✓
Transport	Critical ports ⁴	✓
	Critical freight infrastructure assets	✓
	Critical freight services assets	✓
	Critical public transport assets	✓
	Critical aviation assets	
Space technology	Note: No assets currently defined	
Defence industry	Critical defence assets	

¹ Some sugar mills are excluded, see section 4 of the Security of Critical Infrastructure (Application) Rules (LIN 22/026) 2022

² Only applies to payment systems

³ Only includes critical water assets that were critical infrastructure assets prior to 3 December 2021

⁴ Only includes critical ports that were critical infrastructure assets prior to 3 December 2021

Reporting entities – Responsible entities and direct interest holders

Who are the reporting entities?

Under Part 2 of the SOCI Act, there are two types of reporting entities: responsible entities and direct interest holders.

Responsible entities must provide operational information in relation to the asset. The responsible entity for each asset class will vary. The definition for the responsible entity for each asset class can be found in **section 12L** of the SOCI Act.

A **direct interest holder** is defined in **section 8** of the SOCI Act. A direct interest holder in relation to a critical infrastructure asset is an entity (e.g. individual, company or trust) that:

- together with any associates, holds a direct or joint interest of at least 10% in the asset; or
- holds an interest in the asset that puts the entity in a position to directly or indirectly influence or control the asset.

The definition of a direct interest holder expressly excludes moneylenders, and providers for custodial or depository services.

An entity may be both the responsible entity and a direct interest holder in relation to the asset and therefore would be responsible for reporting both operational information, and interest and control information to the Register.

Directly or indirectly influence or control

An entity is in a position to directly or indirectly influence or control an asset if (section 8A):

- the entity is in a position to exercise voting or veto rights in relation to the body that governs the asset;
- the entity is in a position to make decisions that materially impact on the running of, or strategic direction in relation to, the asset;
- the entity has the ability to appoint persons to the body that governs the asset (for example a board member) or key personnel involved in running the asset (for example a CEO); or
- the entity is in a position to influence or determine decisions relating to:
 - the business plan, or any other management plan, for the asset;
 - major expenditure relating to the asset;
 - major contracts or transactions involving the asset; or
 - major loans involving the asset

For interests held by trusts, partnerships, superannuation funds and unincorporated foreign companies, see section 53A

Multiple responsible entities

There are limited circumstances in which there are two responsible entities for one critical infrastructure asset. If you believe this may apply to your case, please contact enquiries@CISC.gov.au.

What kind of information needs to be provided?

The kind of information provided varies based on whether you are a responsible entity or a direct interest holder.

Responsible entity – Operational information

Responsible entities must provide **operational information**. Operational information is defined in **section 23(2)(a)** of the SOCI Act. The definition for operational information is provided in section 7 of the SOCI Act. Operational information includes:

- location of the asset;
- description of the area the asset services;
- particulars about the responsible entity for, or operator of, the asset;
 - the name of the entity;
 - if applicable, the ABN of the entity, or other similar business number if the entity was incorporated, formed, or created outside Australia;
 - the address of the entity's head office or principal place of business;
 - the country in which the entity was incorporated, formed or created;
- particulars about the chief executive officer of the responsible entity for the asset;
 - full name of the officer;
 - the country or countries of which the officer is a citizen;
- a description of the arrangements under which the operators operate the asset or part of the asset;
- a description of the arrangements under which data prescribed by the rules relating to the asset are maintained. For more detail on this refer to section 17 of the Security of Critical Infrastructure (Definitions) Rules (LIN 21/039) 2021.

The provision of operational information allows the Government to develop an understanding of the interdependencies of the asset, and to identify and manage risks to critical infrastructure assets which could cause significant harm to Australia.

What is the asset?

Under the Act, an asset includes a system, a network, a facility, a computer, a computer device, a computer program, computer data, premises, and any other thing (section 5).

Prior to registering your asset, it is helpful to be able to identify what your asset is composed of, and whether you have one network of components that comprise a single critical infrastructure asset, or a series of individual assets that all require registration. This allows the Government to have a comprehensive overview of how a hazard may impact the function of an asset. For example, if a natural hazard occurs in a specific area, and if the Government is aware of all of the critical infrastructure assets or components of critical infrastructure assets in that area, it will have a greater understanding of the potential impact of the hazard.

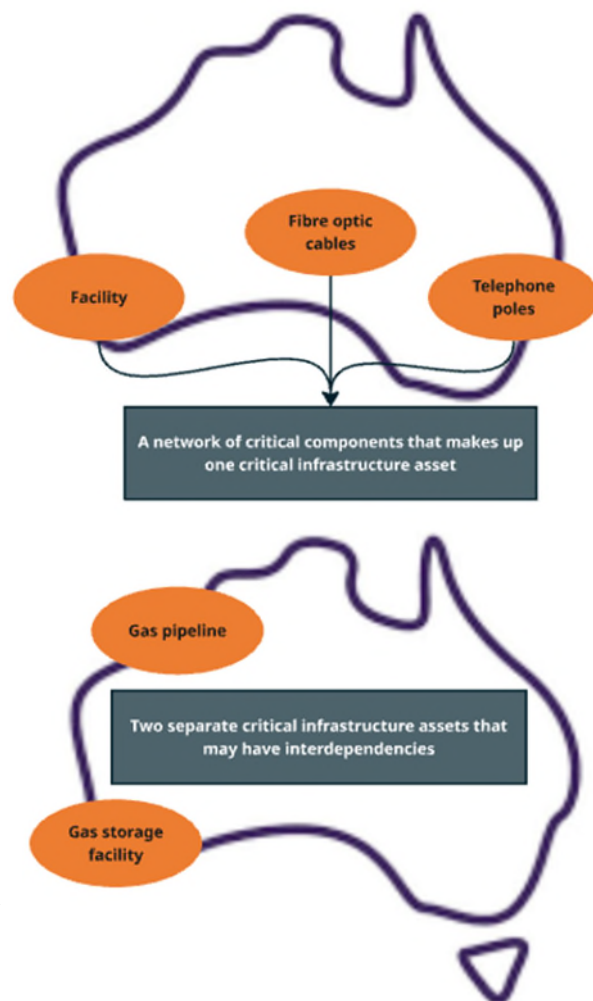
A **single critical infrastructure asset** may be comprised of a **network of component parts** such as premises, computers, and data, which function together.

For example, a telecommunications network owned or operated by a carrier or carriage service provider and used to supply a carriage service is a critical telecommunications asset. The telecommunications network may rely on several geographically dispersed components to deliver the carriage service. The network is therefore considered one critical infrastructure asset.

Alternatively, where the components operate as separate systems or networks **that each meet the definition of a critical infrastructure asset**, they may be registered as separate critical infrastructure assets.

For example, a gas pipeline that meets the definition of a critical gas asset works in conjunction with a gas storage facility that also meets the definition of a critical gas asset. As both assets separately meet the definitions under the SOCI Act, they both require a separate registration.

The determinative question is whether the asset meets the definition of a critical infrastructure asset. Consideration of the critical function of the asset may assist you to determine when the asset meets this definition and whether it is a network comprising one asset or multiple separate assets.



Where is the asset?

The location of the asset is considered operational information and must be provided by a responsible entity when registering.

For geographically dispersed assets, you may wish to provide this information by identifying the location of critical components of the asset. A critical component of an asset is a part of the asset, where absence of, damage to, or compromise of that part would prevent the proper function of the asset or could cause significant damage to the asset.

Identifying the location(s) of the asset(s) allows the Government to map these components on a model. This model then allows the Government to respond to incidents that have impacted geographical locations. For example, in the event of an impending disaster, such as a cyclone, the Government is able to inform all responsible entities that may be impacted by the far reaching consequences of the natural hazard event. This also emphasises the importance of maintaining a current registration, as incorrect locations or contact information may result in responsible entities not being contacted in the event that they may be impacted by a hazard.

Identifying your critical suppliers

To support the Government in understanding the potential for cascading impact across Australia's infrastructure, we request assets to outline who their critical suppliers are in their asset registration.

Critical suppliers are suppliers who have a material impact on the delivery of your critical service or function. A critical supplier does not refer to the size, amount, or cost of the good or service provided.

Examples of critical suppliers

- A manufacturer who provides a part or component that is critical to the function of the asset. The manufacturer is the only one in Australia, and to obtain the product from overseas supplier would take weeks.
- A supplier of a particular chemical that an asset relies on, which is located within the asset's State or Territory. While the chemical could be sourced from another State or Territory, the delay would significantly impact the asset's ability to deliver services.

When assessing whether a supplier is critical, consider whether there would be other suppliers that you could rely on or whether the asset can function without the product provided.

By providing accurate and complete information on critical suppliers the Government will be able to build an understanding of supply chain interdependencies. This enhanced understanding of nationally significant critical infrastructure supply chains and interdependencies will allow different sectors and Government to work together to develop and implement best practice strategies for assessing and mitigating supply chain risks. If you are unsure as to how to register correctly, reach out to enquiries@cisc.gov.au for assistance.

Direct interest holder – interest and control information

Direct interest holders must provide interest and control information in relation to the entity and the asset.

The interest and control information required to be provided is defined in **section 6** and includes information about any entity (the higher entity) which is in a position to directly or indirectly influence or control the direct interest holder and any entities which are in a position to directly or indirectly influence the higher entity, and so on (see section 6(h) and 6(ha)).

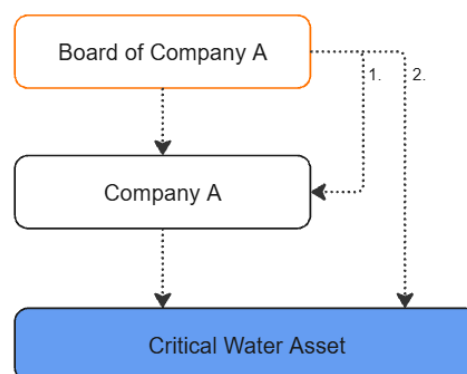
Direct interest holders are encouraged to provide as much information and context regarding interest and control as possible. This information allows Government to identify who ultimately owns and controls critical infrastructure assets and to assist in identifying any associated risks to national security arising from that ownership or control.

Example 1:

Company A owns a critical water asset. One board member who has experience in industrial control systems takes over the responsibilities of the chief operating officer who has fallen ill and cannot perform their functions for a significant period.

As this role requires access to the critical water asset's industrial control systems, this access would require reporting to the Register in accordance with section **6(1)(g)**.

1. Board member can step in as temporary CEO
2. Board member can access critical systems when performing temporary CEO role



Direct interest holder – influence and control

An interest may be a **legal** or **equitable** interest in the asset. In your asset registration the direct interest holder must outline what interest the direct interest holder has, and provide information detailing the ways in which the entity is able to influence or control the critical infrastructure asset. In the information you should consider:

- Whether there is an **ownership or equitable interest** in the asset. If so, outline the amount or extent of the interest. This may include information such as the percentage of ownership, number or percentage of voting right, or the extent of the legal interest.
- Whether the entity has a **voting interest** in the asset that may control or influence the operation of the asset.
- Whether the entity has a **legal interest** in the asset, which may mean the entity has the power to direct the operations of the asset.
- Whether there is any **other interest** that may affect the function of the asset.

In the description of the interest you may consider providing any agreements, contracts, or infographics which illustrate ownership structure, as well as information about the influence or control that the entity is able to exercise in relation to the asset.

Direct interest holders should also provide information about the ability of a person, who has been appointed by the first entity to the body that governs the asset, to directly access networks or systems that are necessary for the operation or control of the asset. For example, this may include board members' access to industrial control systems and security of corporate systems of the asset.

The information provided by direct interest holders informs Government of the potential influence and control risks associated with legal or equitable interest.

Direct Interest Holder Examples

Example 1:

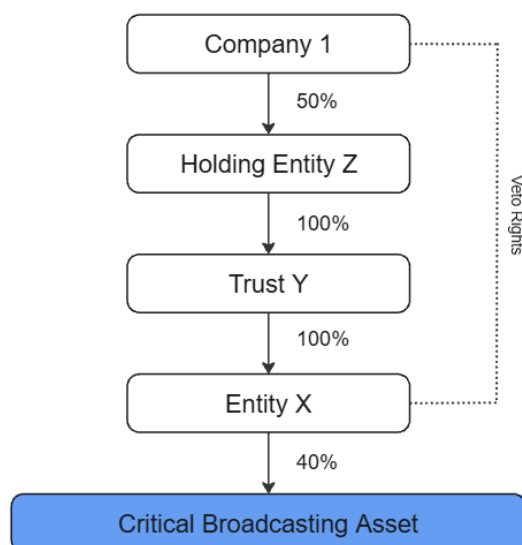
Entity A holds a 5% interest in the critical infrastructure asset. Entity A carries on a business in partnership with Entity B, which also holds a 5% interest in the asset. Entity A and Entity B are considered associates and together hold an interest of at least 10% in the asset. Entity A and Entity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

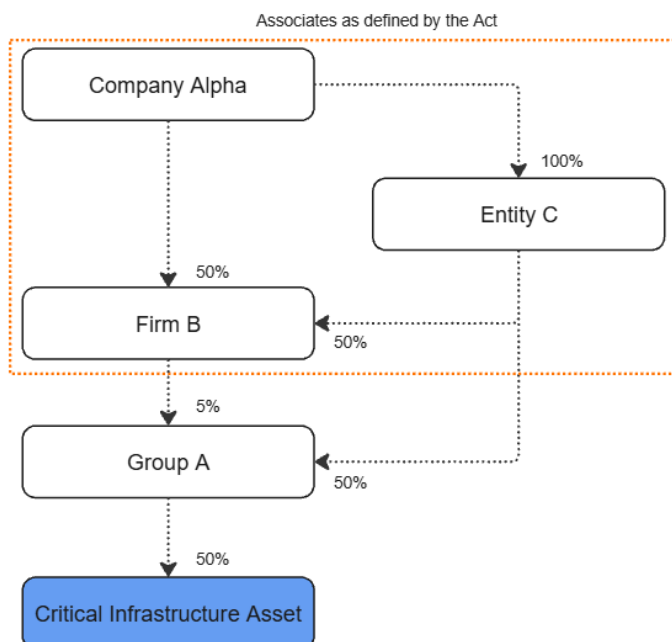
Example 2:

Entity X holds a 40% interest in a critical broadcasting network. Entity X is wholly owned by Trust Y, which is wholly owned by Holding Entity Z, which is a subsidiary of Company 1. Company 1 also has the ability to exercise veto rights in relation to Entity X.

Entity X is the first entity and direct interest holder of the critical infrastructure asset (broadcasting network) and would need to register its interest and control information.

Entity X would also need to register details of Trust Y, Holding Entity Z and Company 1 who are in a position to directly or indirectly exercise influence or control.





Example 3:

Group A, the direct interest holder in an asset, is owned 50% by Entity C. Entity C also holds a 50% stake in Firm B, which in turn holds a 5% interest in Group A, the first entity.

Firm B is also considered a controlling entity of Group A as Entity C and Firm B are associates as defined by **section 8B**.

Combined, Firm B and Entity C hold a 55% interest in Group A. Company Alpha is the ultimate holding company of both Firm B and Entity C.

Group A, as the direct interest holder, would be required to report details on Firm B, Entity C and Company Alpha.

Multiple critical infrastructure assets

If you are the reporting entity for multiple critical infrastructure assets, then you must ensure all of your assets are appropriately registered, and that the information you have provided is up to date and maintained.

The forms for registering an asset allow you to register multiple assets if they are all of the same subclass of asset, have the same responsible entity, and have the same contact details.

For example, if you are the reporting entity and contact person for multiple critical telecommunications assets, you can register all of these assets together. However, if you are also the reporting entity for a critical broadcasting asset, you must register this asset separately.



When do reporting entities need to report?

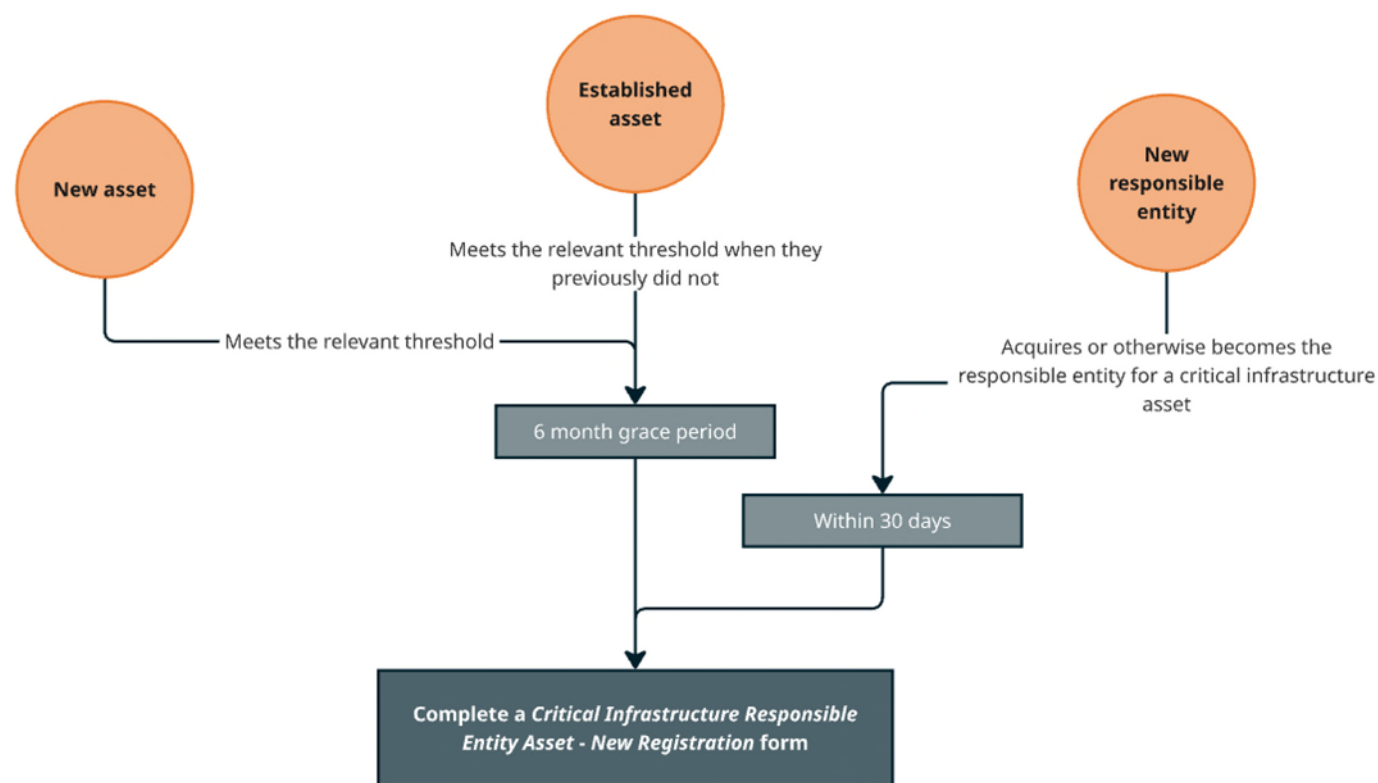
There are two obligations in relation to the Register. The initial obligation to provide information, and the ongoing obligation to notify the Secretary of any changes to the registration. When a change in their registration occurs, these entities are required to update their registration. They must do this within 30 days of the change occurring.

Timeframes for initial registration – Responsible entity

New responsible entity: If an asset is **already a critical infrastructure asset** and has a **new responsible entity**, the responsible entity has 30 days to register.

Established asset: If an asset was **not previously categorised as a critical infrastructure asset**, and through legislative change, or a change in functional capacity it **becomes a critical infrastructure asset**, then the responsible entities have a grace period to register. This grace period is 6 months from when the asset becomes a critical infrastructure asset.

New asset: If a **new asset is established**, and the asset meets the relevant threshold to be considered a critical infrastructure asset pursuant to section 9, the responsible entity has a grace period to register. The grace period is 6 months after the asset becomes a critical infrastructure asset.



Timeframes for initial registration – Direct interest holder

New direct interest holder: If an asset is **already defined as a critical infrastructure asset** and has a **new direct interest holder**, it has 30 days to register.

Established asset: If an asset was **not previously categorised as critical infrastructure**, and has **become a critical infrastructure asset**, then the direct interest holders have a grace period to register. This grace period is 6 months.

New asset: If a **new asset is established**, and the asset meets the relevant threshold to be considered a critical infrastructure asset pursuant to section 9, the direct interest holder has a grace

period to register. The grace period is 6 months after the asset becomes a critical infrastructure asset.

Notifying when a change to your registration occurs

Reporting entities have an ongoing obligation to give information and notify of events. In the instance that information provided to the Register becomes incorrect or incomplete, reporting entities must provide an update, via the notification of changes form, within 30 days of the event occurring.

Examples of events that may require updating include:

- Change in head office location;
- Divestment of interest in responsible entity;
- Change in ownership structure;
- Change in level or nature of interest;
- Change to ability to influence and control;
- Change in interest and control information;
- Change to Contact Information;
- Change in Reporting Entity;
- Change to operator or data arrangements.

The information provided to the register informs the Government's understanding of the ownership and control of, and risks associated with, critical infrastructure assets. This allows for a more comprehensive understanding of the threat landscape and informed risk mitigation.

Responsible Entities – notification of change forms

If you need to change or update the information submitted on the Register, this can be done through submitting the online form:

[Responsible Entity: Notification of change to an existing registration on the Register of Critical Infrastructure Assets](#)

Direct Interest Holders– notification of change forms

If you need to change or update the information submitted on the Register, this can be done through submitting the online form:

[Direct Interest Holder: Notification of change to an existing registration on the Register of Critical Infrastructure Assets](#)

What will the Department do with the provided information?

The Department of Home Affairs (the Department) is bound by the Australian Privacy Principles (APPs) in Schedule 1 to the *Privacy Act 1988* (Cth) (Privacy Act). The APPs regulate how we collect, use, store and disclose personal information, and how you may seek access to, or correction of, the personal information that we hold about you.

Under the SOCI Act responsible entities for critical infrastructure assets are required to register their assets. The CISC collects the data provided by you under sections 23 and 24 of the SOCI Act, and this information is retained in the Register. The Register enables the Government to identify who owns and controls critical infrastructure assets, board structures, ownership rights of interest holders, and operational, outsourcing, offshoring information and contact details.

The Department of Home Affairs (the Department) collects some of the information in this form for the purpose of your compliance with Part 2 of the SOCI Act. Failure to provide this information may be subject to a civil penalty under section 23 and section 24 of the SOCI Act. Other information has been requested on an optional basis, and these questions have been clearly marked in the Critical Infrastructure Asset Registration Form Guidance as not mandatory. If you elect not to answer these optional questions, you may state 'N/A.'

The Department is committed to protecting the personal information with which it is entrusted in accordance with the Privacy Act. If you believe that the Department has handled your personal information in a way that breaches our obligations in the APPs, our **Privacy Policy** explains how you can make a complaint and how we will deal with your complaint.

The Secretary must ensure that the Register is not made public (section 22 of the SOCI Act). Information on the Register can only be accessed and disclosed in authorised circumstances. Unauthorised use or disclosure of information on the Register may be a criminal offence.

Prior to completion of any of the forms we recommend you read and understand the following Department statements and notices:

- **Privacy statement**
- **Privacy collection notice**
- **Security Statement**

If you are submitting personal information belonging to another individual in the forms, you must provide those individuals with the above statements and notices.

Protected information sharing provisions

To comply with your asset registration obligations you will likely record, obtain and generate information, which may be considered 'protected information' under Part 4 of the SOCI Act. Protected information provisions clarify when and how entities can share protected information. Potential consequences of the unauthorised use or disclosure of protected information can be severe and can result in significant interruption to an entity's business or operations, or provide hostile parties opportunities to exploit or interfere with national security.

For more information see the **Protected information industry guidance for critical infrastructure assets**.

For additional guidance

If you require assistance in determining whether you are the responsible entity or direct interest holder for a critical infrastructure asset, or determining whether the asset is critical infrastructure see the **Critical Infrastructure Asset Definition Guidance**.

If you require assistance in completing the responsible entity or direct interest holder new registration forms see the **Critical Infrastructure Registration Form Guidance**.

Questions

For further information please contact us at: enquiries@cisc.gov.au



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