

On the basis of Article 83 of the Law on Classified Information (the Official Gazette of the Republic of Serbia, No. 104/09) and Article 42, paragraph 1 of the Law on Government (the Official Gazette of the Republic of Serbia, Nos. 55/05, 71/05 - corrigendum , 101/07 and 65/08), the Government hereby passes the following

## **DECREE**

### **on the content, form and method of keeping records of the access to classified information**

#### **Introductory provision**

##### **Article 1**

This decree shall regulate the content, form and method of keeping records of the access to classified information which is maintained by the Office of the Council on National Security and Classified Information Protection, bodies responsible for carrying out security vettings and the public authorities, as well as prescribe the period for safekeeping information entered in such records.

#### **Records maintained by the Office of the Council on National Security and Classified Information Protection**

##### **Article 2**

The Office of the Council on National Security and Classified Information Protection (hereinafter: the Council Office) shall maintain the unified central records of issued security certificates and permits, decisions to issue certificates and permits, decisions to refuse to issue certificates and permits, decisions to extend the validity period of certificates and permits, decisions to limit or terminate the validity of certificates and permits, statements signed by persons who have been issued such certificates in accordance with the law governing classified information.

##### **Article 3**

With respect to natural persons having the access to the classified information with the CONFIDENTIAL, SECRET and TOP SECRET level markings, the records of issued certificates, decisions to issue or decisions to refuse to issue or decisions to limit or terminate the validity of certificates which is managed by the Council Office shall contain the data listed below:

- 1) Ordinal number;
- 2) First name, parent's name and last name;

- 3) Unique personal identification number (JBMG);
- 4) Name of the public authority within which the natural person performs his/her function or is employed by or provides services for;
- 5) Information classification level;
- 6) Number and date of the decision to issue a certificate;
- 7) Number and date of the decision to refuse to issue a certificate;
- 8) Certificate number and issue date, as well as its expiry date;
- 9) Number and date of the decision to extend the certificate validity;
- 10) Earlier security vettings and issued certificates;
- 11) Number and date of the decision to limit or terminate the certificate validity;
- 12) Date of disappearance or destruction of a certificate or the date of receipt of a notification of its disappearance or destruction;
- 13) Number and date of the issued certificate for work with classified information and the purpose of its issuance;
- 14) Date of statement signed by the natural person;
- 15) Notes;

#### **Article 4**

With respect to legal persons having the access to the classified information with the CONFIDENTIAL, SECRET and TOP SECRET level markings, the records on issued certificates and on decisions to issue or refuse to issue such certificates, as well as on the decisions to limit or terminate the certificate validity being maintained by the Council Office shall contain the data listed below:

- 1) Ordinal number;
- 2) Name and head office of the legal person;
- 3) Previous names and head offices of the legal person;
- 4) Unique personal identification number;
- 5) Tax identification number;

- 6) First and last name of the representative of the legal person;
- 7) Information classification level;
- 8) Number and date of the decision to issue a certificate;
- 9) Number and date of the decision to refuse to issue a certificate;
- 10) Certificate number and issue date, as well as its expiry date;
- 11) Number of the decision to extend the certificate validity;
- 12) Possession of the capacities for safeguarding classified information at the given classification level;
- 13) Earlier security vettings and issued certificates;
- 14) Number and date of the decision to limit or terminate the certificate validity;
- 15) Date of disappearance or destruction of the certificate or the date of receipt of notification of its disappearance or destruction;
- 16) Number and date of the certificate issued for work with classified information and the purpose of its issuance;
- 17) Date of the statement signed by the representative of the legal person who has been issued a certificate;
- 18) Representative of the legal person to whom it has been issued;
- 19) Notes;

#### **Article 5**

With respect to foreign natural persons having the access to the classified information with the CONFIDENTIAL, SECRET and TOP SECRET level markings, the records of issued certificates, decisions to issue or refuse to issue such certificates, as well as of the decisions to limit or terminate the validity of permits being maintained by the Council Office shall contain the data listed below:

- 1) Ordinal number;
- 2) First name, parent's name and last name;
- 3) Travel document (passport) number;

- 4) Number of the security certificate issued in the country of citizenship or in the country where his/her head office is located or number of the security certificate issued by the international organization he/she is a member of;
- 5) Public authority within which the foreign person performs activities;
- 6) Information classification level;
- 7) Number and date of the permit issued;
- 8) Number and date of the decision to refuse to issue the permit;
- 9) Permit number and issue date, as well as its expiry date;
- 10) Number and date of the decision to extend the permit validity;
- 11) Number and date of the earlier permit and the purpose of its issuance;
- 12) Number and date of the decision to restrict or terminate the permit validity;
- 13) Date of the permit disappearance or destruction or the date of receipt of the notification of its disappearance or destruction;
- 14) Date of the statement signed by the foreign person to whom the permit has been issued;
- 15) Notes;

#### **Article 6**

With respect to foreign legal persons having the access to the classified information with the CONFIDENTIAL, SECRET and TOP SECRET level markings, the records of issued permits, decisions to issue or refuse to issue such permits, as well as of the decisions to limit or terminate the validity of certificates which is maintained by the Council Office shall contain the data listed below:

- 1) Ordinal number;
- 2) Name and seat of the legal person or the location of the representative office in the Republic of Serbia;
- 3) Country of origin of the legal person;
- 4) Previous names and head offices of the legal person;

- 5) Unique personal identification number;
- 6) Tax identification number;
- 7) First and last name of the representative of the legal person in the foreign country;
- 8) First and last name of the representative of the legal person in the Republic of Serbia;
- 9) Information classification level;
- 10) Number and date of the security certificate, the country of issuance or the name of the international organization it was issued by;
- 11) Number and date of the decision to issue the certificate;
- 12) Number and date of the decision to refuse to issue the certificate;
- 13) Certificate number and issue date, as well as its expiry date;
- 14) Number of the decision to extend the certificate validity;
- 15) Possession of the capacities for safeguarding classified information at the given classification level;
- 16) Previously issued certificates and the purpose of their issuance;
- 17) Number and date of the decision to limit or terminate the permit validity;
- 18) Date of the permit disappearance or destruction or the date of receipt of the notification of its disappearance or destruction;
- 19) Date of the statement signed by the representative of the legal person to whom it has been issued;
- 20) Notes;

### **Records of security vettings**

#### **Article 7**

The authorities responsible for carrying out security vettings (the Security and Information Agency, the Ministry of Internal Affairs and Military and Security Agency) shall keep records of security vettings of natural and legal persons in accordance with the law governing classified information.

The records of security vettings of natural persons shall contain the data listed below:

- 1) Ordinal number;
- 2) First name, parent's name and last name;
- 3) Unique personal identification number;
- 4) Name of the public authority within which the natural person performs his/her function or is employed by or provides services for;
- 5) Information classification level;
- 6) Number and date of the security vetting request;
- 7) Number and date of the Council Office communication relating to forwarding the security vetting request;
- 8) Number and date of the report with a recommendation addressed to the Council Office;
- 9) Notes;

The records of security vettings of legal persons shall contain the following data:

- 1) Ordinal number;
- 2) Name and head office of the legal person;
- 3) Previous names and head offices of the legal person;
- 4) Unique personal identification number;
- 5) Tax identification number;
- 6) First and last name of the representative of the legal person;
- 7) Information classification level;
- 8) Name and date of the public authority's request for carrying out a security vetting;
- 9) Number and date of the Council Office communication relating to forwarding a security vetting request;
- 10) Number and date of the report with a recommendation addressed to the Council Office;

## **Records maintained by the public authorities**

### **Article 8**

The public authorities shall keep records of the decisions to issue certificates for the access to classified information with the CONFIDENTIAL, SECRET and TOP SECRET classification level markings to persons who perform functions within the public authority or are employed by it or to persons who provide services for the same in accordance with the law governing classified information.

The records of the decisions to issue certificates for the access to classified information with the CONFIDENTIAL, SECRET and TOP SECRET classification level markings to persons who perform functions within the public authority or are employed by it or for persons who provide services for the same shall contain the data listed below:

- 1) Ordinal number;
- 2) First name, parent's name and last name;
- 3) Unique personal identification number;
- 4) Information classification level;
- 5) Number and date of the application submitted to the Council Office;
- 6) Number and date of the Council Office decision to issue or refuse the certificate issuance or to extend the validity or limit or terminate the certificate validity;
- 7) Public authority within which the natural person performs a function or is employed by or provides services for;
- 8) Certificate number and issue date;
- 9) Notes;

The record of statements on the access to classified information with the RESTRICTED classification level markings for persons who perform functions within the public authority or are employed by it or by persons who provide services for the same shall contain the following data:

- 1) Statement ordinal number;
- 2) First name, parent's name and last name;
- 3) Unique personal identification number;

- 4) Identity card number;
- 5) Public authority within which the natural person performs a function or is employed by or provides services for;
- 6) Public authority's seat
- 7) File number;
- 8) Date of statement signed by the above persons;
- 9) Notes;

### **Form and method of keeping records**

#### **Article 9**

The records referred to in Article 3,4,5,6,7 and 8 of this decree shall be kept in the written or electronic form in accordance with the regulations governing the office management.

Records referred to in paragraph 1 of this Article shall be kept in the form of charts in which data from records prescribed by this decree shall be entered.

### **Information safekeeping period**

#### **Article 10**

The data contained in the records referred to in Articles 3,4,5,6,7 and 8 of this Article shall be kept safe permanently.

### **Entry into force**

#### **Article 11**

This decree shall enter into force on the eighth day from its publication in the Official Gazette of the Republic of Serbia.

Ref.05 No.: 110-8579/2010

Belgrade, 18 November 2010

### **GOVERNMENT**

Exactness of the copy certified by:

Miloš Todorović

Ivica Dačić, sgd.



(signed and sealed)

**Deputy Secretary General**

**First Deputy Prime Minister**