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On the basis of Article 33 and in connection with Article 84 and 95 of the Law on Classified Information (*Official Gazette of the Republic of Serbia, No. 104/09*) and Article 42, paragraph 1 of the Law on the Government (*Official Gazette of the Republic of Serbia, No. 55/05, 71/05-corrigendum, 101/07, 65/08 and 16/11*),

The Government hereby passes the following

DECREE
ON SPECIAL MEASURES FOR THE SUPERVISION OF THE PROCEDURES FOR
HANDLING CLASSIFIED INFORMATION

This decree shall prescribe special measures for the supervision of the procedures for handling classified information within a public authority.

Special measures for the supervision referred to in paragraph 1 of this Article shall include direct inspections, adequate check-outs and examination of reports submitted in connection with the implementation of all measures for the protection of classified information, that is one or more specific measures for the protection of classified information, and shall be implemented within the internal control of the public authority.

The head of the public authority shall in accordance with law, conduct the internal control within the public authority directly, through the authorized person or through the internal organizational unit of the public authority.

Article 2

The internal control shall be announced or unannounced according to the method of its conduct, and full or partial according to its scope.

A full control shall be conducted for checking out the implementation of all the measures prescribed for the protection of classified information, and a partial control for one or more measures.

Article 3

An announced internal control shall be conducted on the basis of an annual work plan of the public authority, and an unannounced one on the basis of the decision taken by the head of the public authority.

The head of the public authority shall take the decision referred to in paragraph 1 of this Article on the basis of his/her own assessment or at the initiative of the authorized person or an internal organizational unit of the public authority which is authorized to conduct the internal control.

Article 4

The internal control shall be conducted by the employee of the public authority holding a security clearance for access to classified information at the corresponding or higher classification level than that assigned to documents, items or facilities being subject to such a control, and who has been assigned to the position which includes activities of control of handling of classified information (hereinafter: the authorized person).

The internal control may also be conducted by an internal organizational unit of the public authority, which has been designated to perform such activities by virtue of the rule book on the internal organization and job systematization of that public authority. A direct control may be conducted only by an employee of that internal organizational unit who holds a security clearance referred to in paragraph 1 of this Article.

The internal control at the public authority having a small number of documents, items or facilities, which may be subject to control can also be conducted by another employee of that authority whose duties do not include the activities to control the procedures for handling classified information provided that he/she has a written authorization of the head of the authority and holds a security clearance referred to in paragraph 1 of this Article.

Article 5

The internal control shall be conducted to check out the implementation of measures for the protection of classified information, particularly with respect to the following:

- 1) determination of classification level
- 2) marking documents and their cover sheets
- 3) separate premise for the reception of classified information
- 4) maintenance of records, storage and filing away of classified information
- 5) marking cabinets and safes in which classified information is stored and
- 6) method of use and access to classified information, keeping records of users and their access to classified information, as well as storage of such records
- 7) method of making reproductions, translations and excerpts from classified information
- 8) packing and delivery of classified information inside and outside the security area
- 9) procedure for destroying classified information
- 10) keeping records of entries and exits of persons and vehicles, use of security passes and special security passes, functioning of physical and electronic system for the protection of the facility and area in question;
- 11) holding, keeping records and storage of security clearances for access to classified information
- 12) reception, processing, transmission, storage, archiving and destruction of classified information in the electronic form;
- 13) storage of cryptographic keys;
- 14) storage of contracts containing classified information

15) method of protection of classified information of foreign legal and natural entities.

Article 6

The authorized person shall make an official record of the internal control conducted.

Article 7

The authorized person shall, no later than three days from the date of conducting the internal control, submit to the head of the authority a report on the internal control. Along with such a report he/she shall provide the record referred to in Article 6 of this Decree.

If the internal control has established the presence of irregularities, the measures for their elimination can be proposed in the report referred to in paragraph 1 of this Article.

Article 8

The public authority shall communicate to the Office of the National Security Council and Classified Information Protection the information on its authorized person for conducting the internal control.

Article 9

The Office of the National Security Council and Classified Information Protection shall carry out the training of the persons authorized for the activities of internal control.

Article 10

This Decree shall enter into force on the eighth day from the date of its publication in the Official Gazette of the Republic of Serbia and its implementation shall begin upon the expiry of three months from the date of its entry into force.

Ref. 05 No: 110-8856/2011

Done in Belgrade, 24 November 2011

GOVERNMENT

Dr Mirko Cvetković
PRIME MINISTER