

THE GOVERNMENT OF THE REPUBLIC OF CROATIA

Pursuant to Articles 17 and 21 of the Data Secrecy Act (Official Gazette 79/2007), the Government of the Republic of Croatia, at its session on 4 October 2007, adopted the following

REGULATION

ON CLASSIFIED INFORMATION MARKING, THE CONTENT AND THE FORM OF SECURITY CLEARANCE AND THE STATEMENT ON CLASSIFIED INFORMATION HANDLING

I BASIC PROVISIONS

Article 1

This Regulation stipulates classified and unclassified information marking, the content and the form of Personnel Security Clearance (hereinafter: Certificate) and the content and the form of the statement on classified information handling.

Article 2

The Regulation applies to the bodies authorized for classification and declassification and to individuals and legal entities authorized for classified information handling.

II MARKING THE SECURITY CLASSIFICATION LEVEL OF CLASSIFIED INFORMATION

Article 3

Classified information marking with security classification levels "TOP SECRET", "SECRET", "CONFIDENTIAL" and "RESTRICTED" shall be done during origination of classified documents and other classified information notes or during periodical assessment of security classification level, in accordance with Article 14 of the Data Secrecy Act.

Article 4

(1) Security classification level marking shall be marked on each document page in the upper right corner in block letters and for other classified information notes the security classification marking shall be clearly and visibly printed, in accordance with the requests of preserving classified information use value.

(2) For keeping classified information records, the following abbreviations may be used "TS" for top secret, "S" for SECRET, "CONF" for CONFIDENTIAL and "RES" for RESTRICTED.

Article 5

Security classification level marking and additional marking is done during the origination of classified information or by subsequent processing by means of stamping, printing, writing, sticking or attaching the appropriate means to the classified information.

Article 6

(1) Each page of classified document shall, in lower right corner of the document bottom, have the page number stated in relation to the total page number.

(2) The number, type, name and security classification level of the annex shall be stated on the last page of the document.

(3) The number of copies in relation to the total number of copies of the classified document shall be marked on the first document page in the upper right corner, below the security classification level marking. In case additional protective markings referred to in Article 7 of this Regulation are used, the number of copies shall be marked below the additional protective markings.

Article 7

(1) Classified information originator may mark the information with additional protective markings on:

- restriction or ban of classified information reproduction,
- ban, restriction and means of further information distribution to other recipients and the requirement to return classified information or documents or notes to the originator after the access,
- expiry of classification period which was foreseen by the originator during information origination.

(2) Additional markings shall be marked on the first document page or other classified information note in block letters, below the security classification level marking and may be marked on all document pages, if that is necessary for additional marking purposes.

(3) Additional marking of classification period expiry shall be added to the same line as the security classification level, by marking the expiry date or by reference to the event which has a designated duration.

Article 8

(1) For the purposes of limiting further classified information distribution, the marking "ONLY" shall be used.

(2) For the purposes of limiting further classified information distribution towards a state or international organization, the marking "ONLY" shall be used.

(3) When the marking “ONLY” is used for limiting further classified information distribution, the official name or abbreviation of the user shall be marked to whom classified information may be released.

(4) When the marking “ONLY” is used for limiting further classified information distribution, which is released to another country or international organization, the official name of the country or international organization shall be marked to which classified information may be released.

Article 9

The envelope, wrapping or any other protective cover in which classified information is transported and stored shall be marked with the appropriate security classification level, as the classified information itself.

Article 10

Classified document, its parts or annexes, may be marked with different security classification levels, and the whole of such document and all of its annexes shall be marked with the highest security classification level of the document, its part or annex.

Article 11

The copy of the whole or a part of classified information shall be marked with the same security classification level as the original document and the additional marking showing it is a copy. The marking COPY shall be stamped in the upper right corner of the first page of the classified information, below the security classification level marking, and where this is not possible, the marking shall be handwritten. The records of the number of copies and their assignment shall be kept.

Article 12

The change in security classification level or its declassification shall be marked by crossing the existing security classification level marking and placing the new security classification level marking below the prior one.

Article 13

(1) The originator shall keep separate records on all security classification levels or declassification of classified information.

(2) The originator shall inform, in writing, all the bodies to which classified information has been released, on the change of security classification level or declassification, in order to implement the procedure referred to in Article 12 of this Regulation.

Article 14

Classified document marking is shown in Annex 1 to this Regulation, which is an integral part of this Regulation.

III MARKING OF UNCLASSIFIED INFORMATION

Article 15

Unclassified information referred to in Article 2, paragraph 1, indent 3 of the Data Secrecy Act shall be marked as "UNCLASSIFIED" during origination of the document or other unclassified information notes.

Article 16

The first unclassified document page shall be marked with the marking referred to in Article 15 of this Regulation, in block letters, in the upper right corner, and for other unclassified information notes the marking UNCLASSIFIED shall be clearly and visibly printed, in accordance with the requests of preserving unclassified information use value.

Article 17

Unclassified information marking is done during origination of unclassified information or by subsequent stamping, printing, writing, sticking or attaching the appropriate means to the unclassified information.

Article 18

The marking of unclassified information is shown in Annex 2, which is an integral part of this Regulation.

IV CERTIFICATE CONTENT AND FORM

Article 19

The Certificate for access to information classified as TOP SECRET, SECRET and CONFIDENTIAL shall be issued by the Office of the National Security Council, in accordance with the Data Secrecy Act.

Article 20

The Certificate form referred to in Article 19 of this Regulation is shown in Annex 3 and is an integral part of this Regulation.

Article 21

The Certificate referred to in Article 19 of this Regulation shall contain:

- the name of the body competent for certificate issuance,
- the number of the certificate,
- name and last name, date and place of birth of the person for whom the certificate is issued,
- security classification level for which the certificate is issued,
- date of certificate issuance,

- validity period of the certificate,
- name and last name of the authorized person in the body which issues the certificate,
- the stamp of the issuing authority.

Article 22

(1) The Certificate shall be issued in English for access to classified information of other countries or international organizations.

(2) The certificate forms referred to in paragraph 1 of this Article shall be adopted by the Office of the National Security Council, in accordance with the standards determined by the security agreements that the Republic of Croatia has signed with other countries or international organizations.

V THE CONTENT OF THE STATEMENT ON HANDLING CLASSIFIED INFORMATION

Article 23

(1) The statement on handling classified information shall contain basic security standards from the information security area, in accordance with the Information Security Act.

(2) The statement on handling classified information is shown in Annex 4 and is an integral part of this Regulation.

VI TRANSITIONAL AND FINAL PROVISIONS

Article 24

The provisions of this Regulation in the procedure of changing security classification levels shall apply to the classified information marked according to the regulations in force before entering into force of this Regulation.

Article 25

This Regulation shall enter into force eight days from its publication in the Official Gazette.