

ACT

of December 11, 2007

amending and supplementing Act No. 215/2004 Coll. on the protection of classified information and the amendment and supplementing of certain acts as subsequently amended

The National Council of the Slovak Republic has resolved on the following Act:

Article I

Act No. 215/2004 Coll. on the protection of classified information and the amendment and supplementing of certain acts as amended by Finding of the Constitutional Court of the Slovak Republic No. 638/2005 Coll., Act No. 255/2006 Coll. and Act No. 330/2007 Coll. shall be amended and supplemented as follows:

1. In Article 12, paragraph 1, the word “wilful” is inserted after the words “lawfully convicted of a”.

2. Paragraph 4 is added to Article 24 with the following wording:

“(4) The Authority shall discontinue a security clearance process, if there are proceedings under way pertaining to an issue which may be significant for the completion of security clearance, until the completion of such proceedings.

3. Paragraph 4 is added to Article 25 with the following wording:

“(4) A psycho-physiological examination of veracity shall always be carried out if the nominee’s statements during the security interview contradict the ascertained facts which may prevent the issuance of the certificate or present a reason for the annulment of the certificate.”

4. The following sentence is added at the end of paragraph 3 in Article 30: “The costs of the proceedings related to the appeal pursuant to paragraphs 1 to 3 including litigation costs 13a) shall be borne by the Authority.”

5. In Article 45, a new paragraph (6) is inserted after paragraph 5, with this new paragraph having the following wording:

“(6) The Authority shall discontinue the security clearance of an entrepreneur if the composition of the entrepreneur’s statutory body is changed or supplemented during the execution of the security clearance process by including a person that is not a holder of the certificate issued by the Authority pursuant to Article 26 of the Act, for a period necessary to carry out the security clearance of such a person. The Authority shall also discontinue the security clearance of an entrepreneur, if there are proceedings under way pertaining to an issue which may be significant for the completion of security clearance, until the completion of such proceedings.”

The present paragraphs 6 to 11 shall be labelled as paragraphs 7 to 12.

6. Article 84 shall be followed by an inserted article – 84a – with the following wording:

“Article 84a

Security clearance commenced pursuant to the provisions of this Act effective before February 1, 2008, shall be completed pursuant to the provisions of this Act effective from February 1, 2008.”

Article II

This Act comes into force on February 1, 2008.

Ivan Gašparovič, in his own hand

Pavol Paška, in his own hand

Robert Fico, in his own hand