

REGULATION

of the National Security Authority

of the 23rd March 2016

on the Security Employee Examination

The National Security Authority (hereinafter “Authority”) stipulates under Article 9 (2) of the Act No. 215/2004 on the protection of classified information and on the amendment and supplementing of certain acts (hereinafter “Act”) the following:

Article 1

(1) A security employee examination referred to in Article 9 (2) of the Act (hereinafter “examination”) shall test the knowledge of the legislation of general application regulating the protection of classified information.

(2) The scope of the examination shall include the following selected fields:

- a) Personnel security,
- b) Administrative security,
- c) Physical security and Facility security,
- d) Security of technical devices; and
- e) Cryptographic protection of information.

(3) An application for examination shall be submitted to the Authority by the statutory body of the government authority, or mayor of the municipality, or chairman of the higher territorial unit, or statutory body of the other legal entity, as appropriate (hereinafter “Head”); where the statutory body is a collective body, the Head for the purposes of this Regulation shall be the member of the collective body holding a written commission to act as the Head.

(4) The following shall be published on the Authority’s website:

- a) A model examination application form;
- b) Information and rules concerning the examination process;
- c) Examples of test questions;
- d) A model security employee examination certificate (hereinafter “certificate”).

(5) An invitation to examination shall be sent to the applicant by electronic means, normally 15 days before the date of examination; if the applicant's e-mail address was not provided in the application, the invitation to examination shall be sent by letter.

Article 2

(1) The examination shall take a form of a written test.

(2) Before the start of the examination, the applicant shall evidence his or her identity to the Authority by producing an identity document¹⁾, and the Authority shall instruct the applicant on the rules of the examination process. An applicant may submit a public service member's card referred to in the applicable special law²⁾.

(3) If the applicant fails to evidence his or her identity in accordance with paragraph 2 before the examination, or his or her conduct during the examination breaches the rules of the examination process, the applicant shall be excluded from the examination and shall be deemed to have failed to pass the examination.

(4) If the applicant correctly accomplishes at least 80 % or more of the examination test, the applicant shall be deemed to have passed the examination and shall be issued a certificate.

(5) If the applicant correctly accomplishes less than 80 % of the examination test, the applicant shall be deemed to have failed to pass the examination and shall be sent a notice of the failure (hereinafter "notice").

(6) If the applicant failed to pass the examination, he or she shall be allowed to repeat the examination no sooner than one month after the failed examination date. The provision of Article 1 (3) shall apply in such case.

(7) The certificate or notice, as applicable, shall be sent to the applicant within seven days from the examination date. The Head who has submitted the examination application shall be informed of the examination result by a letter or by electronic means within seven days from the examination date.

(8) The list of certificates issued together with their numbers shall be published on the Authority's website.

(9) If the certificate has been lost, stolen or damaged, or its details referred to in paragraph (1) (c) point one have changed, the Authority shall issue at the written request of the holder a new certificate in place of the former certificate.

(10) When the holder of a certificate passes an examination in an additional field, the Authority shall issue to the holder a new certificate in place of the former one.

(11) The Head shall notify the Authority of the appointment in writing, and the lapse of the appointment, of an employee to perform duties under the Act and its implementing regulations adopted under Article 9 (1) of the Act no later than seven days after such appointment or lapse.

Article 3

- (1) A security employee shall complete retraining in the relevant field referred to in Article 1 (2) to which his or her certificate relates. The retraining shall be conducted by the Authority.
- (2) The provisions of Article 1 shall apply, *mutatis mutandis*, to the retraining application.
- (3) The completion of retraining under paragraph 1 shall be noted in the certificate.

Article 4

- (1) When this Regulation refers to the Authority, the reference shall be understood as referring to the Slovak Intelligence Service, the Military Intelligence Service or the Police Force, as appropriate, in respect to the examination of persons who are subject to security clearance under Articles 18 (1) to (4) of the Act.
- (2) The provisions of Articles 2 (8) and (11) shall not apply to the Slovak Intelligence Service, the Military Intelligence Service or the Police Force in respect to the performance of criminal intelligence duties.

Article 5

- (1) A certificate issued before or on the 31st March 2016 shall be deemed a certificate issued under this Regulation in respect to the fields referred to in Article 1 (2) subparagraphs (a) to (d).
- (2) A certificate of professional qualification in the cryptographic protection of information issued before or on the 31st March 2016 shall be deemed a certificate issued under this Regulation in respect of the field referred to in Article 1 (2) (e).
- (3) A security employee to whom a certificate was issued before or on the 31 March 2016 must complete retraining referred to in Article 3 (1) no later than the 31st March 2021.

Article 6

This Regulation shall come into force on the 1st April 2016.

Jozef Magala, *m.p.*

¹⁾ For example, the Act No. 224/2006 on identification cards and on amendments to certain laws, as amended; Act No. 647/2007 on travel documents and on amendments to certain laws, as amended.

²⁾ The Act No. 73/1998 on the public service of members of the Police Force, the Slovak Intelligence Service, the Corps of Prison and the Court Guard of the Slovak Republic and the Railway Police, as amended.

The Act No. 200/1998 on the public service of custom officers and on amendments to certain laws, as amended.

Act No. 315/2001 on the Fire Brigade and Rescue Corps, as amended.