



Decision No 04/2024
of
of the Management Board
on Security Rules for handling Sensitive Non-Classified Information (SNC) at the
European Labour Authority

THE MANAGEMENT BOARD OF THE EUROPEAN LABOUR AUTHORITY,

Having regard to Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/3441 (“the Founding Regulation” and “the Authority”), and in particular Article 18(1)(e) thereof;

Having regard to the Staff Regulations of Officials of the European Union (“Staff Regulations”) and the Conditions of Employment of Other Servants of the European Union (“CEOS”), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/681, and in particular Article 17 of the Staff Regulations and Article 11 and 81 of the CEOS;

Having regard to Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission, especially Article 9;

Having regard to Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission;

Having regard to Commission Security Notice C(2019) 1903 on Information assessment and classification;

Having regard to Commission Security Notice C(2019)1904 of 5 March 2019 on marking and handling of sensitive non-classified information;

Having regard to Commission’s “Proposal for a Regulation of the European Parliament and of the Council on information security in the institutions, bodies, offices and agencies of the Union” (COM(2022)119 final of 22/03/2022), adopted in the context of the EU Security Union Strategy;

WHEREAS:

(1) The purpose of the present policy for handling Sensitive Non-Classified Information (SNC) is to lay down the rules, basic principles and minimum standards for the protection of non-classified information handled and stored at ELA, with a specific focus on sensitive non-classified information, in order to increase compliance with the relevant legal, regulatory and

security requirements at the Authority.

(2) According to Article 38 of the Founding Regulation, ELA is required to adopt its own security rules equivalent to the Commission's security rules for protecting sensitive non-classified information, set out in Commission Decision (EU, Euratom) 2015/443. The Authority's security rules shall cover, *inter alia*, provisions for the exchange, processing and storage of such information;

(3) Article 9(6) of the Commission Decision (EU, Euratom) 2015/443 provides that: "Sensitive non classified information shall be subject to rules regarding its handling and storage. It shall only be released to those individuals who have a 'need-to-know'. When deemed necessary for the effective protection of its confidentiality, it shall be identified by a security marking and corresponding handling instructions";

(4) With the Security Notice C(2019) 1903 of 5 March 2019 on "Information assessment and classification", the rules for assessing the security needs of information at the Commission have been provided, to ensure that information is properly categorised and handled and to reduce the risks of information leaks or loss;

(5) With the Security Notice C(2019)1904 of 5 March 2019, the Commission provided operational instructions on marking and handling of sensitive non-classified information;

(6) With COM(2022)119 final of 22/03/2022, the Commission adopted, in the context of the EU Security Union Strategy, a "Proposal for a Regulation of the European Parliament and of the Council on information security in the institutions, bodies, offices and agencies of the Union", with the purpose to streamline the internal legal frameworks for information security of all Union institutions, bodies offices and agencies, by adopting common rules and standards for the secure exchange of information;

HAS ADOPTED THIS DECISION:

Article 1

Adoption of the Security Rules for handling

Sensitive Non-Classified Information (SNC) at the European Labour Authority

The European Labour Authority's Security Rules for handling Sensitive Non-Classified Information (SNC) at the European Labour Authority, as annexed to this Decision, are hereby adopted.

Article 2

Entry into force

This decision shall enter into force on the day following the date of its adoption.

Done in Bratislava, 16.5.2024

For the Management Board

Tom BEVERS
Chair of the Management Board