



DECISION No MB/2013/13
OF THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR NETWORK AND
INFORMATION SECURITY
ON PRACTICAL ARRANGEMENTS FOR IMPLEMENTING TRANSPARENCY AND
CONFIDENTIALITY RULES

THE MANAGEMENT BOARD OF ENISA,

Having regard to Regulation (EU) No 526/2013 of the European Parliament and of the Council of 21 May 2013 concerning the European Union Agency for Network and Information Security and repealing Regulation (EC) No 460/2004 (hereinafter referred to as the "Agency") and in particular Article 16 (4) and Article 17 (3) thereof;

Whereas:

- (1) The Agency has to ensure that it carries out its activities with a high level of transparency;
- (2) The Agency must not divulge to third parties information that it processes or receives for which confidential treatment has been requested;
- (3) The Agency has to lay down in its internal rules of operation the practical arrangements for implementing the transparency rules, including practical arrangements for making declarations of interest public;
- (4) The Agency has to lay down in its internal rules of operation the practical arrangements for implementing the confidentiality rules, including those applicable to information that the Agency processes or receives for which confidential treatment has been requested;
- (5) The Management Board of the Agency has to adopt the Agency's internal rules of operation after consulting the Commission services;
- (6) The Agency should apply the relevant Community legislation on the protection of individuals with regard to the processing of personal data as set out in Regulation (EC) No 45/2001 of the European Parliament and of the Council¹,

HAS ADOPTED THIS DECISION:

SECTION I – TRANSPARENCY

Article 1

Openness and transparency

Openness and transparency form an essential pillar of the culture and operating principles of the Agency. The Agency shall endeavour to maintain the highest possible standards in this respect throughout the spectrum of its activities.

¹ OJ L 8, 12.1.2001, p.1.

Article 2
Dissemination of activities and results

The Agency shall on a regular basis communicate about its activities and the results of its work, and disseminate this information tailored to meet the needs of its different partners, stakeholders and audiences, using various media and communication tools.

Without prejudice to Article 4 of these rules, the Agency shall publish the results of its work, including the deliverables anticipated in its work programmes and the deliverables resulting from requests for advice and assistance, unless otherwise decided under the applicable rules on confidentiality.

Article 3
Publication

Whenever the Agency is required to publish or to make public the results of its work, reports, rules of procedure, rules of operation, declarations of interest, declarations of commitments or other information under Regulation (EU) No 526/2013 or under its rules of operation or rules of procedure, it shall publish this information on its website. Such information, once available or adopted, shall be published in a timely manner.

SECTION II – CONFIDENTIALITY

Article 4
Confidential treatment

Confidential treatment for documents or information processed or received by the Agency will be afforded if explicitly requested by the originator of such documents or information.

Whenever confidential treatment has been requested, the Executive Director shall decide on the appropriate safeguards to ensure the requested confidentiality.

Where applicable, due account shall be taken of confidentiality previously established for particular information by European institutions or bodies or Member States or their bodies.

SECTION III – GENERAL PROVISIONS

Article 5
ENTRY INTO FORCE

This decision shall enter into force on the date of its signature.

Done at Vilnius, on 17 October 2013.

On behalf of the Management Board



Chairperson