



Ref.: ENISA MB (29/09/2006)

**DECISION OF THE MANAGEMENT BOARD  
of 29 September 2006**

**Internal rules of operation on the practical arrangements for implementing  
transparency and confidentiality rules for the European Network and Information  
Security Agency**

THE MANAGEMENT BOARD OF ENISA,

Having regard to Regulation (EC) No 460/2004 of the European Parliament and of the Council of 10 March 2004<sup>1</sup> (hereinafter referred to as “the Regulation”) establishing the European Network and Information Security Agency (hereinafter referred to as “the Agency”) and in particular Articles 6(6) thereof,

Having regard to the proposal from the Commission, Commission Decision of 04/IX/2006, C(2006) 3876 final, proposing internal rules of operation on the practical arrangements for implementing transparency and confidentiality rules for the European Network and Information Security Agency

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.

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<sup>1</sup> OJ L 77, 13.3.2004, p.1.

(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 on the basis of a proposal by the Commission.

(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 Council<sup>2</sup>,

HAS DECIDED AS FOLLOWS:

*Article 1*

The rules annexed hereto are adopted as the internal rules of operation of the European Network and Information Security Agency on practical arrangements for implementing transparency and confidentiality rules.

Done at Helsinki on 29 September 2006

For the ENISA Management Board



Kristiina Pietikäinen,  
Chairperson of the Management Board

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<sup>2</sup> OJ L 8, 12.1.2001, p.1.

## **Annex I**

# **INTERNAL RULES OF OPERATION OF THE EUROPEAN NETWORK AND INFORMATION SECURITY AGENCY ON THE PRACTICAL ARRANGEMENTS FOR IMPLEMENTING TRANSPARENCY AND CONFIDENTIALITY RULES**

## **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.

### **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, 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 (EC) No 460/2004 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**

These internal rules of operation shall enter into force on the day following the date of adoption by the Management Board.