

Ε.Ε. Παρ. Ι(ΙΙΙ)
Αρ. 4219, 15.4.2016

Ν. 7(ΙΙΙ)/2016

Ο περί της Συμφωνίας μεταξύ της Κυπριακής Δημοκρατίας και του Βασιλείου του Βελγίου για την Αμοιβαία Προστασία Διαβαθμισμένων Πληροφοριών (Κυρωτικός) Νόμος του 2016 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 7(ΙΙΙ) του 2016

ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗ ΣΥΜΦΩΝΙΑ ΜΕΤΑΞΥ ΤΗΣ ΚΥΠΡΙΑΚΗΣ ΔΗΜΟΚΡΑΤΙΑΣ ΚΑΙ
ΤΟΥ ΒΑΣΙΛΕΙΟΥ ΤΟΥ ΒΕΛΓΙΟΥ ΓΙΑ ΤΗΝ ΑΜΟΙΒΑΙΑ ΠΡΟΣΤΑΣΙΑ ΔΙΑΒΑΘΜΙΣΜΕΝΩΝ ΠΛΗΡΟΦΟΡΙΩΝ

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

Συνοπτικός
τίτλος.

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Συμφωνίας μεταξύ της Κυπριακής Δημοκρατίας και του Βασιλείου του Βελγίου για την Αμοιβαία Προστασία Διαβαθμισμένων Πληροφοριών (Κυρωτικός) Νόμος του 2016.

Ερμηνεία.

2. Στον παρόντα Νόμο, εκτός εάν από το κείμενο προκύπτει διαφορετική έννοια-

«Συμφωνία» σημαίνει τη Συμφωνία μεταξύ της Κυπριακής Δημοκρατίας και του Βασιλείου του Βελγίου για την Αμοιβαία Προστασία Διαβαθμισμένων Πληροφοριών, η οποία υπογράφηκε στις Βρυξέλλες στις 20 Ιουλίου 2015, δυνάμει της Απόφασης του Υπουργικού Συμβουλίου με αρ. Α79.110 και ημερομηνία 14 Ιουλίου 2015.

Κύρωση της
Συμφωνίας.
Πίνακας.
Μέρος Ι,
Μέρος ΙΙ,
Μέρος ΙΙΙ,
Μέρος ΙV.

3. Με τον παρόντα Νόμο κυρώνεται η Συμφωνία, τα κείμενα της οποίας εκτίθενται στην Αγγλική γλώσσα στο Μέρος Ι του Πίνακα, στην Ελληνική γλώσσα στο Μέρος ΙΙ του Πίνακα, στην Ολλανδική γλώσσα στο Μέρος ΙΙΙ του Πίνακα και στη Γαλλική γλώσσα στο Μέρος ΙV του Πίνακα:

Νοείται ότι, σε περίπτωση διαφοράς μεταξύ των κειμένων που εκτίθενται στα Μέρη Ι, ΙΙ, ΙΙΙ και ΙV του Πίνακα, υπερισχύει το κείμενο που εκτίθεται στο Μέρος Ι αυτού.

Αρμόδια αρχή.

4. Ο Υπουργός Άμυνας καθορίζεται ως η αρμόδια αρχή για την εφαρμογή της Συμφωνίας.

ΠΙΝΑΚΑΣ
(Άρθρο 3)

ΜΕΡΟΣ Ι

(Αγγλική γλώσσα)

AGREEMENT
BETWEEN THE REPUBLIC OF CYPRUS AND
THE KINGDOM OF BELGIUM ON THE
MUTUAL PROTECTION OF CLASSIFIED INFORMATION

AGREEMENT

Between the Republic of Cyprus and the Kingdom of Belgium on the Mutual Protection of Classified Information

The Republic of Cyprus and the Kingdom of Belgium hereinafter referred to as the "Parties".

Willing to ensure the protection of all Classified Information exchanged between or jointly generated by the Parties,

Being guided by the creation of regulation in the scope of the mutual protection of Classified Information, which is to be binding in relation to all mutual cooperation connected with the exchange of Classified Information,

Confirming that this Agreement shall not affect the commitments of both Parties which stem from other international agreements,

Have agreed as follows:

Article 1 Definitions

For the purpose of this Agreement:

"Breach of Security" means the result of an act or an omission which is contrary to this Agreement and the legislation of the Parties in the sphere of protection of Classified Information;

"Classified Contract" means an agreement in any form between the Contractors, which involves access to Classified Information or originating of such information;

"Classified Information" means any kind of information irrespective of its form, its carrier and its manner of recording, which requires protection against unauthorized disclosure in accordance with the legislation of each Party and which has been so designated by a security classification as referred to in Article 3 of this Agreement;

“Competent Security Authorities” means state authorities, which are competent for the protection of Classified Information, as referred to in Article 4 Paragraph 1 of this Agreement;

“Contractor” means an individual or an entity, having the legal capacity to conclude Contracts;

“Need To Know” means the need to have access to Classified Information in the framework of official duties or in order to fulfill a mission with access to Classified Information;

“Originating Party” means the Party which transmits Classified Information to the other Party in accordance with its legislation;

“Principal” means an entity of one Party, concluding or willing to conclude a Classified Contract with a Contractor on the territory of the other Party;

“Receiving Party” means the Party to which Classified Information is transmitted by the other Party in accordance with its legislation;

“Security Clearance” means a positive determination stemming from an investigative procedure that, in accordance with the legislation of the Parties, enables to grant access to an individual and allows the public and/or legal entity to handle Classified Information at the equivalent level;

“Third Party” means any party not being a Party to this Agreement.

Article 2

Objective

1. The objective of this Agreement is to ensure the protection of Classified Information exchanged between or jointly generated by the Parties.
2. Classified Information shall be protected according the conditions defined in this Agreement and in accordance with the legislation of the Parties.
3. Each Party shall be responsible for the protection of Classified Information received from the other Party from the time of receipt in accordance with its legislation.

Article 3 Equivalency of Security Classifications

1. Classified Information is granted a security classification level in accordance with the legislation of the Originating Party. Received Classified Information shall be granted an equivalent security classification level, according to the provisions of Paragraph 4 of this Article.
2. Paragraph 1 of this Article also applies to Classified Information generated as a result of mutual cooperation between the Parties, including the Classified Information that is originated when performing a Classified Contract.
3. The security classification shall be changed only by the Originating Party. The Receiving Party shall immediately be notified on every change of security classification.
4. The Parties agree that the following security classification levels are equivalent:

REPUBLIC OF CYPRUS	KINGDOM OF BELGIUM		ENGLISH EQUIVALENT
	IN DUTCH LANGUAGE	IN FRENCH LANGUAGE	
ΑΚΡΩΣ ΑΠΟΡΡΗΤΟ	Zeet Geheim (Wet van 11/12/1998)	Très Secret (Loi du 11/12/1998)	TOP SECRET
ΑΠΟΡΡΗΤΟ	Geheim (Wet van 11/12/1998)	Secret (Loi du 11/12/1998)	SECRET
ΕΜΠΙΣΤΕΥΤΙΚΟ	Vertrouwelijk (Wet van 11/12/1998)	Confidentiel (Loi du 11/12/1998)	CONFIDENTIAL
ΠΕΡΙΟΡΙΣΜΕΝΗΣ ΧΡΗΣΗΣ			RESTRICTED

5. Information originated from the Republic of Cyprus classified as "ΠΕΡΙΟΡΙΣΜΕΝΗΣ ΧΡΗΣΗΣ" shall be protected as BEPERKTE VERSPREIDING or DIFFUSION RESTREINTE in the Kingdom of Belgium. Information received from the Kingdom of Belgium marked as BEPERKTE VERSPREIDING or DIFFUSION RESTREINTE shall be protected as "ΠΕΡΙΟΡΙΣΜΕΝΗΣ ΧΡΗΣΗΣ" in the Republic of Cyprus.