

Security Accreditation Board

# Rules of Procedure of the European Union Space Programme Security Accreditation Board

**Reference:**

**EUSPA-SAB-ACC-MGT-A11803**

**Issue/Version: 3.2**

**Date: 15/05/2025**

Prepared By:			
Name	Department/Role/Team	Signature	Date
SADEP	SADEP	Electronically signed	24/04/2025

Reviewed By:			
Name	Department/Role/Team	Signature	Date
Elisabetta Carrara	Head of SADEP	Electronically signed	24/04/2025

Approved By:			
Name	Role	Signature	Date
Philippe Bertrand	Chairman of SAB	Electronically signed	15/05/2025

Security Accreditation Board

Change Log:			
Issue/ Version	Changes & Pages Affected	Author	Date
0.1	Initial draft Original Reference: GSA-SAB-10-09-01-02	SAB	28 September 2010
0.2	Inputs from SAB review	SAB	17 November 2010
0.3	GSA legal advice	SAB	29 November 2010
1.0	Approved by SAB	SAB	16 December 2010
1.1	Draft annual revision, including: <ul style="list-style-type: none"> <li>- Impact of PRS Decision 1104/2011 on the rules for access to the PRS,</li> <li>- Introduction of the concept of “voting committee”</li> </ul> Clarification of rules for reimbursement of expenditures	SAB	20 January 2012
1.1	SAB Rules of Procedure were approved through silence procedure which was launched on 29 February and ended on 14 March 2012.	SAB	14 March 2012
1.2	Revision to account for the accession of Croatia to the EU on 1 July 2013. Alignment of Article 9 (quorum) and Article 10 (decision-making) to the Council rules.	SAB	30 July 2013
1.3	Revision to allow a 6-month extension of the term of office (Article 3, point 2)	SAB	18 September 2013
2.0	Draft, complete review to reflect the changes introduced by the Regulation (EU) No 512/2014 amending Regulation (EU) No 912/2010	SAB	20 May 2014
2.1	Draft, article 2(6) revised to specify that the nomination of representatives has to be made via official channels.	SAB	19 June 2014
2.1	Final, approved under SAB#17 decision 12 <ul style="list-style-type: none"> <li>- Article 17 removed</li> </ul> Article 8 frozen to the content of v1.3 article 6	SAB	23 July 2014

Security Accreditation Board

Change Log:			
Issue/ Version	Changes & Pages Affected	Author	Date
3.0	SAB Board for the Space Programme of the Union, various updates during WG meetings (November 2020, final meeting on 25/01/2021), legal and linguistic check. SAB#47b approval	SAB	1 June 2021
3.1	Approval of amended version of the Articles 2, 5, 6, 12 to 18, Annexes I and II to address: <ul style="list-style-type: none"> <li>- Conflict of Interest declaration and SAB secretariat correspondence related paragraphs,</li> <li>- Alignment to the USC regulation and</li> <li>- Other changes aimed at overall simplification of the text.</li> </ul>	SAB	19 December 2024
3.2	Evolutions of articles 1, 3, 4, 7, 8, 9 to reflect SAB best practices.	SAB	15 May 2025

Security Accreditation Board

## TABLE OF CONTENTS

<b>ARTICLE 1.</b>	<b>RESPONSIBILITIES OF THE SECURITY ACCREDITATION BOARD .....</b>	<b>5</b>
<b>ARTICLE 2.</b>	<b>COMPOSITION AND ATTENDANCE TO THE SAB, ITS SPECIAL SUBORDINATE BODIES AND ITS GROUP OF EXPERTS .....</b>	<b>5</b>
<b>ARTICLE 3.</b>	<b>ELECTION OF THE CHAIRPERSON AND THE DEPUTY CHAIRPERSON.....</b>	<b>7</b>
<b>ARTICLE 4.</b>	<b>DISMISSAL OF THE CHAIRPERSON OR DEPUTY CHAIRPERSON .....</b>	<b>8</b>
<b>ARTICLE 5.</b>	<b>TASKS OF THE CHAIRPERSON .....</b>	<b>8</b>
<b>ARTICLE 6.</b>	<b>SPECIAL SUBORDINATE BODIES AND GROUP OF EXPERTS .....</b>	<b>9</b>
<b>ARTICLE 7.</b>	<b>AGENDA.....</b>	<b>9</b>
<b>ARTICLE 8.</b>	<b>MEETINGS .....</b>	<b>9</b>
<b>ARTICLE 9.</b>	<b>DECISION-MAKING AND VOTING .....</b>	<b>10</b>
<b>ARTICLE 10.</b>	<b>WRITTEN PROCEDURE .....</b>	<b>11</b>
<b>ARTICLE 11.</b>	<b>SILENCE PROCEDURE .....</b>	<b>12</b>
<b>ARTICLE 12.</b>	<b>SUMMARY OF DECISIONS AND MINUTES OF MEETINGS .....</b>	<b>12</b>
<b>ARTICLE 13.</b>	<b>CORRESPONDENCE .....</b>	<b>13</b>
<b>ARTICLE 14.</b>	<b>SECURITY PRINCIPLES AND CONFIDENTIALITY.....</b>	<b>13</b>
<b>ARTICLE 15.</b>	<b>PREVENTION OF CONFLICT OF INTEREST .....</b>	<b>13</b>
<b>ARTICLE 16.</b>	<b>AUTONOMY AND INDEPENDENCE OF THE SAB .....</b>	<b>15</b>
<b>ARTICLE 17.</b>	<b>REIMBURSEMENT OF EXPENSES.....</b>	<b>15</b>
<b>ARTICLE 18.</b>	<b>AMENDMENT OF THE RULES OF PROCEDURE .....</b>	<b>15</b>
	<b>ANNEX I - DECLARATION OF COMMITMENTS, INTERESTS AND CONFIDENTIALITY .....</b>	<b>16</b>
	<b>ANNEX II - DECLARATION OF CONFIDENTIALITY .....</b>	<b>23</b>

Security Accreditation Board

## **Rules of Procedure of the European Union Space Programme Security Accreditation Board**

The European Union Space Programme Security Accreditation Board (hereinafter also the “SAB”),

Having regard to Regulation (EU) 2021/696 of the European Parliament and of the Council of 28 April 2021 establishing the Union Space Programme and the European Union Agency for the Space Programme and repealing Regulations (EU) No 912/2010, (EU) No 1285/2013, (EU) No 377/2014 and Decision 541/2014/EU, in particular Article 38(2)(n) (hereinafter “the Space Regulation”);

Having regard to Regulation (EU) 2023/588 of the European Parliament and of the Council of 15 March 2023 establishing the Union Secure Connectivity Programme for the period 2023-2027; in particular Article 34(1) and 34(3) (hereinafter “the Secure Connectivity Regulation”);

ADOPTS THE FOLLOWING RULES OF PROCEDURE:

### **Article 1. Responsibilities of the Security Accreditation Board**

The SAB is the security accreditation authority for all of the EU Space Programme’s components and for the governmental infrastructure and related governmental services of the Union Secure Connectivity Programme. The SAB shall perform the tasks defined in the Space Regulation and the Secure Connectivity Regulation.

### **Article 2. Composition and attendance to the SAB, its special subordinate bodies and its group of experts**

1. The SAB shall be composed as follows:

- (I) Members with voting rights: one representative of each EU Member State,
- (II) Members without voting rights,
  - a) a representative of the Commission, and
  - b) a representative of the High Representative for the Union for Foreign Affairs and Security Policy (HR).
- (III) Observers, without voting rights.

The following observers may be invited to attend the meeting of the SAB on a need-to-know basis:

- a) representatives of European Space Agency (ESA),
- b) representatives of the European Union Agency for the Space Programme (hereinafter “the Agency”) not involved in the activities under Chapter II of Title V of the Space Regulation.

## Security Accreditation Board

The following observers, on an exceptional basis, may be invited to attend the meeting of the SAB on a need-to-know basis:

- c) representatives of other EU agencies,
  - d) representatives of international organisations, for matters directly relating to them,
  - e) representatives of third countries, for matters directly relating to them, especially matters concerning the infrastructure belonging to them or established on their territory. Such participation and the relevant conditions shall be established in the agreements referred to in Article 39(2) of the Space Regulation and Art. 34(1) of the Secure Connectivity Regulation and shall comply with these Rules of Procedure,
  - f) representatives of the contractors involved in governmental infrastructure and services referred to and under the conditions of Art. 34(3) of the Secure Connectivity Regulation, for matters directly relating to those contractors. The participation of the representatives of the contractors shall be duly justified and approved by silence procedure by the SAB 15 calendar days before the meeting where they may take part. In exceptional cases, the Chairperson may shorten this time as necessary in accordance with Article 11.
- (IV) As per Protocol 31 to the Agreement on the European Economic Area, representatives of Norway shall fully participate in the SAB without voting rights in the areas covered by this protocol.

Taking into account the Cooperation Agreement on satellite navigation between the Union and its Member States and the Kingdom of Norway, disclosure of classified information to Norway may be limited in application of Article 5 of the Agreement between the Kingdom of Norway and the European Union on the security procedures for the exchange of classified information [Ref OJ L 362/29, 09.12.2004].

Each member of the SAB shall have alternates. The alternates shall represent the member in his/her absence including the right to vote. Members with voting rights can be accompanied by national experts.

2. The term of office of the members and alternates shall be four years and shall be renewable.
3. The SAB shall be assisted by a secretariat provided by the Agency staff under its supervision as per Article 82 of the Space Regulation.
4. The term “representative” and “representatives” as used in these rules of procedure shall encompass the representatives of the Member States, the representative from the Commission, the representative from the HR, the representatives of the Agency not involved in security accreditation, the representatives of ESA, as well as representatives of other EU agencies, third countries or international organisations, unless explicitly stated otherwise.
5. SAB representatives shall be nominated by official communication addressed to the SAB secretariat. The representatives of the Member States shall be nominated via the relevant (diplomatic) representations. Other representatives shall be nominated by the person authorised to represent the respective organisation or their appointee. All nominees should be persons with Personal Security Clearance up to level SECRET UE/EU SECRET or equivalent as identified in Article 43 of the Space Regulation and Art. 38 of the Secure Connectivity Regulation. A nomination shall always include the

## Security Accreditation Board

declaration referred to in Article 15 together with the nominee's contact details to be used in all official communications with the SAB. The body or organisation responsible for the nomination shall inform the secretariat without delay of any relevant changes to the contact information. Only complete and valid nominations can be accepted.

6. At the request of a representative or of the secretariat, the Chairperson may authorise experts to participate in the SAB meetings for matters that require their expertise. The representative requesting the participation of the expert shall send his/her written request to the secretariat at least 1 week in advance of the particular meeting accompanied with the information for nomination including the clearance and declaration referred to in Article 15.
7. Members should attend all SAB meetings. Where such attendance is not possible, the attendance should be ensured by their alternates.
8. Notwithstanding Article 2(5), members with voting rights may appoint other members with voting rights as their proxy in writing, within the limit of Article 9(4).

### **Article 3. Election of the Chairperson and the Deputy Chairperson**

1. The SAB shall elect a Chairperson and Deputy Chairperson from among its members with voting rights by a two-thirds majority of all the members with the right to vote. Where a two-thirds majority has not been achieved following two meetings of the Security Accreditation Board, a simple majority shall be required. If the voting at the first meeting is not successful, the second meeting shall be called within two months.
2. The term of office of the Chairperson and of the Deputy Chairperson shall be two years, renewable once, starting on the first day after their respective predecessor's term of office or on the day of election if the office is vacant. The term of office of either person shall end if he or she ceases to be a member of the Security Accreditation Board.
3. The vote for the election of the Chairperson and the Deputy Chairperson shall be taken during a meeting with the participation limited to the Member States delegates/members. Secret ballots shall be organized if requested at least by one member with the right to vote.
4. The Deputy Chairperson shall automatically replace the Chairperson if the latter is unable to attend to his/her duties.
5. The election of the Chairperson and Deputy Chairperson shall take place at a SAB meeting at least two months before the end of the term of the Chairperson and Deputy Chairperson.
6. A call for candidates shall be sent out no later than six weeks before the elections are scheduled. The candidates shall send their candidature, letter of motivation and curriculum vitae to the secretariat no later than four weeks before the elections are scheduled. The list of candidates together with their curriculum vitae and letters of motivation shall be sent to all members with voting rights by the secretariat at least three weeks in advance of the scheduled election. The candidates shall present their understanding and vision of the position they apply for.
7. The Chairperson shall, with the support of the secretariat, count the votes immediately after the election. The voting results shall be announced to the SAB during the meeting. The election results

## Security Accreditation Board

shall be included in an "election statement" report. It will be archived by the secretariat and released to the SAB.

8. If the office of the Chairperson or the Deputy Chairperson falls vacant, an election for successor shall be held within three months from the first day of the vacancy.
9. If both the Chairperson and the Deputy Chairperson are absent or unable to attend a meeting or both offices fall vacant, the meeting shall be chaired by the representative of the current or of a preceding EU Presidency following their order of nomination, until one representative is demonstrated to be available.

### **Article 4. Dismissal of the Chairperson or Deputy Chairperson**

1. The SAB has the power to dismiss the Chairperson, the Deputy Chairperson or both of them, upon proposal of any member with voting rights. The proposal to dismiss should be duly justified and communicated to the secretariat.
2. The secretariat shall notify any such proposal to the members with voting rights at the earliest opportunity and organise within ten working days for a decision on the matter, pursuant to the provisions of Article 3(3).
3. The Chairperson, the Deputy Chairperson, or both, depending on the proposal, shall not participate to the SAB vote.
4. The decision to dismiss shall be adopted by a two-thirds majority during a meeting with the participation limited to the Member States delegates/members. The vote of the Member State represented by the Chairperson, respectively the Deputy Chairperson, shall be brought forward by a different representative than the Chairperson, respectively the Deputy Chairperson.
5. In case a decision is taken to dismiss the Chairperson or the Deputy Chairperson, the provisions of Article 3(8) shall immediately be applied.

### **Article 5. Tasks of the Chairperson**

1. The Chairperson shall perform the tasks laid down in Article 83(1) of the Space Regulation.
2. In accordance with Article 83(2) of the Space Regulation, for activities covered by Chapter II of Title V, the European Parliament and the Council may call upon the SAB Chairperson for an exchange of views before those institutions on the work and prospects of the Agency, including with regards to the multiannual and the annual work programmes.
3. In case the Chairperson and Deputy Chairperson are both unavailable, the SAB may decide to designate a member with voting rights for a limited period of time to perform specific duties which are not related to chairing the SAB meetings, e.g. during a launch activity.

Security Accreditation Board

## **Article 6. Special Subordinate Bodies and group of experts**

The Security Accreditation Board shall put in place the special subordinate bodies referred to in Articles 38(3) and 82(3) of the Space Regulation. The SAB shall establish the special subordinate bodies and approve their Terms of Reference.

## **Article 7. Agenda**

1. Prior to each SAB meeting a provisional agenda shall be drawn up by the Chairperson and shared with the SAB nominated representatives.
2. The agenda should specify the points for decisions and those for information or consultation. Points for decision should be supported by reports or other appropriate documents in order to support the decision making.
3. Any member's request for an additional point on the agenda shall be received at the Secretariat no later than five working days before the proposed day of the meeting.
4. The agenda shall be adopted by SAB decision at the beginning of each meeting.

## **Article 8. Meetings**

1. The SAB shall hold ordinary meetings at least three times a year. The dates of SAB meetings shall be adopted by SAB decision on the annual SAB meeting plan which shall take into account the need for adequate coordination, to the extent possible, with Commission. At the initiative of the Chairperson or at the request of any SAB member, the decision on the meeting plan may be amended taking due account of the limits foreseen in the SAB budget.
2. The meeting invitation and agenda shall be sent by the secretariat to all representatives, twenty calendar days prior to each meeting, notwithstanding reduced periods in urgent cases. The data-package for the meeting, including slides to be presented, should be provided seven calendar days before the meeting wherever possible.
3. In urgent cases and where the measures to be adopted must be applied immediately, the Chairperson may shorten the time specified in paragraph 2 above to seven calendar days before the date of the meeting. Such case shall be clearly specified in the transmission notice.
4. The SAB may hold meetings classified up to "SECRET UE/EU SECRET".
5. In case classified information is foreseen to be discussed in the meeting, the relevant classification level for each item of the agenda shall be clearly identified. In this case all participants to the meeting, including interpreters are required to produce proof of their Personal Security Clearance at the appropriate level to the secretariat before the opening of the meeting.
6. In case PRS information is foreseen to be discussed the attendance to the meeting will be limited to a restricted formation of the Security Accreditation Board composed of:
  - Members with voting rights which designated a competent PRS authority in accordance with Article 5 of Decision No 1104/2011/EU;

## Security Accreditation Board

- the Commission and EEAS;
  - the Agency and the ESA, as referred to in Article 14 of Decision 1104/2011/EU;
  - on a need-to-know basis as per Article 2, third countries and other international organisations that have concluded agreements referred to in Decision No 1104/2011/EU Article 3(5) or Union agencies in accordance with Decision No 1104/2011/EU Article 3(4) and Article 7 of the Space Regulation.
7. In case a restricted formation is foreseen based on need-to-know as per Article 7 or Article 8 of the Space Regulation and/or Art. 39 of the Secure Connectivity Regulation the attendance to the meeting will be limited to that restricted formation.
  8. The members with voting rights may by simple majority of the members present decide to exclude observers and/or experts from the participation of any part of the meeting.
  9. Interpretation will be provided during the Security Accreditation Board meetings, provided that all the security measures and logistic aspects are properly covered. The members with voting rights may decide to hold meetings without interpretation. In such case and without prejudice to the provisions laid down in Regulation No 1 of 15 April 1958 determining the languages to be used by the European Union the meetings shall be held in the English language. All documents produced by the Security Accreditation Board shall be written in the English language.

## Article 9. Decision-making and voting

1. In accordance with, inter alia, the Art. 37 and 41 of the Space Regulation and Art. 33 and 36 of the Secure Connectivity Regulation, the decision-making and voting of SAB shall be based on the following principles:
  - i. efforts shall be made for decisions within the SAB to be reached by consensus;
  - ii. efforts shall be made to consult all relevant parties with an interest in security issues for the component concerned;
  - iii. the Commission shall keep the Security Accreditation Board continuously informed of the impact of any decisions envisaged by the Security Accreditation Board on the proper conduct of the Programme's components and of the implementation of residual risk treatment plans. The Security Accreditation Board shall take note of any such information received from the Commission
  - iv. Decisions on security accreditation shall be taken in a strictly independent manner, including with regard to the Commission and the other bodies responsible for the implementation of the component concerned and for the provision of related services, and with regard to the Executive Director and the Administrative Board of the Agency.
2. In order to ensure the SAB independence and the participation in the SAB decisions of the members without voting rights, the members with voting rights may decide to organize the decision-making process in three phases:
  - Discussion on the context and the elements for decision open to all members and relevant observers;

## Security Accreditation Board

- Discussion limited to the Member States delegate/members aimed at achieving consensus among them;
  - Discussion on the decision in presence of all members and relevant observers. The final SAB decision shall take place only after the latter discussion.
3. If consensus cannot be reached, the SAB shall take decisions on the basis of qualified majority voting, as provided for in Article 16 of the Treaty on European Union, unless stated otherwise in the relevant Articles. The vote will be organized in a specific session limited to members with voting rights.
  4. In case a decision is to be taken in a restricted SAB formation as per Article 8(6) or 8(7) and consensus cannot be reached, the SAB shall take the decision on the basis of the qualified majority as provided in article 238(3) of the Treaty on the Functioning of the European Union. Such decisions shall be considered as decisions of the Security Accreditation Board.
  5. Proxies shall be allowed during the voting if they have provided proof of their appointment to the Chairperson in writing before the meeting; however, a representative of a member with a right to vote shall not hold more than one proxy. Proxies are taken into account for establishing the quorum.
  6. In the case the quorum to allow reaching a qualified majority is not attained in the meeting, decisions can be postponed to a later meeting or submitted to a written procedure in accordance with Article 10 or to a silence procedure in accordance with Article 11.
  7. In case a decision is put to a vote, the Chairperson shall, with the support of the secretariat, establish a voting committee composed of at least three persons from the secretariat.
  8. The voting results shall be included in a "voting committee statement" report. This voting committee statement will contain at least an introduction on articles related to the SAB voting rules, a table of votes and the composition of the voting committee. It will be archived by the secretariat and released to the SAB.
  9. The Chairperson shall sign, on behalf of the SAB, the decisions adopted by the SAB.
  10. In accordance with Art. 41(1) of the Space Regulation and Art. 36(1) of the Secure Connectivity Regulation, the decisions of the SAB shall be addressed to the Commission.
  11. Deadlines foreseen in these Rules of Procedure can be shortened in exceptional circumstances if proposed by the Chairperson and not objected by a member with voting rights.

## **Article 10. Written procedure**

1. Without prejudice to Article 9, decisions of the SAB may be taken by written procedure on proposal of the Chairperson, if possible, following a consultation with the members with a right to vote. During this consultation, these members can propose amendments or object to the proposed decision for written procedure within a time limit set by the Chairperson. A proposed amendment or objection shall always be duly justified. A written procedure may be limited to a restricted formation depending on the need-to-know of the proposal, as per Article 8(6) and 8(7).
2. The proposal to be taken by written procedure shall not be subject to amendment; it shall be approved or rejected in its entirety.

## Security Accreditation Board

3. The secretariat shall send the proposal on which a decision is requested to the members with voting rights. The transmission notice shall be sent for information to all representatives.
4. In case of a written procedure, the voting shall be done within the deadline given in the transmission notice.
5. For the adoption of a decision in a procedure in writing, the rules for the decision-making and voting of Article 9 apply accordingly.
6. The Chairperson shall set deadlines for decisions under weighing of the circumstances and the time required for consideration of the vote but in any case sufficient to allow any member with voting rights to answer in the required form.

### **Article 11. Silence procedure**

1. Without prejudice to Article 9, the Chairperson may ask for agreement on a decision via silence procedure in order to reach consensus.
2. The Chairperson shall set deadlines under weighing of the circumstances and the time required for consideration of the decision but in any case sufficient to allow any member with voting rights to answer in the required form.
3. Only those members with voting rights opposing the decision shall submit their duly justified objection.
4. Provided the secretariat has not received any written objections within the specified deadline, the decision subject to the silence procedure shall be deemed adopted.
5. The silence procedure will be considered as not successful in case a member with voting rights objects to the decision. In such a case, the Chairperson shall initiate a consultation with the members with voting rights. Following this consultation, the Chairperson shall include it on the agenda of the next meeting of the SAB or launch a written procedure referred to in Article 10 or a new silence procedure may be launched on a modified decision.

### **Article 12. Summary of decisions and minutes of meetings**

1. A summary of decisions taken at each SAB meeting shall be forwarded by the secretariat to SAB members and observers with respect to their need to know and taking into account Article 15(4), not later than two weeks after the end of the meeting. This provision applies to the written and the silence procedure, accordingly.
2. The draft minutes of meetings drawn up by the secretariat shall be issued to the Chairperson within ten working days after the meeting. The draft minutes shall be issued to members and observers with respect to their need-to-know by the secretariat within five working days following the agreement of the Chairperson and not later than one month after the meeting. The attendance list, applied classifications, actions, the decisions taken with figures of the votes cast at each vote shall be contained in or attached to these minutes.

## Security Accreditation Board

3. The members shall inform the secretariat in writing of any comments they might have. The proposed amendment shall be discussed at the next meeting. If no decision on the inclusion of amendments in the minutes of meeting can be reached, the comments shall be attached to the minutes of that meeting.
4. Once approved, the minutes of meeting shall be signed by the Chairperson and kept in the secretariat archives.
5. A copy of the approved and signed minutes of meeting shall be sent to all members and observers with respect to their need-to-know.

### **Article 13. Correspondence**

1. Any correspondence concerning the SAB shall be addressed to the secretariat, which shall register it.
2. Correspondence to the members and observers shall be addressed directly to each representative, using the contact details communicated to the secretariat.
3. Declarations or votes made by email shall be regarded as declarations or votes made in written form subject to relevant confirmation obtained by the secretariat.

### **Article 14. Security principles and confidentiality**

1. For the protection of classified information, the SAB and its subordinate bodies shall comply with the applicable law, in particular Art. 43 of the Space Regulation and Art. 38 of the Secure Connectivity Regulation, and implement the security rules adopted by the Agency in compliance with Article 96 of the Regulation (EU) 2021/696.
2. Any persons present at the meetings of the SAB and its subordinate bodies and group of experts referred to in Article 6 shall respect the confidentiality and classification of these meetings.
3. On behalf and under supervision of the SAB, the Chairperson is deemed to be the originator<sup>1</sup> of the SAB documents.

### **Article 15. Prevention of conflict of interest**

1. Every representative or person participating in SAB meeting (hereinafter the “person(s) concerned”), with the exceptions of the representatives of the contractors invited to attend the SAB meeting on the basis of Art. 2.1.III.f (to which Article 15.8 applies) shall submit a written Declaration of Commitments, Interests and Confidentiality in the form specified in the Annex I (hereinafter “Declaration”), unless he or she has already submitted such a declaration for the purpose of

---

<sup>1</sup> In accordance with COMMISSION DECISION (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information and COUNCIL DECISION of 23 September 2013 on the security rules for protecting EU classified information (2013/488/EU), ‘originator’ means the Union institution, body or agency, Member State, third state or international organisation under whose authority classified information has been created and/or introduced into the Union’s structures.

## Security Accreditation Board

participation in the SAB subordinate bodies and the declaration remains valid. The Declaration shall be duly signed and indicate the absence or existence of any direct or indirect interest which might be considered prejudicial to independence of the person concerned in performing the tasks in connection with the SAB activities.

2. The Declaration shall be accurate and complete. When necessary, it shall specify activities that may be affected by an actual or potential conflict of interest.
3. The persons concerned shall renew the Declarations annually. Furthermore, they shall submit updated Declarations whenever necessary, in particular in the event of any relevant change in their personal circumstances.
4. The persons concerned shall submit their Declaration within 15 days of their nomination, at the latest before their first SAB meeting, and renew their declarations before the end of January of each year. Persons concerned who have not submitted the Declaration shall not take part in the SAB meetings, in subordinate bodies meetings or in SAB written or silence procedures, and shall not receive correspondence, with the exception of the agenda.
5. The Declarations of the Chairperson, the Deputy Chairperson and, where appropriate, the Chairs of the special subordinate bodies and group of experts, shall be published on the EUSPA website. This publication shall respect the applicable rules on protection of personal data.
6. The persons concerned shall refrain from performing tasks affected by a conflict of interest. In particular, they shall abstain from participating in discussions and voting on agenda items of a SAB meeting that are concerned by the conflict of interest.
7. At the beginning of any SAB meeting or special subordinate bodies or group of experts meeting, the Chairperson and, where appropriate, the Chair of the subordinate bodies or group of experts shall request all participants to declare the absence or existence of any interest which might be considered prejudicial to their independence in relation to any item on the agenda. Declarations submitted on this request shall be recorded in the minutes of the meeting.
8. Representatives of the contractors invited to attend the SAB meetings on the basis of Art. 2.1.III.f) shall not be required to provide the Declaration of Commitments, Interests and Confidentiality as specified in Annex I, as the existence of conflict of interest is in their case presumed, but can submit such a declaration on their own motion, justifying, where relevant, that no conflict of interests exists in the particular case. The representatives who do not submit the Declaration of Commitments, Interests and Confidentiality as specified in Annex I shall be required to submit a written Declaration of Confidentiality in the form specified in the Annex II. The existence of the presumed conflict of interest does not prevent the representatives of these contractors from participating in the discussions directly relating to them.
9. The list of the names of every representative or person participating in SAB meeting, all signed Declarations of those persons as well as the information provided to the SAB participants are retained by the SAB Secretariat and may be accessed in the frame of judicial investigations up to 10 years.

Security Accreditation Board

## **Article 16. Autonomy and independence of the SAB**

1. In accordance with Art. 83(1) of the Space Regulation the Chairperson of the Security Accreditation Board shall ensure that the Board carries out its security accreditation activities independently.
2. In accordance with Article 82 of the Space Regulation, the Security Accreditation Board shall immediately inform the Executive Director, the Administrative Board and the Commission of any circumstances that could hamper its autonomy or independence or that of staff performing the security accreditation activities. In the event that no remedy is found within the Agency, the Commission shall examine the situation, in consultation with the relevant parties. On the basis of the outcome of that examination, the Commission shall take appropriate mitigation measures to be implemented by the Agency, and shall inform the European Parliament and the Council thereof.

## **Article 17. Reimbursement of expenses**

1. Travel expenses incurred by representatives for attending or preparing SAB meetings shall be paid by the Agency. Costs to be reimbursed are travelling costs (flight, train, car costs) in accordance with the Agency Mission Guidelines. Accommodation and local transport costs (taxi, metropolitan means of transport, etc.) will not be reimbursed by the Agency.
2. All travel expenses incurred by alternates for attending SAB meetings shall be paid by the Agency in accordance with paragraph 1, only in the case where the alternate replaces the representative for whom he/she has been appointed as alternate.
3. All mission expenses incurred by the Chairperson and the Deputy Chairperson in the performance of their duties shall be paid by the Agency in accordance with the scales laid down by the Agency Guide to Missions within the limits foreseen in the SAB budget. The same holds true for representatives with a right to vote empowered by the SAB in accordance with Article 5(3) to replace them in performance of their duties.
4. The Agency by default will not reimburse travel expenses of experts for attending SAB meetings, leaving their reimbursement to agreements between his/her nominator and the expert.

## **Article 18. Amendment of the Rules of Procedure**

1. Any amendment to these Rules of Procedure shall be discussed and approved in accordance with Article 9.
2. These Rules of Procedure shall undergo revision by the SAB on an annual basis, or in the event that there is any significant change of the applicable European legislation.

Security Accreditation Board

## Annex I - Declaration of Commitments, Interests and Confidentiality

First Name:

Last name:

Position/mandate held at the SAB and SAB subordinate body<sup>2</sup>:

I declare that I will perform all activities in connection with the SAB and its working groups ('Board') with utmost care, I will apply the highest professional standards and I will act in the interest of the SAB.<sup>3</sup>

Should I become aware of any situation of an actual or potential conflict of interest involving my person I will immediately report it to Chairperson of the Board. I accept that the Chairperson or the Deputy Chairperson may take necessary measures to address such situation. I undertake to provide all reasonable support to this effect and acknowledge that I shall not be entitled to or claim any compensation as a result of any such measures.

I undertake to treat and keep in confidence and apply strict confidentiality to any information given or obtained by me in connection with the activities of the Board. I agree that I will continue to be bound by these obligations after the term of my involvement in the activities of the Board. The aforementioned confidentiality obligations shall not apply vis-à-vis persons who have a need-to-know of the information within my organisation or within authorities of the Member States or the European Union and who are bound either by way of a contract or law by confidentiality obligations similar to the aforementioned ones.

I declare hereby the following direct and indirect interests which are relevant for assessing my independence in performing the tasks in connection with the Board activities<sup>4</sup>:

### I. Employment and other professional activities

Employment or any other professional relationship (e.g. consultancy, legal representation or advice) with a commercial entity<sup>5</sup> or other organisation<sup>6</sup> with an interest in the field of activity of the SAB within the past

---

<sup>2</sup> Hereafter indicated as 'SAB'

<sup>3</sup> Obligation to act in the interest of the SAB does not apply to observers

<sup>4</sup> If the sheets of the present declaration are insufficient, it is possible to use blank ones, provided that they are signed and attached to the Declaration.

<sup>5</sup> This includes any commercial business, consultancy, research institution or other enterprise whose funding is significantly derived from commercial sources. It also includes independent own commercial businesses, law offices, consultancies or similar.

<sup>6</sup> An 'organisation' includes governmental, international or non-profit organisations, as well as interest groups.

Security Accreditation Board

5 years:

- No
- Yes, and more in particular:

Function/Activity	Time period (from...until month/year)	Name of organisation or commercial entity	Description

**II. Membership of Governing Bodies, Advisory Bodies or equivalent structure**

Participation in the internal decision-making of a commercial entity with an interest in the field of activity of the SAB (e.g. board membership, directorship) *within the past 5 years* or participation in the works of an Advisory Body related to the activity covered by Space Regulation or Secure Connectivity Regulation with voting rights on the outputs of that entity within the same period:

- No
- Yes, and more in particular:

Function/Activity	Time period (from...until month/year)	Name of organisation or commercial entity	Description

**III. Other membership or affiliation**

Membership or affiliation within the past 5 years other than the above that can be perceived as creating a potential conflict of interest:

- No
- Yes, and more in particular:

Security Accreditation Board

Function/Activity	Time period (from...until month/year)	Name of organisation or commercial entity	Description

**IV. External funding**

Reception of any financial support from a commercial entity or other organisation with an interest in the field of activity of the SAB (including grants, rents, donations, sponsorships, fellowships, non-monetary support) by me or any entity to which I belong:

- No
- Yes, and more in particular:

Function/Activity	Time period (from...until month/year)	Name of organisation or commercial entity	Description

**V. Investments**

Current investments in a commercial entity with an interest in the field of activity of the SAB, including holding of stocks and shares, stock options, equity, bonds, partnership interest in the capital of such undertaking, one of its subsidiaries or a company in the capital of which it has a holding:<sup>7</sup>

- No
- Yes, and more in particular:

Investment	Name of organisation or commercial entity

<sup>7</sup> You may exclude financial interests held through an investment fund, pension fund and/or interests in non-nominal unit trusts or similar arrangements, provided that these investments are broadly diversified and you have no influence on their financial management.

Security Accreditation Board

## VI. Intellectual Property

Ownership of any intellectual property rights (e.g. patent, trademark, copyright or proprietary know-how) in the field of activity of the SAB that might create a potential conflict of interest:

- No
- Yes, and more in particular:

Intellectual Property	Name of organisation or commercial entity	Description

## VII. Public statements and positions

Delivering of an expert opinion or testimony in the field of activity of the SAB for a commercial entity or other organisation as part of a regulatory, certification, standardisation, legislative or judicial process within the past 5 years or holding an office or other position, paid or unpaid, where I represented interests or defended an opinion in the field of activity of the SAB within the same period:

- No
- Yes, and more in particular:

Function/Activity	Time period (from...until month/year)	Name of organisation or commercial entity	Description

## VIII. Other relevant information

Any other elements that could be seen as jeopardizing my independence:

Security Accreditation Board

## IX. Interests held by close family members<sup>8</sup>

Current interests of my close family members in the field of activity of the SAB (as specified above in the sections I.-VIII.):

Function/Activity	Name of organisation or commercial entity	Description

I declare that I have read and understood the General EUSPA Policy on the Prevention and Management of Conflicts of Interest, Article 15 of the Rules of Procedures of the SAB.

I declare that the present Declaration is at my best knowledge accurate and complete. If it applies to my situation in accordance with Article 15 of the Rules of Procedure, I shall undertake to update the Declaration annually and whenever necessary, in particular in the event of any relevant change in my personal circumstances.

I understand that Declarations of the SAB Chairperson, the Deputy Chairperson and, where appropriate, the Chairs of working groups will be published on the EUSPA website, in accordance with the modalities of the privacy statement here below.

Any personal data I provide in this form will be processed in accordance with the applicable rules on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data and the modalities of the following privacy statement:

### Identity of the Controller and Data Protection Officer:

- **Controller:** European Space Programme Agency (EUSPA), Head of EUSPA Security Accreditation Department, Janovskeho 438/2 170 00 Prague 7, Czech Republic, [SAB@euspa.europa.eu](mailto:SAB@euspa.europa.eu).
- **Data Protection Officer:** EUSPA Data Protection Officer, Janovskeho 438/2 170 00 Prague 7, Czech Republic, [dpo@euspa.europa.eu](mailto:dpo@euspa.europa.eu).

<sup>8</sup> For this purpose 'close family members' are considered to be the persons forming a household with the person making this declaration (spouse, partner, and/or dependent children). For privacy reasons neither the relationship nor the name is to be included. Only current interests held by close family members are of relevance and not past interests.

## Security Accreditation Board

**Purpose of the processing:** for the purpose of ensuring that persons involved in the activities of the SAB act in the public interest and independently of any external influence:

- The personal data of all persons involved in the activities of the SAB are collected by way of filling in the declaration of commitments, interests and confidentiality;
- The personal data **only** of the SAB Chairperson, the Deputy Chairperson and, where appropriate, the Chairs of working groups are further published (by way of publishing the entire declaration of commitments, interests and confidentiality) on the EUSPA's website

### Data concerned:

- data of persons involved in SAB activities (who are required to fill in the declaration): name, last name, position, information on employment and other professional activities in the field of activity of the SAB, information on membership of governing bodies, advisory bodies or equivalent entities in the field of activity of the SAB, information on other types of membership, information on receipt of financial support from entities in the field of activity of the SAB, information on investments in entities in the field of activity of the SAB, information on ownership of intellectual property rights in the field of activity of the SAB, information on public statements and positions in the field of activity of the SAB,
- data of close family members (without specification of their name, last name or nature of relationship) of persons involved in SAB activities: information on interests in the field of activity of the SAB

It is noted that the aim of the declaration of commitments, interests and confidentiality is not to process any special categories of data. If, however, a data subject includes at its own volition such categories of data in its declaration, the EUSPA will treat them for the sole purpose of immediately cancelling them. Such data will not be stored or treated in any other manner.

**Any personal data pertaining to close family members (e.g. name, last name, nature of relationship) which may be included in the declarations of SAB Chairperson, the Deputy Chairperson and, where appropriate, the Chairs of working groups, will be deleted prior to the publication of the declarations on the EUSPA website.**

**Legal bases:** Article 5(1)(a) of Regulation (EU) 2018/1725<sup>9</sup> and, with limited reference to the special categories of data and for the sole purposes mentioned above, Article 10(2)(g) of Regulation (EU) 2018/1725<sup>10</sup>.

**Lawfulness of the processing:** the processing is necessary for the performance of a task carried out in the public interest.

### Recipients of the data processed:

- the SAB chair and deputy chair;
- a limited number of staff of the security accreditation department;
- a limited number of staff of EUSPA contractors in charge of the provision of hosting services for the EUSPA's servers;

---

<sup>9</sup> Such reference may be changed in the future in case a new piece of legislation is adopted which would repeal the current Regulation.

<sup>10</sup> Such reference may be changed in the future in case a new piece of legislation is adopted which would repeal the current Regulation.

## Security Accreditation Board

- members of the public, **only in the case of personal data concerning the SAB Chairperson, the Deputy Chairperson and, where appropriate, the Chairs of working groups which are published on the internet**

### Information on the retention period and storage locations of personal data:

- signed declarations and the personal data included therein are kept for a period of 5 years from the date on which they are signed;
- signed declarations are stored on EUSPA servers hosted by EUSPA contractors which are located in the EU and abiding by the necessary security provisions

### The data subject's rights:

- Data subjects have the right of access, rectification and erasure of their personal data or restriction of processing at any time. Requests shall be addressed to the EUSPA Security Accreditation Department at [SAB@euspa.europa.eu](mailto:SAB@euspa.europa.eu) by describing your request explicitly;
- Data subjects have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her. Requests shall be addressed to the EUSPA Security Accreditation Department at [SAB@euspa.europa.eu](mailto:SAB@euspa.europa.eu) by describing your request explicitly. It is noted that pursuant to such a request, the Controller shall no longer process the personal data unless the Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims;
- Data subjects are entitled to lodge an appeal at any time with the European Data Protection Supervisor (EDPS) at [edps@edps.europa.eu](mailto:edps@edps.europa.eu) should they consider that the processing operations do not comply with the applicable rules.

**Date:**

**Signature:**

Security Accreditation Board

## Annex II - Declaration of Confidentiality

### I. Declaration of Confidentiality

First Name:

Last name:

Position/mandate held at the SAB and SAB subordinate bodies<sup>11</sup>:

Invited to participate in SAB Meeting as a representative of:

(hereinafter the "Contractor").

I undertake to treat and keep in confidence and apply strict confidentiality to any information given or obtained by me in connection with the activities of the SAB. I agree that I will continue to be bound by these obligations after the term of my involvement in the activities of the SAB. The aforementioned confidentiality obligations shall not apply vis-à-vis persons who have a need-to-know of the information within the Contractor and who are bound either by way of a contract or law by confidentiality obligations similar to the aforementioned ones.

### II. Privacy Statement

Any personal data I provide in this form will be processed in accordance with the applicable rules on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data and the modalities of the following privacy statement:

#### Identity of the Controller and Data Protection Officer:

- **Controller:** European Space Programme Agency (EUSPA), Head of EUSPA Security Accreditation Department, Janovskeho 438/2 170 00 Prague 7, Czech Republic, [SAB@euspa.europa.eu](mailto:SAB@euspa.europa.eu).
- **Data Protection Officer:** EUSPA Data Protection Officer, Janovskeho 438/2 170 00 Prague 7, Czech Republic, [dpo@euspa.europa.eu](mailto:dpo@euspa.europa.eu).

**Purpose of the processing:** for the purpose of ensuring confidentiality of the persons involved in the activities of the SAB.

---

<sup>11</sup> Hereafter indicated as 'SAB'.

## Security Accreditation Board

- The personal data of all persons involved in the activities of the SAB are collected by way of filling in the declaration of commitments, interests and confidentiality.

### Data concerned:

data of persons involved in SAB activities (who are required to fill in the declaration): name, last name, position, information on employment. It is noted that the aim of the Declaration of Confidentiality is not to process any special categories of data. If, however, a data subject includes at its own volition such categories of data in its declaration, the EUSPA will treat them for the sole purpose of immediately cancelling them. Such data will not be stored or treated in any other manner.

**Legal bases:** Article 5(1)(a) of Regulation (EU) 2018/1725<sup>12</sup> and, with limited reference to the special categories of data and for the sole purposes mentioned above, Article 10(2)(g) of Regulation (EU) 2018/1725<sup>13</sup>.

**Lawfulness of the processing:** the processing is necessary for the performance of a task carried out in the public interest.

### Recipients of the data processed:

- the SAB chair and SAB deputy chair
- a limited number of staff of the Security Accreditation Department;
- a limited number of staff of EUSPA contractors in charge of the provision of hosting services for the EUSPA's servers.

### Information on the retention period and storage locations of personal data:

- signed declarations and the personal data included therein are kept for a period of 5 years from the date on which they are signed;
- signed declarations are stored on EUSPA servers hosted by EUSPA contractors which are located in the EU and abiding by the necessary security provisions

### The data subject's rights:

- Data subjects have the right of access, rectification and erasure of their personal data or restriction of processing at any time. Requests shall be addressed to the EUSPA Security Accreditation Department at [SAB@euspa.europa.eu](mailto:SAB@euspa.europa.eu) by describing your request explicitly;
- Data subjects have the right to object, on grounds relating to his or her particular situation, at any time to processing of personal data concerning him or her. Requests shall be addressed to the EUSPA Security Accreditation Department at [SAB@euspa.europa.eu](mailto:SAB@euspa.europa.eu) by describing your request explicitly. It is noted that pursuant to such a request, the Controller shall no longer process the personal data unless the Controller demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims;

---

<sup>12</sup> Such reference may be changed in the future in case a new piece of legislation is adopted which would repeal the current Regulation.

<sup>13</sup> Such reference may be changed in the future in case a new piece of legislation is adopted which would repeal the current Regulation.

Security Accreditation Board

- Data subjects are entitled to lodge an appeal at any time with the European Data Protection Supervisor (EDPS) at [edps@edps.europa.eu](mailto:edps@edps.europa.eu) should they consider that the processing operations do not comply with the applicable rules

**Date:**

**Signature:**

**End of Document**