

Legal status of classified information protection officer

Abstract

The protection of classified information is an issue of great importance in the legal system of every state. The importance of information is constantly increasing. Only consistent and precise regulations, provide a guarantee of effective protection of information from unauthorised disclosure. This protection should cover a number of diverse activities of a legal, organisational and technical nature, which must form a mutually complementary system. It should be noted that the effectiveness of the system for the protection of classified information depends primarily on individuals involved.

The objective of this study was to present the special position occupied in the classified information protection system by the officer for the protection of classified information. This institution was introduced into the Polish legal system by the Law on Protection of Classified Information dated 22 January 1999.

The employment of a security officer is obligatory in every organisational unit where classified information is processed. He or she is responsible for ensuring compliance with the provisions on the protection of information constituting a secret. The scope of the research issue covers various aspects of the activity of the security officer. A detailed presentation of his/her legal position, defined, *inter alia*, by the scope of tasks and competences conferred on him, has become the means to achieve the above objective. The obligation imposed on the security officer by the provisions of the Law on the Protection of Classified Information to carry out ordinary clearance proceedings and control checking proceedings makes it possible to consider him or her as the body conducting proceedings in matters resolved by way of a decision and, consequently, to define him or her as a body within the meaning of the provisions of the Code of Administrative Procedure. Tasks related to physical security, ICT security and control of the protection of classified information were also discussed. Its diverse professional position, which is undoubtedly influenced by the nature of the organisational unit and the types of classified information processed in it, was also analysed.

Key words: protection of classified information, classified information protection officer, personal security, security clearance proceedings