

NATIONAL SECURITY COUNCIL

Annex No. 7
to Resolution No. 40 of the National
Security Council
of 07 December 2023

Rules of Procedure of the Cyber Security Committee

Article 1 Introductory Provisions

- (1) The Rules of Procedure of the Cyber Security Committee (hereinafter referred to as the “Rules of Procedure”) are the internal rules of the Cyber Security Committee (hereinafter referred to as the “Committee”) that govern the meetings of the Committee.
- (2) The Rules of Procedure are adopted in accordance with Article 9 of the Committee's Statutes.

Article 2 Convening of the Committee Meeting

- (1) A Committee meeting is convened by the Executive Vice Chairman of the Committee on the instructions of the Chairman of the Committee as required, but at least once every 3 months. Any member of the Committee may submit a proposal to convene a Committee meeting in writing to the Chairman of the Committee through the Executive Vice Chairman of the Committee, and the Chairman of the Committee shall decide on the convening of the Committee at the earliest appropriate time, but not later than 5 working days.
- (2) The members of the Committee, or persons invited pursuant to Article 7 of the Committee's documents, are then invited to attend the Committee meeting at least 10 working days in advance.

Article 3 Course of the Committee Meeting

- (1) A Committee meeting is normally chaired by the Chairman of the Committee, who may delegate the chairing to the Executive Vice Chairman of the Committee or to a member of the Committee.
- (2) The Committee normally acts on the basis of written documents prepared in advance and submitted by the members of the Committee and persons referred to in Article 7 of the Committee's documents.

- (3) The Committee discusses the documents in the order of the agenda approved at the beginning of the meeting.
- (4) The discussion of each document normally includes an introduction by the submitter, questions and suggestions from participants in the Committee meeting and the adoption of a resolution on the document under discussion. The submitter and other participants in the meeting indicate at the beginning of their speech the level of confidentiality of their speech.
- (5) The Committee has the capacity to act and to adopt its conclusions if a majority of its members or their representatives, as defined in Article 3, Paragraphs 4 and 5, of the Committee's Statutes, is present.
- (6) The conclusions of the Committee meeting are adopted by a vote of the members of the Committee in the form of a resolution. The adoption of a resolution requires a majority of the votes of all the members of the Committee or their representatives as referred to in Article 3, Paragraphs 5 and 6, of the Committee's Statutes. In the event of an equality of votes, the vote of the person chairing the Committee meeting under Paragraph 1 of this Article shall be decisive. The resolutions adopted are binding on the members of the Committee and the heads of the expert working groups established under Article 5 of the Committee's documents.
- (7) The Committee Secretariat prepares written resolutions and minutes of the Committee meetings and sends them to all participants in the meeting and to the Secretariat of the National Security Council, the Secretariat of the Civil Emergency Planning Committee, the Secretariat of the Defence Planning Committee, the Secretariat of the Foreign Security Policy Coordination Committee, the Secretariat of the Intelligence Activity Committee, the Secretariat of the Internal Security Committee and, where appropriate, to other institutions and officials, depending on the nature of the issues discussed.
- (8) The meetings of the Committee are not public.
- (9) It is also possible to participate in the Committee meetings remotely via videoconferencing, namely in the event that the matters or documents under discussion are not subject to classification pursuant to Act No. 412/2005 Coll., on the Protection of Classified Information and Security Eligibility, as amended. A meeting in this format, or a hybrid meeting with on-site and remote participation, will be announced by the Committee Secretariat when the invitation is sent out. The members of the meeting are obliged to inform the Committee Secretariat of the form of their participation at least 2 working days before the meeting.

Article 4 **Silence Procedure**

- (1) In exceptional cases, in the interval between the meetings of the Committee, when documents may not be submitted in the standard way, the Chairman of the Committee may decide to approve the document by silence procedure ("per rollam"), using electronic communication, on the basis of a written request from the submitter of the document.

- (2) The document for approval by silence procedure is sent by the Committee Secretariat to all Committee members, with information on who is submitting the document and a fixed deadline for comments of 3 working days, unless otherwise specified. The members of the Committee will send their comments directly to the author and in copy to the Committee Secretariat. If the member fails to respond within the time limit, this shall be deemed to be the acceptance. Upon receipt of the comments, the author is obliged to settle them and send the revised document and brief information on how the comments were settled to the Committee Secretariat, which then distributes the document to all Committee members. The document shall be deemed approved if no member of the Committee disputes the final version within 3 working days of receipt.
- (3) In the event of a disagreement with a member of the Committee, the document may not be approved by silence procedure and the author will submit the document in question at the next Committee meeting.
- (4) A resolution on the document so approved will have the same validity as if it had been adopted at the Committee meeting.
- (5) At the next Committee meeting, the Executive Vice Chairman of the Committee or a designated member of the Committee shall inform the Committee of all resolutions adopted by silence procedure in the period between the meetings of the Committee.

Article 5

Preparation and Submission of Documents for the Committee Meeting

- (1) The documents for the Committee meeting are submitted to the Committee Secretariat at least 7 working days before the scheduled Committee meeting.
- (2) The documents are submitted to the Committee Secretariat in electronic form. The classified documents are not submitted in electronic form unless the nature of their further discussion or distribution so requires. The classified documents are submitted in written form in 21 copies.
- (3) The unclassified documents submitted for discussion by the Committee are distributed by the Committee Secretariat to the Committee members and invited persons electronically at least 3 working days prior to the Committee meeting.
- (4) The classified documents submitted for discussion by the Committee are distributed by the submitter to Committee members and invited persons at least 5 working days before the Committee meeting.
- (5) The documents are submitted to the Committee Secretariat with the comments of the Committee members settled. For this purpose, the submitter of the document must ensure that a comment procedure is carried out with all members of the Committee. The deadline for the communication of comments to the submitter is at least 3 working days.
- (6) The requirements of the documents to be submitted and the basic characteristics of their individual parts are set out in the attached specimens.

- (7) If the Committee is presented with a document prepared by persons outside its members or expert working groups, the author of the document will be present during the discussion of the specific item at the Committee meeting. Such document is presented to the Committee meeting by the Executive Vice Chairman of the Committee.
- (8) When submitting the document, an expert with detailed knowledge of the subject matter who is able to explain the details of the document under discussion may be invited to discuss a particular agenda item with the consent of the person chairing the meeting in accordance with Article 3, Paragraph 1. The participation of such an expert is ensured by the submitter of the document.
- (9) The Chairman of the Committee may, in justified cases, grant an exception to the rules laid down in Paragraphs 1 to 5, the exception being requested by the submitter of the document through the Committee Secretariat from the Chairman of the Committee.

Article 5a

Emergency Situation Meeting on Current Security Threats

- (1) The emergency situation meetings under Article 4a of the Committee's documents are convened by the Executive Vice Chairman of the Committee, even without instructions from the Chairman of the Committee. The participants in the meeting referred to in the first sentence are invited to the meeting in such a way that the meeting can take place at the earliest convenient time.
- (2) The provisions of these Rules of Procedure concerning the Committee meeting shall apply *mutatis mutandis* to the emergency situation meetings on current security threats, with the exception of Article 2 of these Rules of Procedure of the Committee.
- (3) Unless a majority of the members of the Committee or their representatives attend an emergency situation meeting on current security threats concerning the competence of only some members of the Committee within the meaning of Article 4a, Paragraph (4) of the Committee's Statutes, no resolution may be adopted at such a meeting. The minutes of the meeting will only be drawn up and distributed to all members of the Committee.

Article 6

Monitoring the Implementation of the Work Plan, Committee Resolutions

and Report on the Committee's Activities over the Past Year

- (1) Monitoring of the implementation of the Committee's Work Plan for the calendar year is carried out on an ongoing basis by the Committee Secretariat and a report on the findings is submitted to the Committee.
- (2) In order to ensure monitoring of the implementation of the resolutions, the submitters of the documents present information to the Committee on the implementation of the resolutions. This information is normally submitted once every six months until the resolution is implemented.
- (3) The Chairman of the Committee submits to the National Security Council a report on the

activities of the Committee for the previous calendar year, after approval by the Committee, always by 31 March of the following year.

Article 7

Final Provisions

- (1) Amendments and additions to the Rules of Procedure are subject to approval by the National Security Council.
- (2) In matters not covered by these Rules of Procedure, the Rules of Procedure of the National Security Council shall apply *mutatis mutandis*.
- (3) The Rules of Procedure are available to the public on the website and at the seat of the Office of the Government of the Czech Republic.
- (4) These Rules of Procedure will enter into force on the date of approval of the Committee's Statutes by the Government, i.e. 3 January 2024.

Specimen of the arrangement of the document envelope

Header of the submitter
Ref. No.:

Place: Prague date:
Copy No.:
Number of sheets:

FOR THE MEETINGS (INFORMATION) OF THE CYBER SECURITY COMMITTEE

Re: *Document title*

Reason for submission of the
document:

*The reason for the
submission of the documents will be*

Content:

- I. Draft resolution
- II. Submission report
- III. Document title *(also in the version
the NSC, if the document is further
intended for the NSC meeting)*
- IV. Results of the comment procedure

Submitted by:

Name, surname,
function

Specimen draft resolution of the Cyber Security Committee

D R A F T
RESOLUTI
ON

OF THE CYBER SECURITY COMMITTEE

dated No. (not to be filled in) regarding
(about) (document title)

Cyber Security Committee

I. acknowledges (observes, ascertains, discussed and acknowledged)

1. *(own text)*

II. approves (proposes, agrees, appoints, establishes)

(own text)

III. recommends

(own text)

IV. repeals (adds, changes)

(own text)

V. i m p o s e s

(concise and clearly formulated task with indication of the person responsible for it, or the deadline for completion)

Will be performed by:

Chairman of the Committee, members of the Committee, head of the temporary expert working group of the Cyber Security Committee, etc.

For the attention of:

Secretariat of the National Security Council

Secretariat of the Defence Planning Committee

Secretariat of the Civil Emergency Planning Committee

Secretariat of the Intelligence Activity Committee

Secretariat of the Foreign Security Policy Coordination Committee

Secretariat of the Internal Security Committee

where appropriate, the heads of the bodies to which the resolution relates, unless they are members of the Committee or of a Committee expert working group, and as required

Chairman of the
Cyber Security Committee

Submission report

The text of the submission report will include the reason for submitting the document, a brief genesis and a list of the tasks the document aims to address, etc.

The submission report also includes an overview of the bodies to which the document was sent for an opinion, the date on which the document was distributed and the time limit set by the submitter for the communication of the opinion, the results of the comment procedure, including a statement that the document is submitted without contradictions, or a description of the contradiction that could not be resolved even at the level of the Committee members; the results of the comment procedure (with the exception of unresolved contradictions) can be expressed in a separate section of the document, indicating the commenting bodies (see Annex No. 5 to the Rules of Procedure of the Cyber Security Committee).

The conclusions contained in the submission report must be factually correct and include an assessment of their potential impact on the various types of public budgets. If the conclusions contained in the submission report imply financial demands on the state budget, the documents for the Committee meeting must include the specific source from which these demands will be met.

Annex No. 4
to the Rules of Procedure of the
Cyber
Security Committee

Own document (title)

Text of the document: free form, clear, understandable, concise, without unnecessary details. The financial impact of the document is reported as accurately as possible. Detailed specifications that complement the document and relate to its content (tables, graphs, drawings, diagrams, maps, etc.) are usually given in the annexed part of the document.

If the document is further intended for presentation at the meeting of the National Security Council, it is prepared in principle in the version for the meeting of the National Security Council and usually contains:

- envelope of the National Security Council,
- draft resolution of the National Security Council,
- submission report for the National Security Council,
- own document (usually identical to the document presented at the Committee meeting),
- other components (evaluation of the comment procedure, annexes, etc.).

If it is envisaged that the document will be subsequently submitted to a government meeting, the document includes:

- envelope for the government meeting,
- draft government resolution,
- submission report,
- own document (usually identical to the document presented at the Committee meeting).

Results of the comment procedure

The document was referred to the inter-ministerial comment procedure (*referred to the central administrative authority for consideration, etc.*). Fundamental comments were incorporated (*not incorporated due to...*).

The fundamental comments and their settlement, including the reasons for the form of assessment, are set out below:

Ministry:

- Recommended for editing

Accepted. (comments may be added if appropriate)

- Proposed to delete

*Not accepted. **The reason why the comment was not accepted will be stated.***

Office:

- Recommended that

Accepted.

*Not accepted. **The reason why the comment was not accepted will be stated***