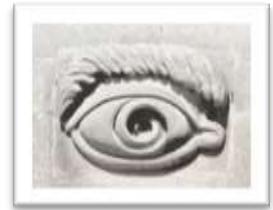


Office of the Regulator

Granting of Citizenship for Exceptional Services



Security Clearance Levels

Version 2

December 2020

1.0 Introduction

The aim of this document is to chart out the different levels of security which shall be in place within the Office of the Regulator, Granting of Citizenship for Exceptional Services (OR-GCES). Such provisions shall apply only in the case of Officers deployed within OR-GCES and excludes third parties who, by virtue of the provisions of any legal instruments, shall have the right of access to specific information retained by the Office. On the other hand, in the case of the general public access shall be provided only to information which can be made available in the public domain, as also outlined by the provisions of the Freedom of Information Act.

2.0 Staff responsibilities

Irrespective of the clearance levels assigned to the staff, all officers are to be personally responsible for securely handling any information that is entrusted to them. All information must be handled with care to prevent loss or inappropriate access and deter deliberate compromise or opportunist attack.

3.0 Different Levels of Security

Three levels of security shall apply. These shall be numbered 1 to 3 starting with the least level of security and progressing to higher and more sensitive levels accordingly. An explanation of what is covered by each level is as follows.

3.1 Clearance level 1 in which Officers are allowed to view/handle Information which is restricted or in the Public Domain

This level of clearance is normally applicable to officers whose duties are limited to the offices within the OR-GCES. This includes data which could have limited damaging consequences if divulged but is not subject to a heightened risk profile.

A non-exhaustive list of information which is accessible to Officers having level 1 clearance is as follows:

- Internal vetting reports (handwritten and typed versions);
- Statistical Information;
- Basic Information related to Agents;
- Exchanges of Communication in which OR-GCES are directly or indirectly involved.
- Complaints made by Agents
- Information freely available through media sources

3.2 Clearance level 2 in which Officers are allowed to view/handle Secret Information

This level of clearance is normally applicable to officers who call on site at the premises of the Community Malta Agency and vet documentation related to the Individual Investor Programme and the Granting of Citizenship for Exceptional Services processes. This includes very sensitive information which could have damaging consequences if divulged and consequently

is covered by heightened protective measures. It is additional to the access granted at level 1.

A non-exhaustive list of information which is accessible to Officers having level 2 clearance is as follows:

- Application Forms;
- Originals and/or copies of Supporting Documentation;
- Exchanges of communication
- Internal and External Due Diligence Reports
- Authorisation Documents
- Oaths of Allegiance

3.3 Clearance level 3 in which Officers are allowed to view/handle Top Secret Information

This level of clearance is normally applicable solely to the Head of the Office (i.e. the Regulator GCES) and relates to most sensitive information requiring the highest levels of protection from the most serious threats of exposure. It is additional to the access granted in levels 1 and 2. A non-exhaustive list of information which is accessible to Officers having level 3 clearance is as follows:

- information related to instances where MIIPA / CMA issues a reasoned opinion as to why applicants should be considered for approval notwithstanding a negative due diligence report;
- information related to instances where MIIPA / CMA issues a reasoned opinion as to why applications should be refused, notwithstanding a positive due diligence report.

4.0 Regulator's GCES Discretion

Notwithstanding the provisions of Article 3 above, it shall be at the discretion of the Regulator GCES to assign or withdraw higher clearance levels to Officers who would normally be (or were previously) granted level 1 or level 2 clearance. Such discretion may be applied on a need-to-know case-by-case basis.