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REPUBLIC OF LITHUANIA INTELLIGENCE LAW

17 July 2000, No VIII-1861
Vilnius

SECTION 1 GENERAL PROVISIONS

Article 1. Purpose

This Act lays down the legal bases, tasks, areas and principles of the activities of the intelligence authorities, the rights and obligations, the structure, the grounds and methods for controlling the activities, as well as the status, progress of service, liability, emoluments, social and other guarantees of intelligence officers.

Paragraph 2. Main definitions for this Act

1. **‘Physical coercion’** means the use of physical force and/or special means.
2. **‘Counter -intelligence’** means the activities of the institutions authorised by this Law, including the collection, processing and assessment of information on internal risk factors, hazards and threats to the national security and interests of the Republic of Lithuania and the provision of this information to national security authorities, as well as activities aimed at addressing these risks, hazards and threats.
3. **‘Coercion’** means a way of influencing the performance of the tasks assigned to the intelligence authorities and is applied in the event of failure to comply with legitimate demands or instructions from an intelligence officer or to avoid danger. Coercion can be mental and physical.
4. **‘Psychological coercion’** means a warning of the intention to use physical coercion, a service firearm. Special measures or the preparation of a service firearm for use shall be assimilated to mental coercion.
5. **‘Special measures’ means measures** which do not pose an immediate risk to the life of a person, with the aim of deterring, harassing or detaining and transferring potential offenders and/or temporary seizure of tools or measures in violation of the right to an appropriate institution.
6. **‘Offence in office’** means any act (act or omission) laid down in this Law, which is contrary to the law, for which liability is provided for.
7. **‘Internal security’** means a set of actions and measures aimed at preventing and addressing external and/or internal factors threatening the activities of intelligence authorities, their infrastructure, the security of information or personnel from such threats to the staff of intelligence authorities, their family members and assets.

Supplemented with a paragraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

8. **‘Intelligence’** means the activities of the institutions authorised by this Law, including the collection, processing and assessment of information on external risk factors, hazards and threats to the national security and interests of the Republic of Lithuania and the provision of this information to the authorities responsible for safeguarding national security.

Renumbering of the paragraph:

No [XIV-2392](#),

19/12/2023,

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9. **‘Intelligence information’** means data obtained through intelligence and counter-intelligence. Data obtained from criminal intelligence investigations are not intelligence.

Renumbering of the paragraph:

No [XIV-2392](#),

19/12/2023,

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10. **Intelligence Authority** means a State institution entrusted with conducting intelligence and counter-intelligence in accordance with the procedure laid down in this Law.

Renumbering of the paragraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

11. **Intelligence Authority activities include** intelligence, counter-intelligence and internal administration by an intelligence authority.

Renumbering of the paragraph:

No [XIV-2392](#),

19/12/2023,

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12. **An intelligence technique** is a way of obtaining intelligence.

Renumbering of the paragraph:

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13. **‘Intelligence officer’** means a person who, on the basis of a service or professional military service contract, serves an intelligence authority and conducts intelligence or counter-intelligence and/or is subject to special conditions of recruitment, performance of service, restrictions and prohibitions on activities, as well as restrictions on private life. An intelligence officer shall be treated as a statutory civil servant.

Renumbering of the paragraph:

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14. **‘Defamation of an intelligence officer’** means an official’s act, whether or not related to the performance of his duties, by which the official violates the authority of the intelligence authority, undermines or compromises trust in an intelligence authority, or constitutes a negative misconception by the public about the institution, its officials.

Renumbering of the paragraph:

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15. **‘Intelligence collusive’** means an active natural person collusively with an intelligence

authority on the basis of an agreement.

Renumbering of the paragraph:

No [XIV-2392](#),

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16. **‘Intelligence task’** means a written document that sets out orders to obtain and provide intelligence to persons authorised to know it, and which guides intelligence and counter-intelligence.

Renumbering of the paragraph:

No [XIV-2392](#),

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Amendments to the Article:

No [XIII-674](#),

12/10/2017;

published in TAR on 23/10/2017, i.e. 2017-16704

Article 3. Legal framework for the activities of intelligence authorities

When implementing the tasks assigned, intelligence authorities shall comply with the Constitution of the Republic of Lithuania, the Law on the Framework of National Security of the Republic of Lithuania, this Law, other legal acts and international agreements of the Republic of Lithuania.

Article 4. Principles for the activities of intelligence authorities

1. The activities of intelligence authorities are based on general legal and specific principles.

2. The activities of intelligence authorities shall be conducted in accordance with the following general legal principles:

(1) legality;

(2) respect for human rights and fundamental freedoms;

(3) the primacy of the public interest and the public interest;

(4) accountability to the highest managing authorities of the State responsible for ensuring national security.

3. Specific principles for the activities of intelligence authorities:

(1) ‘political neutrality’ means that intelligence authorities and intelligence officers cannot use their powers to engage in political decision-making in an arbitrary manner through their active or passive action in democratic processes within the State;

(2) the sensitivity of the methods of operation – the techniques used by intelligence authorities are not public and cannot be disclosed to persons who do not engage in intelligence and counter-intelligence or control or coordination of these activities;

(3) timeliness – intelligence must be provided to national security authorities within a reasonable time;

(4) objectivity – the intelligence must be undistorted and unbiased;

(5) Clarity – intelligence must be presented in such a way that it cannot be understood ambiguously or otherwise.

Article 5. Protection of information about intelligence authorities and their activities

1. Intelligence tasks, intelligence information, intelligence techniques, information about the activities of intelligence institutions, intelligence secret collaborators, the financing, material and technical provision of intelligence institutions shall be classified, declassified and handled in accordance with the procedure laid down in the Law on State and Service Secrets of the Republic of Lithuania.

2. Dataprocessed in State information systems, registers and/or databases, which may reveal the integrity of property or persons, shall not be made available to intelligence authorities or third parties if the intelligence authority informs the manager and processor of the State information system, register and/or database in writing that their provision could damage the activities of the intelligence authority and thus harm the interests of State security.

3. Areas managed and used by intelligence authorities, the list of which is approved by order of the head of the intelligence authority, and areas falling within the military areas whose list is approved by the Minister of Defence, including the structures contained therein, filming, photographing or other visualisation, and the operation of unmanned aircraft over and within a radius of 200 metres around these areas and falling within military areas as specified in the legislation governing the protection of military areas, shall be prohibited, except in cases provided for by law or international treaties or with the authorisation of the head of the intelligence authority or his authorised person.

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SECTION TWO

PURPOSE OF INTELLIGENCE, INTELLIGENCE AND COUNTER-INTELLIGENCE TASKS

Article 6. Main objective of the activities of the intelligence authorities

The main objective of the intelligence authorities' activities is to strengthen the national security of the Republic of Lithuania by collecting information on risk factors, hazards and threats, making it available to national security authorities and addressing these risks, hazards and threats.

Article 7: Intelligence and counter-intelligence challenges

1. The task of intelligence is to predict and identify risks, hazards and threats emanating from abroad that may affect the sovereignty, integrity and integrity of the territory, constitutional order, state interests, defence and economic power.

2. Counter-intelligence tasks:

(1) predict, identify and address risks, hazards and threats within the Republic of Lithuania and which may affect societal political and economic processes and which may violate state sovereignty, the inviolability and integrity of the territory, constitutional order, state interests, defence and economic power;

(2) identify and address the activities of intelligence, security authorities and persons associated with foreign states that may violate state sovereignty, territorial integrity and constitutional order, state interests, defence and economic power;

(3) organise and enforce the protection of information constituting a state or service secret and monitor how such information is stored inside the Republic of Lithuania and the Lithuanian authorities abroad.

SECTION 3

INTELLIGENCE AUTHORITIES, THEIR AREAS OF ACTIVITY, RIGHTS AND OBLIGATIONS

Article 8. Intelligence authorities and their areas of activity

1. In the Republic of Lithuania, the activities of intelligence authorities shall be carried out by:

(1) The State Security Department of the Republic of Lithuania (hereinafter referred to as 'the State Security Department') means the State institution accountable to the Seimas of the

Republic of Lithuania (hereinafter referred to as ‘the Seimas’) and to the President of the Republic;

(2) The Second Department of Operational Services under the Ministry of Defence (‘the Second Operational Services Department’) is the authority of the national defence system attached to the Minister for National Defence.

2. The State Security Department conducts intelligence and counter-intelligence:

(1) in the socio-political, economic, scientific, technological and information fields other than those referred to in paragraph 3(1) of this Article;

(2) in the field of security of the State diplomatic service of the Republic of Lithuania and of other institutions of the Republic of Lithuania operating abroad, with the exception of the institutions referred to in paragraph 3(2) of this Article;

(3) with regard to the protection of information covered by public and service secrecy, with the exception of the authorities referred to in paragraph 3, point 3 of this Article;

(4) In the area of installation, operation and cryptographic and other protection of electronic communications networks for government management.

3. The second department of operational services conducts intelligence and counter-intelligence:

(1) defence, military-political, military-economic, military-technological, military-information;

(2) In the field of activities carried out abroad by the institutions of the Lithuanian National Defence System;

(3) In the field of protection of information covered by the secrecy of the state and service institutions of the Lithuanian state protection system.

Article 9 Rights and obligations of intelligence authorities

1. The rights of the intelligence authority in the exercise of the tasks assigned to it are:

(1) use intelligence techniques;

(2) to carry out the acts authorised by the court in accordance with the procedure laid down in this Law;

(3) conducting criminal intelligence investigations in the cases and for the purposes laid down in this Law;

(4) obtain information from natural persons for the activities of intelligence authorities;

(5) obtain information from legal persons, branches and representative offices of foreign legal persons established in the Republic of Lithuania, persons authorised by the State on economic, financial operations, use of financial and/or payment instruments and other information necessary for the activities of intelligence institutions carried out by natural and/or legal persons, as well as branches and representative offices of foreign legal persons established in the Republic of Lithuania;

(6) put in place, on the infrastructure of undertakings providing electronic communications networks and/or electronic communications services, electronic information hosting services and digital services, technical means to monitor and record the content of information transmitted using electronic communications networks, correspondence and other communication between persons;

(7) cooperate with foreign States’ intelligence, security authorities, international organisations and institutions for the purpose of safeguarding national security;

(8) to cooperate with legal persons, branches and representative offices of foreign legal persons established in the Republic of Lithuania, persons authorised by the State and natural persons;

(9) to classify intelligence officers, encrypt their professional affiliation, to classify and encrypt the identity of intelligence officers and intelligence secret colleagues, and to the operational dependencies of intelligence authorities’ premises, transport, means of communication and other technical means;

- (10) establishment and use of shell legal entities;
 - (11) to produce and use documents that do not reveal identity and service dependency, forms of documents and their particulars and other means, as well as to use documents and tools produced on the basis of the Law on Criminal Intelligence in intelligence and counter-intelligence;
 - (12) acquiring and using technical and other means, materials necessary for the activities of intelligence authorities, for the protection of intelligence officers, intelligence secret collaborators and their family members, intelligence authorities' premises or other assets;
 - (13) the use of funds for the application of intelligence techniques and court-sanctioned actions where it is necessary to ensure the sensitivity of the intelligence authority's operating methods, in accordance with the procedure established by the head of the intelligence authority and, if the head of the intelligence authority is not the manager of the appropriations allocated to the intelligence authority, in accordance with the procedure established by the Head of the Intelligence Authority and agreed with the appropriation manager;
 - (14) carry out ancillary activities to the activities of intelligence authorities, consisting of organising and carrying out maintenance and management of premises, buildings and sites, maintenance of technical systems and transport, catering, other administrative, material and technical support activities using internal human resources and State budget resources;
 - (15) keep records of income and tangible assets obtained from the use of intelligence techniques, court-sanctioned and unauthorised information gathering actions or criminal intelligence investigations in accordance with the procedure laid down by the Government of the Republic of Lithuania and use for the activities of intelligence institutions;
 - (16) the use of experts and specialists;
 - (17) the acquisition of service firearms and special facilities;
 - (18) examine persons by means of polygraphs in accordance with the procedure laid down by law;
 - (19) provide training and professional development for intelligence officers;
 - (20) receive support from Lithuanian and foreign natural and legal persons, foreign states and international organisations;
 - (21) within its competence to legislate on the activities of an intelligence authority;
 - (22) have other rights provided for in this and other laws of the Republic of Lithuania.
2. State and municipal institutions, bodies and undertakings shall, in accordance with the procedure laid down by the Government, provide assistance to intelligence authorities in the exercise of the rights referred to in paragraph 1(11) of this Article and shall produce the documents referred to in subparagraph 11 of paragraph 1 of this Article, the documents referred to in subparagraph 11 of paragraph 1 of this Article and their particulars and other means.
3. The duties of the intelligence authority are to:
- (1) to provide the State institutions responsible for safeguarding the national security of the Republic of Lithuania with the intelligence necessary for the performance of their functions;
 - (2) inform in writing the state authorities to which the intelligence authorities are accountable about the activities carried out by intelligence authorities and their cooperation with foreign intelligence, security authorities, international organisations and institutions;
 - (3) ensuring internal security, protecting the security of intelligence authority staff, intelligence secret colleagues, reserve intelligence officers and their family members;
 - (4) manage intelligence;
 - (5) the processing of personal data;
 - (6) providing the public with public information on its activities.

Amendments to the Article:

No [XIV-2392](#),

19/12/2023,

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SECTION 4

GROUNDS FOR INTELLIGENCE AND COUNTER-INTELLIGENCE, COLLECTION, PROCESSING, USE AND PROVISION OF INTELLIGENCE

Article 10. Framework for intelligence and counter-intelligence

1. Intelligence and counter-intelligence shall be conducted in accordance with intelligence needs and priorities approved by the State Defence Council at least once a year, on the basis of intelligence tasks.

Amendments to subparagraph:

No [XIV-2392](#),

19/12/2023,

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2. Intelligence tasks shall be determined by the Minister of National Defence and the Director of the State Security Department in accordance with the intelligence needs and priorities approved by the State Defence Council for the implementation of intelligence and counter-intelligence tasks to the intelligence authorities under his authority.

Article 11. General provisions on intelligence gathering

Intelligence is collected:

(1) using intelligence techniques;

(2) acts sanctioned by the court;

(3) retrieving data from state and departmental registers, information systems and databases;

(4) receiving data from legal persons, branches and representative offices of foreign legal persons established in the Republic of Lithuania, persons authorised by the State and/or natural persons.

Amendments to the paragraph:

No [XIV-2392](#),

19/12/2023,

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Article 12. Intelligence gathering through intelligence techniques

1. Intelligence techniques, the procedure and conditions for their application shall be laid down by the Government.

2. When determining intelligence tasks, the Minister of Defence and the Director of the State Security Department shall also specify the intelligence techniques to be used during the performance of these tasks.

3. The use of intelligence techniques may not exceed the duration of the intelligence task.

Amendments to the Article:

No [XIV-2392](#),

19/12/2023,

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Article 13. Gathering of intelligence information in performing activities authorised by a court

1. The following activities may be performed in accordance with a reasoned district court order:

(1) monitoring and recording of the content, correspondence and other communication of information transmitted by electronic communications networks;

(2) access to, inspection and recording of a person's home, other premises or means of transport;

(3) Taking or discreet searching and recording of documents or objects;

(4) obtaining information on electronic communications events;

(5) monitoring and recording of cash, cash flows, securities, electronic and other forms of

settlement, as well as any financial transactions;

(6) Invalidated from 1 January 2024

Paragraph deleted:

No[XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

Subparagraph added:

No[XII-1683](#),

7

MAY

2015

published in the TAR of 20 May 2015, i.e. 2015-07664

2. The performance of the acts referred to in paragraph 1 of this Article shall be authorised by a judge of that court authorised by the President of the Regional Court by means of reasoned proposals from the heads of the intelligence authorities or their authorised deputies.

3. The submission of the heads of intelligence authorities or their authorised deputies to the district court shall state:

(1) data on the natural persons (name, personal identification number) or legal persons (establishment, code) or objects (description) to whom the action will be taken;

(2) data (reasons) justifying the need for sanctioned treatment;

(3) data on the terminal equipment in which the information will be transmitted (identification number, name and/or address of the terminal equipment) when the content of the information transmitted via electronic communications networks is to be controlled;

(4) the actions for which authorisation is requested;

(5) the duration of the actions requested;

Amendments to the paragraph:

No[XII-1683](#),

7

MAY

2015

published in the TAR of 20 May 2015, i.e. 2015-07664

No[XIV-2392](#),

19/12/2023,

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(6) Achievement to be achieved.

4. In the event of a change in the terminal equipment used by a person by means of which information transmitted over electronic communications networks has been secretly monitored and recorded in accordance with a reasoned court order, or if it is established that the person also uses other terminal equipment to transmit the information, the control and recording of such information, which is transmitted through other terminal equipment used by the same person, shall be initiated and carried out when the head of the intelligence authority informs the district court which authorised the control of the information transmitted by electronic communications networks. After receiving information from the intelligence authority, the District Court authorises the control of terminal equipment or requires the cessation of these actions. The regional court takes a decision and informs the intelligence authority without delay.

5. The order authorising the acts referred to in paragraph 1 shall specify:

(1) the head of the providing intelligence authority or his/her authorised deputy (name, surname, function);

(2) data on the natural persons (name, personal identification number) or legal persons (establishment, code) or objects (description) to whom the action will be taken;

(3) data (reasons) justifying the need for sanctioned treatment;

(4) the authorised actions;

(5) the duration of the authorised actions;

Amendments to the paragraph:

No[XII-1683](#),

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No [XIV-2392](#),
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(6) Achievement to be achieved.

6. The duration of the actions referred to in paragraph 1 shall not exceed 6 months. If necessary, these actions may be extended for a further period of up to 3 months. There is no limit to the number of renewals. The Regional Court, when renewing the authorisation to carry out court-approved acts for a further period of 3 months, assesses the merits of the submission for extension.

Amendments to subparagraph:

No [XII-1683](#),

7

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No [XIV-2392](#),

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7. The intelligence authorities shall have the right to apply to any district court to sanction the acts referred to in paragraph 1 of this Article. In the event of a court's refusal to authorise an action, it is prohibited to apply to another regional court for the same acts.

8. An appeal may be lodged with the President of the Regional Court against the decision of the judge referred to in paragraph 2 of this Article to refuse to authorise the acts referred to in paragraph 1 of this Article or to refuse to extend the time limit for carrying out those acts within 7 days of receipt of the order. The president of the regional court must examine the appeal and make an order no later than 7 days from the date of receipt of the appeal. The decision of the President of the Regional Court is final.

9. Economic entities providing electronic communications networks and/or electronic communications services, electronic information hosting services and digital services shall enable intelligence authorities to monitor and record the content of information transmitted using electronic communications networks, communications and other communications between individuals. The necessary equipment shall be purchased, installed and maintained at the expense of the State. Economic entities providing electronic communications networks and/or electronic communications services, electronic information hosting services and digital services shall, in accordance with the procedure and conditions laid down by the Government, receive compensation from the State budget allocated for this purpose for costs based on the cost of maintaining such equipment.

Supplemented with a paragraph:

No [XIV-2392](#),

19/12/2023,

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Article 14. Intelligence gathering from state and departmental registers, information systems and databases

1. Intelligence authorities shall, in the performance of their tasks, have the right to obtain the data necessary for their activities from State and departmental registers, information systems and databases.

2. State and municipal institutions, bodies, undertakings and organisations, and other legal persons performing State-delegated functions shall, in accordance with separate contracts, provide intelligence authorities with access, free of charge, to the State and departmental registers, information systems and databases managed by them and to make available to intelligence authorities, free of charge, information stored, stored and/or processed in information systems or databases held by the intelligence authorities in order to carry out the tasks assigned to them.

3. Data from state and departmental registers, information systems and databases managed

by State and municipal institutions, bodies, undertakings and organisations and other legal persons exercising State-delegated functions shall be provided to intelligence authorities in the manner laid down in the Law of the Republic of Lithuania on the management of State information resources or by providing intelligence authorities with an up-to-date extract from state and departmental registers, information systems or databases, if necessary to ensure the security of the activities of intelligence institutions.

4. Information on the provision of data to intelligence authorities from State and departmental registers, information systems and databases referred to in this Article shall not be made available to third parties and data subjects.

Amendments to subparagraph:

No [XIII-3254](#),

30

JUNE

2020

published in TAR 15/07/2020, i.e. 2020-15769

Article 15: Obtaining data from individuals

1. Intelligence authorities may, in the performance of the tasks assigned to them, request individuals in writing, on a reasoned basis, or authorised intelligence officers, to provide data necessary for the conduct of their activities.

2. If an individual fails to provide the requested data within the time limit specified by the intelligence authority or refuses to provide it, the intelligence authorities have the right to apply to any district court to order the provision of data necessary for the fulfilment of the tasks of the intelligence authorities. The decision of the regional court may be appealed to the Lietuvos apeliacinis teismas (Court of Appeal of Lithuania) within 7 days of receipt of the ruling. The Lietuvos apeliacinis teismas (Lithuanian Court of Appeal) must examine the appeal and issue a ruling on the appeal no later than 7 days from the date of receipt of the appeal before that court. The ruling of the Lithuanian Court of Appeal shall enter into force on the date of its adoption and shall not be subject to appeal.

3. Private legal persons, branches and representative offices of foreign legal persons established in the Republic of Lithuania and persons authorised by the State shall provide the intelligence authorities with information stored, stored and/or processed in their information systems, registers or databases on request and/or under separate agreements. Where necessary to ensure the security of the activities of the intelligence authorities and specified in the application, private legal persons, branches and representative offices of foreign legal persons established in the Republic of Lithuania, persons authorised by the State shall submit an up-to-date extract of the information systems, registers or databases operated by them.

Amendments to subparagraph:

No [XIV-2392](#),

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Article 16 — Processing of intelligence

1. Intelligence authorities shall process intelligence information in accordance with the procedure laid down in this Law and other legal acts only for the purposes laid down in this Law and for the sole purpose of carrying out the tasks assigned to them. If there are conflicts between this Law and other laws in the processing of intelligence information, the provisions of this Law shall apply.

2. Intelligence collected in the course of the activities of the intelligence authorities shall be processed in such a way as not to unjustifiably or unjustifiably reveal the sources of intelligence information, or to infringe the rights or legitimate interests of persons cooperating with the intelligence authorities.

3. *Expired on 1 October 2020*

Paragraph deleted:

4. Intelligence information shall be processed in accordance with the procedure laid down by the Head of the Intelligence Authority and shall be kept for as long as necessary for the performance of intelligence and counter-intelligence tasks.

Amendments to subparagraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

16 Article¹ — Processing of personal data for national security or defence purposes

1. When carrying out the activities provided for in this Law, intelligence authorities process personal data collected for national security or defence purposes. For these purposes, intelligence authorities may also process special categories of personal data.

2. For the purposes referred to in paragraph 1 of this Article, personal data shall be processed in accordance with the Law of the Republic of Lithuania on personal data processed for the purposes of prevention, investigation, detection or prosecution of criminal offences, the execution of penalties or national security or defence, the legal protection of personal data processed for law enforcement or national security purposes and this Law.

3. When processing data of different categories of data subjects, intelligence authorities must, as far as possible, separate these data. This requirement applies to the processing of personal data of the following categories of data subjects:

(1) persons whose actions may endanger or threaten the national security of the Republic of Lithuania, State interests, defence and economic power;

(2) persons whose data processing is necessary in order to assess information on risk factors, threats or threats to the national security of the Republic of Lithuania, State interests, defence and economic power;

(3) persons holding or applying for a work permit or for access to information constituting public or service secrecy;

(4) persons whose data are provided by law enforcement, intelligence and security authorities of the Republic of Lithuania or foreign countries;

(5) the (working) or cooperative relationship of persons who are or have been linked to the intelligence authority by the services (working) or cooperation of persons who are linked or linked to the intelligence authority.

4. The provision of the information to data subjects referred to in Articles 11(2), 14(5), 30(1) of the Law on personal data processed for law enforcement or national security purposes may be delayed, restricted or omitted, as well as the rights of data subjects to access, rectification, erasure or restriction of processing of personal data under Article 12, 14(1), (2) and (3) of the Act may be limited, in whole or in part, to the extent and for as long as necessary and proportionate, in cases where the provision of information to the data subject or the exercise of his or her rights referred to in this paragraph may reveal the methods and means of the activities of the intelligence authorities, operational tactics and (or) damage to the intelligence authorities' activities. The intelligence authorities shall assess on a case-by-case basis, in accordance with the procedure laid down by the Head of the intelligence authority, whether the data subjects' rights referred to in this paragraph need to be fully or partially restricted, and record in writing, including in electronic form, the factual or legal reasons on which the decision to restrict those rights is based and, where appropriate, make this information available to the entities referred to in paragraph 5 of this Article upon their request.

5. Acts or omissions of intelligence authorities relating to the processing of personal data for national security or defence purposes, possibly in breach of the provisions of this Law or of the Law on personal data processed for law enforcement or national security purposes, may be

appealed to a court in accordance with the procedure laid down in the Law of the Republic of Lithuania on Administrative Proceedings and a person shall have the right to apply to intelligence controllers in accordance with the procedure laid down in the Law on Intelligence Controllers of the Republic of Lithuania.

Amendments to subparagraph:

No [XIV-869](#),

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Article inserted by:

No [XIII-3254](#),

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Article 17. Use of intelligence

1. Intelligence authorities shall use intelligence information only for the purposes assigned to them and only for the purposes for which it was collected.

2. Intelligence authorities may launch a criminal intelligence investigation on the basis of intelligence obtained if they receive data on the offences provided for in Articles 114, 118, 119, 121, 122, 124, 125, 126, 296 and 297 of the Criminal Code of the Republic of Lithuania and this data is not sufficient to open a pre-trial investigation.

3. The decision to open a criminal intelligence investigation shall be taken by the head of the intelligence authority in accordance with the procedure laid down in the internal legislation of the intelligence authority. Upon initiation of a criminal intelligence investigation, the collection of intelligence on that natural or legal person shall be terminated immediately.

4. The criminal intelligence investigations referred to in paragraph 2 of this Article shall be carried out in accordance with the procedure laid down in the Law of the Republic of Lithuania on Criminal Intelligence and the data obtained in the course of those investigations may be used in accordance with the procedure laid down in the Law on Criminal Intelligence. Once a criminal intelligence investigation has been launched, the provisions of this Law shall cease to apply.

5. The authorities responsible for safeguarding the national security of the Republic of Lithuania and other State authorities to which intelligence has been entrusted shall have the right to use the following information:

- (1) accomplishing the tasks and performing functions or taking decisions;
- (2) criminal intelligence investigation;
- (3) criminal proceedings.

6. Persons who have unlawfully disclosed intelligence or used that information for purposes other than those provided for in this Law shall be liable in accordance with the procedure laid down by law.

Article 18. Provision of intelligence

1. The intelligence shall be provided by means of an official document.

2. Intelligence authorities provide intelligence to:

(1) the authorities responsible for safeguarding the national security of the Republic of Lithuania and other State institutions in accordance with the intelligence needs and priorities approved by the State Defence Council;

(2) Lithuanian national security institutions and other State institutions about risk factors, hazards and threats that have not been included in the intelligence needs and priorities approved by the State Defence Council, but may have an impact on the sovereignty, inviolability and integrity of the territory, constitutional order, state interests, defence and economic power and the implementation of the foreign policy of the Republic of Lithuania;

Amendments to the paragraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

(3) Lithuanian law enforcement authorities to initiate criminal intelligence investigations or criminal proceedings;

(4) international organisations and institutions and competent authorities of foreign states, provided that the provision of such information is necessary for the performance of their functions and is in the interests of national security of the Republic of Lithuania.

Subparagraph added:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

3. On the basis of individual requests, intelligence authorities are entitled to provide intelligence:

(1) Lithuanian national security and other State authorities, provided that the information requested relates to their direct functions and may be relevant to the activities of those authorities;

(2) international organisations and institutions, competent authorities of foreign states, provided that the provision of such information is necessary for the performance of their functions and is in the interests of national security of the Republic of Lithuania;

Amendments to the paragraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

(3) authorities exercising control over intelligence authorities where other information is not sufficient to perform their statutory functions or take decisions.

4. The decision to provide or refuse intelligence on the basis of individual requests shall be taken either by the Director of the State Security Department or by the Director of the Second Operational Services Department, or by their authorised persons.

5. Intelligence shall not be provided if:

(1) the request for intelligence does not state the reasons for the request, the purposes for which such information is to be used;

(2) the provision of intelligence to an international organisation and authority or to a competent authority of a foreign state could harm national security or foreign policy interests;

(3) this would harm the activities of the intelligence authority.

6. Expired on 1 January 2024

Paragraph deleted:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

SECTION FIVE COORDINATION AND CONTROL OF INTELLIGENCE AUTHORITIES

Article 19. Coordination of intelligence authorities

1. The activities of intelligence authorities are coordinated by the State Defence Council. This Board shall:

(1) approve intelligence needs and priorities;

(2) approve the operational strategies of intelligence authorities;

(3) assess the relevance of intelligence to intelligence needs and priorities;

(4) address issues of coordination between intelligence authorities;

(5) establish guidelines for the international cooperation of intelligence authorities with

foreign intelligence and security authorities, international organisations and institutions.

2. The interface and coordination between intelligence authorities are dealt with by their managers.

Article 20. General principles for the control of the activities of an intelligence authority

1. The Head of the Intelligence Authority reports annually to the State Defence Council on the activities of the intelligence authority under his/her direction, and submits drafts an operational strategy for the Intelligence Authority in line with the areas of activity of the Intelligence Authority.

2. Persons exercising control over the activities of intelligence authorities must be authorised to work or to have access to state secret information classified as “Full Secret”.

Amendments to subparagraph:

No [XII-2382](#),

19

MAY

2016;

published in TAR on 02/06/2016, i.e. 2016-14743

3. Data that may reveal the identity of classified intelligence officers or intelligence secret colleagues, intelligence techniques and tools, tactics of activities and damage the activities of intelligence authorities shall not be provided in the context of the control of the activities of intelligence authorities.

Article 21: Parliamentary scrutiny of intelligence authorities

1. Parliamentary scrutiny of intelligence authorities shall be carried out by the Seimas Committee referred to in the Statute of the Seimas in accordance with the procedure laid down in the Statute of the Seimas.

2. The Head of the Intelligence Authority shall report annually to the Seimas Committee on the activities of the lead intelligence authority, in accordance with the procedure laid down in the Statutes of the Seimas.

3. Seimas Committee:

(1) monitor the compliance of intelligence authorities and intelligence officers with the laws and other legal acts of the Republic of Lithuania when implementing the assigned tasks;

(2) handle complaints by individuals about the actions of intelligence authorities and intelligence officers;

(3) prepare proposals to improve legislation related to the activities of intelligence authorities and the protection of human rights through intelligence and counter-intelligence;

(4) identify shortcomings in the activities of intelligence authorities and make recommendations to address them;

(5) After consulting the intelligence authority’s activity report submitted by the Head of the Intelligence Authority, it decides on the part of the report on non-classified activities and the conditions and procedures for the public presentation to the public of the threat assessment for national security.

4. The Seimas Committee shall have the right to receive and consider:

(1) intelligence needs;

(2) reports on the activities of intelligence authorities;

(3) data on the budgetary needs of intelligence authorities and their use;

(4) oral and written explanations by heads and officials of intelligence institutions, reports on the implementation of laws and other legal acts of the Republic of Lithuania;

(5) other information on intelligence authorities’ activities.

5. Intelligence officers have the right to refer directly to the Seimas Committee on the activities carried out by the intelligence authority.

Amendments to the Article:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

Article 22. Government control of intelligence authorities

1. The Government shall exercise control over intelligence authorities in accordance with the competences laid down in the Constitution and laws of the Republic of Lithuania.

2. A government:

(1) according to intelligence needs and priorities approved by the State Defence Council, provide intelligence authorities with intelligence needs necessary to ensure State security;

(2) In accordance with the procedure laid down in this Law, it receives information from intelligence authorities on risk factors, hazards and threats to national security.

3. Intelligence authorities provide the Prime Minister with an annual assessment and report on the risks, hazards and threats to national security and state interests, according to their areas of activity. The annual assessment and report on risks, hazards and threats to national security and state interests shall be submitted prior to the preparation of the Government report on the state and development of national security. The Prime Minister may present the assessments and reports provided by the intelligence authorities to individual ministers within their remit.

Article 22¹ — Independent external control of intelligence authorities

1. The independent external control of intelligence authorities shall be carried out by intelligence controllers in accordance with the procedure laid down by the Intelligence Controllers Act.

2. Intelligence officers shall have the right to apply directly to the intelligence controller about the potentially unlawful activities of the intelligence authority and/or the potentially unlawful decisions taken by the intelligence authority in relation to persons subject to intelligence activities.

Article inserted by:

No [XIV-869](#),
23/12/2021,
published in TAR 25.12.2021, i.e. 2021-26906

Article 23. Handling complaints against intelligence officers conducting intelligence and counter-intelligence

Complaints submitted by natural and legal persons against acts of intelligence authorities and/or intelligence officers in violation of human rights or freedoms in the context of intelligence and counter-intelligence shall be examined by intelligence controllers in accordance with the procedure laid down in the Law on Intelligence Controllers.

Amendments to the Article:

No [XIV-869](#),
23/12/2021,
published in TAR 25.12.2021, i.e. 2021-26906

Article 24. Internal control of intelligence authorities

1. The Head of the Intelligence Authority, in order to ensure the legitimacy, economy, efficiency, effectiveness and transparency of the activities of the intelligence authority, the protection of human rights and by organising the internal control of the intelligence authority in an institution under command:

(1) establish directly subordinate control units or appoint responsible intelligence officers to carry out operational, management, compliance, human rights protection, information systems and other assessments in the context of the verification and evaluation of the activities of the intelligence authority;

(2) establish a procedure for the use of funds for the application of intelligence techniques and court-sanctioned actions where it is necessary to ensure the sensitivity of the intelligence

authority's methods of operation and, within the scope of its competence, authorises other domestic legislation governing internal control.

Amendments to subparagraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

2. Intelligence authorities shall provide the Seimas Committee with structured statistical information on the results of internal controls carried out, as well as ongoing internal investigations, personnel administration, structure and other internal control-related information, to the Seimas Committee twice a year or at its own request.

Article 25. Audit of intelligence authorities and control of financial activities

1. The audit of intelligence authorities and the control of financial activities shall be carried out in accordance with the procedure laid down by laws and other legal acts.

2. The heads of intelligence authorities shall establish and supervise the functioning of financial control within the lead institution in accordance with the minimum financial control requirements approved by the Government or an institution authorised by it and shall approve the rules on financial control.

Article 26: Provision of information on intelligence authorities to the public

1. Intelligence authorities publish national security threat assessments on an annual basis according to their areas of activity.

Amendments to subparagraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

2. Other information about the activities of intelligence authorities may only be provided to the public or individuals by decision of the Head of the Intelligence Authority.

SECTION SIX

STRUCTURE AND GOVERNANCE OF INTELLIGENCE AUTHORITIES

Article 27: Intelligence authorities

1. The State Security Department is a legal entity financed from the State budget, bearing its own stamp with the coat of arms of the State of Lithuania and the name "Lithuanian Republic of Lithuania. State Security Department", as well as bank accounts.

2. The second department of operational services is a legal person financed from the State budget, bearing its own stamp with the Lithuanian State coat of arms and the inscription 'Republic of Lithuania. Second department of operational services under the Ministry of Defence', as well as bank accounts. With the introduction of a state of war or armed defence against aggression (war), the Second Operational Department becomes part of the armed forces and defends the state.

Amendments to subparagraph:

No [XIII-3245](#),

30

JUNE

2020

published in TAR 16/07/2020, i.e. 2020-15883

3. Intelligence authorities have their own flags, marks, medals and other attributes. The production of flags, marks, medals and other attributes by intelligence authorities is prohibited. Intelligence authorities have an exclusive right of disposal and use of flags, marks, medals and other attributes.

4. Symbols, medals and other attributes of intelligence authorities are approved by the

heads of these institutions.

5. The professional celebration of intelligence officers is the 27th October – Thought Day.

Article 28: Structure of intelligence authorities

1. Intelligence authorities consist of boards, divisions and sub-divisions.

2. The State Security Department's regulations, structure, number of posts and list of posts shall be approved by the Director of the State Security Department.

3. The regulations of the second department of the operational services, the structure, the number of posts and the list of posts, as well as each year the marginal number of soldiers and senior officers, generals and admirals of each grade shall be approved by the Minister of Defence.

Amendments to the Article:

No [XIV-2017](#),

25

MAY

2023

published in TAR 2023-06-09, i.e. 2023-11596

Article 29: Staff of intelligence authorities

1. The staff of the intelligence authority shall consist of:

(1) intelligence officers;

(2) Employees.

2. The working conditions of the employees of the intelligence institution shall be laid down in the Labour Code of the Republic of Lithuania, the Law on the remuneration of employees of budgetary institutions of the Republic of Lithuania and the remuneration of members of commissions for work and other legislation regulating employment relationships, unless this Law provides otherwise.

3. Soldiers serving in the second department of operational services under the Ministry of Defence shall have the status of soldier laid down in the Law of the Republic of Lithuania on the organisation of the national defence system and military service. The provisions of Articles 31(5), 32, 33, 34(4), 39, 40, 41, 42, 46, 48, 50, 51, 54(2), 57, 64, 64¹ and 65 of this Law shall apply without reservation to them, and the other provisions of this Law shall apply to soldiers of professional military service (hereinafter referred to as 'the soldiers') in so far as their status is not determined by the legislation governing professional military service.

4. Data revealing a person's dependence to an intelligence authority or to State information systems and/or registers may, by decision of the head of the intelligence authority, be omitted if the processing of such data in the relevant information system or register could damage the activities of the intelligence authority.

Amendments to the Article:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

Article 30. Intelligence officers

List of intelligence officers:

(1) Director;

(2) Deputy Director;

3) the Head of the Management Board;

(4) Deputy Head of Board;

(5) Adviser;

Subparagraph added:

No [XIV-2017](#),

25

MAY

2023

published in TAR 2023-06-09, i.e. 2023-11596

(6) Head of Unit;

Amendment to item numbering:

No [XIV-2017](#),

25

MAY

2023

published in TAR 2023-06-09, i.e. 2023-11596

(7) Deputy Head of Unit;

Amendment to item numbering:

No [XIV-2017](#),

25

MAY

2023

published in TAR 2023-06-09, i.e. 2023-11596

(8) Head of Section;

Amendment to item numbering:

No [XIV-2017](#),

25

MAY

2023

published in TAR 2023-06-09, i.e. 2023-11596

(9) Chief Specialist;

Amendment to item numbering:

No [XIV-2017](#),

25

MAY

2023

published in TAR 2023-06-09, i.e. 2023-11596

(10) Senior Specialist;

Amendment to item numbering:

No [XIV-2017](#),

25

MAY

2023

published in TAR 2023-06-09, i.e. 2023-11596

(11) a professional;

Amendment to item numbering:

No [XIV-2017](#),

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(12) Junior Professional.

Amendment to item numbering:

No [XIV-2017](#),

25

MAY

2023

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Article 31. Intelligence authorities' management

1. The management of the intelligence authority consists of a director and a deputy director.

2. State Security Department:

(1) the Director is appointed and dismissed by the President of the Republic with the consent of the Seimas;

(2) Deputy Directors are appointed and dismissed by the President of the Republic on a proposal from the Director.

3. Second department of operational services:

(1) the Director is appointed and dismissed by the Minister for Defence;

(2) Deputy Directors are appointed and dismissed by the Minister of National Defence on a proposal from the Director.

4. Persons with at least 5 years of managerial experience and meeting the requirements of Article 32(2), points (1), (2), (4), (5), (6) and (4)(3) of this Law shall be appointed Director and Deputy Directors of the Intelligence Authority. The requirement laid down in Article 32(2)(5) of

this Law shall not apply to the appointment of persons to the posts referred to in paragraph 2 of this Article.

Amendments to subparagraph:

No[XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

5. The Director and Deputy Directors of the Intelligence Authority, as well as the heads of boards and their deputies, are appointed for a period of 5 years. These posts may be reappointed for a period of 5 years, but may not hold the same post for more than 10 consecutive years.

6. Director of the Intelligence Authority:

(1) organise and direct the work of the intelligence authority;

(2) represent the intelligence authority;

(3) in accordance with the procedure laid down, submit draft laws and regulations to public bodies with the right of legislative initiative;

(4) approve the regulations of the structural units of the intelligence authority, the official regulations of intelligence officers and staff;

(5) recruiting and dismissing intelligence officers and staff from service/employment, informing intelligence officers of their conditions of service, deciding on their transfer, suspension and other matters relating to their legal status and the progress of the service/employment;

Amendments to the paragraph:

No[XIV-1194](#),

28/06/2022,

published in TAR on 11/07/2022, i.e. 2022-15185

No[XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

(6) provide intelligence officers with service grades other than those awarded by the President of the Republic or the Minister of National Defence;

(7) issue orders, monitor their execution.

7. If the Director of the intelligence authority is temporarily absent:

(1) In the State Security Department the function of Director shall be performed by a Deputy Director authorised by the Director;

(2) In the second department of operational services, the Deputy Director or other intelligence officer authorised by the Minister for National Defence shall act as Director.

8. The Director and Deputy Directors of the Intelligence Authority may be dismissed from office on the grounds of dismissal of intelligence officers provided for in this Act.

9. At the end of the period of appointment of the director or deputy director of the intelligence authority, they may be admitted to the service of the intelligence authority without the age limits laid down in Article 32(2)(3) of this Law and without the application of the selection procedures provided for in Article 34(1) of this Law.

Supplemented with a paragraph:

No[XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

SECTION SEVEN RECRUITMENT WITH AN INTELLIGENCE AUTHORITY

Article 32. Requirements for persons admitted to service/work at an intelligence authority

1. A person is admitted to service/work at an intelligence authority on a voluntary and selective basis.

2. A person admitted to service/work at an intelligence authority shall meet the following basic requirements:

(1) be a citizen of the Republic of Lithuania;

(2) be of good repute and fit for the intelligence service on the basis of their personal and material characteristics;

Amendments to the paragraph:

No [XIV-2392](#),

19/12/2023,

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Be at least 18 years of age and not older than 55 years (except for persons admitted as an employed person);

Amendments to the paragraph:

No [XIV-2392](#),

19/12/2023,

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(4) have the required level of education for the post to be filled;

(5) be fit for medical fitness;

(6) to meet the requirements for granting authorisation to work or to access classified information where the duties involve the use of classified information;

Amendments to the paragraph:

No [XII-2382](#),

19

MAY

2016;

published in TAR on 02/06/2016, i.e. 2016-14743

(7) obtain a positive outcome of the selection provided for in Article 34(1) of this Law.

3. A person may not be considered to be of good repute if:

(1) have been convicted of a very serious or serious crime, whether or not the conviction has ceased;

(2) have been convicted of criminal offences other than those referred to in point (1) of paragraph 3 of this Article and the conviction has not expired;

(3) has been removed or dismissed from the duties of a judge, public prosecutor, lawyer, assistant lawyer, notary, bailiff, assistant bailiff or public service for professional or professional misconduct or loss of confidence and has not elapsed five years from the date of dismissal;

(4) was a Kadrinis employee of the State Security Committee of the USSR (UCPD, UCGB, MGB, KGB) who, under the Law of the Republic of Lithuania 'On the Assessment of the State Security Committee of the USSR (UCPD, UCGB, MGB, KGB) and the current activities of the body's staff', were subject to restrictions on working activities or were in the reserve of that organisation;

(5) the incriminating procedure has been removed from office or his term of office as a Member of the Seimas has been terminated;

(6) abuse alcohol, narcotic, psychotropic or other psychotropic substances;

(7) Cancelled from 1 January 2024

Paragraph deleted:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

4. The following educational requirements apply to persons admitted to the service of an intelligence authority:

(1) for junior professionals and professionals, at least secondary education;

(2) for senior specialists and senior specialists, at least a senior colleague, a post-secondary post-secondary education completed before 2009 or completed before 1995;

(3) from the Head of Division to the Director – post-graduate education.

Amendments to subparagraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

5. The Head of the Intelligence Authority may impose additional requirements on individual education, foreign language skills, work experience, intellectual, physical and practical skills, moral and psychological fitness to perform the duties of intelligence officer for certain positions of intelligence officers.

6. The age limits set out in subparagraph 3 of paragraph 2 of this Article and the selection procedures provided for in Article 34(1) of this Law shall not apply to intelligence officers who have served under a contract of professional military service and who continue to serve continuously under a contract of service as an intelligence officer, nor to former reserve intelligence officers recruited without interruption after their removal from the pool of intelligence officers.

Supplemented with a paragraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

Article 33. Restrictions on admission to the service/working of an intelligence authority

Persons may not be admitted to the service/working of an intelligence authority:

- (1) whose legal capacity is restricted by the court;
- (2) refusing to sworn against the Lithuanian State or breaking the oath of the Lithuanian State;
- (3) being members or sponsors of political parties, political organisations;
- (4) who are members of an organisation prohibited in accordance with the procedure laid down by law;
- (5) having provided a knowledge of themselves, their relationships and their interests in a way which is known to be incorrect;
- (6) whose spouses, close relatives, persons associated with them are serving (working) with an intelligence authority and with whom there is a direct hierarchical relationship;
- (7) having a medical condition that prevents them from performing their duties.

Article 34. Selection of persons for service/work at the intelligence authority

1. Persons are admitted to service (work) within an intelligence institution in accordance with a general selection procedure established by the Director of the State Security Department and the Minister of National Defence, in order to assess whether a person is fit to serve (work) an intelligence institution. The selection process may include a psychological examination of the person and other assessments of competence assessment.

2. A person applying for a position in an intelligence authority must submit an application for admission to a service (work) with an intelligence authority, information about himself, his or her relationship and interests, written consent to the screening of his or her information and other information specified in the selection procedure.

3. A person applying for a service (work) within an intelligence authority is sent to a health institution for medical examination in accordance with the procedure laid down by the Government or an institution authorised by it.

4. A polygraph may be used to verify the suitability of a person to serve (work) with an intelligence authority.

5. The person who has taken part in the selection procedure is informed of the results of the selection procedure.

Article 35. Sworn by intelligence officers

1. The intelligence officer takes an oath to the Lithuanian State before taking up his duties with an intelligence institution.

2. The intelligence officer shall have the right to choose one of the following oath texts:

(1) 'I, (forename, surname), I shall make an unreserved sworn sworn:

loyalty to the Lithuanian State,

defend the Lithuanian State, its freedom and independence;

to implement in good faith the Constitution of the Republic of Lithuania, the laws and orders of its leaders,

to protect any secrets entrusted to me,

protect the reputation of an intelligence officer everywhere and at all times.

Lumad to me God.';

(2) 'I, (forename, surname), I shall make an unreserved sworn sworn:

loyalty to the Lithuanian State,

defend the Lithuanian State, its freedom and independence;

to implement in good faith the Constitution of the Republic of Lithuania, the laws and orders of its leaders,

to protect any secrets entrusted to me,

protect the reputation of an intelligence officer everywhere and at all times.'

3. The sworn intelligence officer signs the text of the oath. The signed oath page is stored in the personal file of the intelligence officer.

4. The oath of the Director of the State Security Department shall be taken by the President of the Republic and by the Minister of Defence of the Second Director of the Operational Services Department. The oath of other intelligence officers is taken by the head of the intelligence authority or his authorised intelligence officer.

Article 36. Recruitment/working with an intelligence authority and probationary period

1. Persons other than those appointed by decree of the President of the Republic and order of the Minister of National Defence shall be admitted and appointed to the service (work) of the intelligence authority by order of the head of the intelligence authority.

2. Admission to the position of intelligence officer may be subject to a probationary period of up to 12 months from the start of the service with the intelligence authority. Periods of leave and sick leave shall not be included in the probationary period.

3. The decision on whether or not to apply a probationary period and setting a time limit is taken by the head of the intelligence authority.

4. During the probationary period, the head of the intelligence authority shall have the right to terminate an intelligence officer's service contract with the intelligence officer and to dismiss him or her from service without giving reasons.

5. Intelligence officers appointed by the President of the Republic and the Minister of National Defence shall not be subject to a probationary period.

Article 37. Contracts of persons admitted to service/work at the intelligence authority

1. Intelligence officers serve in an intelligence authority in accordance with intelligence officers' service contracts. The form of the contract of the intelligence officer's service shall be laid down in this Law (Annex 1).

Amendments to subparagraph:

No [XIV-2017](#).

25

MAY

2023

published in TAR 2023-06-09, i.e. 2023-11596

2. The services of intelligence officers do not have contracts with the directors and deputies of intelligence authorities.

3. Intelligence officers' service contracts with intelligence officers are concluded and appointed by the Head of the Intelligence Authority.

4. Employment contracts with employees shall be concluded in accordance with the procedure laid down in the Labour Code.

5. No intelligence officer service contracts shall be concluded with soldiers serving in the second department of operational services.

Article 38. Restoring the status of intelligence officer

1. To restore the status of an intelligence officer – to return to a post in accordance with the procedures laid down by the heads of intelligence authorities or, failing that, to another intelligence officer within the intelligence authorities, former intelligence officers are entitled to:

(1) upon request to be dismissed and assigned to an international institution or to an institution of a foreign state;

(2) upon request for dismissal and departure with spouses transferred, appointed or elected to work abroad.

2. The re-establishment of the status of intelligence officer may take place within 3 months of the termination of employment with an international institution or a foreign authority, or within 3 months of the end of the spouse's transfer period, or within 3 months of the date of the request to restore the status of intelligence officer, if such a request is made before the end of the spouse's transfer period.

Article 39: Service cards and signs

1. An appointed intelligence officer shall be issued with a service card and a sign.

2. The form of the service certificate and mark, the procedure for issuing, storing and using certificates and marks shall be laid down by the head of the intelligence authority.

SECTION EIGHT

TERMS AND CONDITIONS OF THE INTELLIGENCE SERVICE

Rule 40 — Prohibitions and restrictions on intelligence officers

1. An intelligence officer shall be prohibited from:

(1) be a member or sponsor of political parties, political organisations;

(2) be a member of an organisation proscribed in accordance with the procedure laid down by law;

(3) to participate in meetings of political parties and political organisations or in any other public action that expresses political messages or demands or directly supports a political party or political organisation;

(4) making political statements, speaking speeches, publishing articles expressing public opposition to policies announced and pursued by the democratically elected state, making public demands on the state;

(5) be the owner, beneficial member or member of a private or public legal entity, a limited partner, appointed (elected) member of the management bodies, founder and participant of the legal entity;

(6) work for private or public legal persons on the basis of an employment or civil contract, whether remunerated or not, as well as other remuneration, except in the interest of the intelligence authority;

(7) pursuing an economic, commercial or private activity;

(8) to obtain income from immovable and movable property, monetary funds, securities, shares and related transactions, in so far as this is done on a commercial basis;

Amendments to the paragraph:

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(9) agricultural activity and forestry;
(10) representing the interests of other Lithuanian and foreign legal persons;
(11) strike;
(12) picketing;
(13) creating, participating in and participating in trade unions;
(14) use of service time, assets and services for purposes other than the service;
(15) to accept or provide gifts or services where this may give rise to a conflict of public and private interests.

2. An intelligence officer may not travel to foreign states or territories in which armed conflict takes place, or to other foreign states or territories for purposes other than those of the service, if the presence of an intelligence officer could harm the national security of the Republic of Lithuania or the interests of the State. The procedure for the movement of intelligence officers to foreign states and lists of foreign states or territories to which intelligence officers may not go are approved by the head of the intelligence authority.

3. The intelligence officer shall, in agreement with the head of the intelligence authority, have the right to:

(1) engage in creative activities, the results of which are subject to the Law of the Republic of Lithuania on copyright and related rights, as well as pedagogical or psychologist's professional activities;

Amendments to the paragraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

(2) participate in the activities of associations and other non-political associations.

Article 41. Operational and security guarantees for intelligence officers and staff

Title of the article amended:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

1. Intelligence officers may not be brought, detained, searched or inspected without the consent of the head of the intelligence authority, their objects, personal or service vehicles, premises, unless the intelligence officer is apprehended in committing a criminal offence. In such a case, the authority that detained the intelligence officer must notify the head of the intelligence authority and the Attorney General no later than 12 hours.

2. The decision to initiate criminal proceedings for a criminal offence committed by an intelligence officer is taken by the Attorney General.

3. The protection of intelligence officers and their family members may be subject to the measures provided for in the Law of the Republic of Lithuania on the protection of participants in criminal proceedings and criminal intelligence, officials of justice and law enforcement agencies from criminal impact.

4. The State takes care of and provides assistance to the intelligence officer and members of his/her family affected by reasons connected with the service in the intelligence authority. The State shall compensate an intelligence officer or a member of his/her family for reasons connected with a service within the intelligence authority. The compensation procedure shall be laid down by the Government.

5. An intelligence officer who participates in pre-trial investigation and/or trial proceedings shall be subject to anonymity or partial anonymity in accordance with the procedure laid down by law for reasons connected with the performance of the duties of an intelligence officer.

Amendments to subparagraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

6. A person who, as an intelligence officer and in the performance of his official duties, may have committed a violation of the law due to exceeding the limits of the official risk (as a result of which he is suspected or accused of having committed a criminal offence, an action or a complaint (application, application), the costs of legal services, or part thereof, are reimbursed from the intelligence authority. This compensation shall be granted in accordance with the procedure laid down by the Head of the Intelligence Authority.

Supplemented with a paragraph:

No [XIII-1952](#),
12/01/2019,
published in TAR of 21/01/2019, i.e. 2019-00867

7. The protection of intelligence officers and employees, their family members and their property, where the work of an intelligence officer or employee poses a real threat to their life, health, property or other constitutional values, shall be ensured in accordance with the procedure laid down by the head of the intelligence authority from the funds of the intelligence authority. By decision of the head of the intelligence authority, protection may also be granted to other persons through whom the security of an intelligence officer or employee may be directly threatened.

Supplemented with a paragraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

Article 42: Assessment of the professional development of intelligence officers

1. The operational activities of intelligence officers are assessed every 12 months, including when deciding whether an intelligence officer is fit for service within an intelligence authority.

2. The professional development assessment document of the intelligence officer shall describe the official's conduct, qualifications, performance, suitability for the current and other duties, conclusions and recommendations made.

Amendments to subparagraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

3. The official activity of an intelligence officer is assessed by his/her immediate superior and senior manager.

Amendments to subparagraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

4. The intelligence officer shall be informed of the results of the assessment and shall have the right to appeal no later than 14 calendar days.

5. The appeal is examined by a commission set up by the head of the intelligence authority. It shall take a decision on the merits of the appeal within 14 calendar days of receipt of the appeal. The Commission's decision may be appealed to a court in accordance with the procedure laid down by law.

6. The service activities of intelligence officers shall be assessed in accordance with the general procedure laid down by the Director of the State Security Department and the Minister of National Defence.

Article 43: Training and qualification of intelligence officers

1. The training and professional development of intelligence officers is organised and carried out in intelligence institutions, scientific, training and other institutions in Lithuania and foreign countries.

2. The Head of the Intelligence Authority approves training and qualification programmes for intelligence officers, establishes procedures for selection and referral to training and upskilling.

3. Intelligence officers who are seconded to study or develop a qualification shall be guaranteed, for the entire period of their training or professional development, their current duties and their remuneration, and shall be maintained under the pre-removal service conditions.

4. The conditions for the supply of qualified intelligence officers deployed for training or improvement shall be laid down by the Government or an institution authorised by it during the period of training or development.

5. If an intelligence officer is removed from a scientific, training or other institution to which a qualification has been sent for training or development or is dismissed from service on the grounds set out in paragraphs 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 of Article 53 of this Law, he or she shall be required to reimburse the costs related to his or her training or professional development during the last three years of service, reduced in equal proportions in proportion to each year of service completed after the training or professional development with the intelligence authority. Costs related to training and professional development are not reimbursed if the intelligence officer is unable to continue the service because of illness or incapacity (until 31 December 2023) or for serious and irremovable reasons recognised by the head of the intelligence authority and beyond the control of the intelligence officer. The composition of recoverable costs related to training and professional development and the procedure for calculating them shall be laid down by joint order of the Director of the State Security Department and the Minister of Defence.

Amendments to subparagraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

Article 44. Intelligence officers' pool

1. A pool of intelligence officers ('the reserve') is established within the intelligence authorities.

2. Intelligence officers may be placed in the reserve with their consent by being dismissed from the office of the intelligence authority. Persons who have previously served with an intelligence authority may also be placed in the reserve.

3. Persons placed in the reserve are considered as reserve intelligence officers.

4. The operational tasks of intelligence authorities are formulated for the intelligence officers of the Pool.

5. Reserve intelligence officers shall be removed from the reserve when their official tasks of intelligence authorities are no longer organised or are not carried out by such persons.

6. Reserve intelligence officers shall not receive any service salary and other benefits related to the employment relationship.

7. A person's stay in the reserve shall be counted against the length of service which is recalculated after removal from the reserve.

8. Persons may remain in the reserve for a continuous period of up to 5 years and, in the event of a need for the service, this period may be extended, but the total period of stay in the reserve shall not exceed 10 years.

9. The procedure for setting up the reserve shall be determined by the head of the intelligence authority.

Amendments to the Article:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

Article 45: Time and duration of the intelligence service

1. Intelligence officers serve in an intelligence authority until they reach the age of 55.
2. Depending on the needs of the intelligence authority and at the request of the intelligence officer, the Head of the Intelligence Authority may extend the service until the intelligence officer reaches retirement age.
3. The daily and cumulative weekly service of intelligence officers is not limited and depends on the needs of the service, but the duration of the daily uninterrupted rest between working days of 11 hours and a continuous rest period of 35 hours over a period of 7 consecutive days, and 24 hours of continuous rest between working days (shifts) for an intelligence officer and 24 hours of uninterrupted rest between working days (shifts). Where there is a need for the service to ensure the performance of his or her official duties, an intelligence officer may be entrusted with performing tasks during continuous rest periods to which he or she is entitled, compensated for by free time from service, in accordance with the procedure laid down by the head of the intelligence authority.

Amendments to subparagraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

4. The record keeping arrangements for intelligence officers are established by the head of the intelligence authority.

Article 46: Seniority of intelligence officers' service

The starting point for the service of intelligence officers is the beginning of the intelligence officer's service at the intelligence authority. For the purposes of calculating the length-of-service supplement laid down in Article 64 of this Law and for determining the length of leave provided for in Article 65 of this Law, the period of service completed with the Lithuanian State from 11 March 1990 shall be taken into account.

Amendments to the Article:

No [XII-1801](#),
18/06/2015;
published in TAR on 25/06/2015, i.e. 2015-10142
No [XIV-2017](#),
25
published in TAR 2023-06-09, i.e. 2023-11596

MAY

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Article 47: Declaration of assets, income and private interests of intelligence officers

1. Intelligence officers declare property, income and private interests to the intelligence authority in accordance with the procedure laid down by law. Declarations of assets, income and private interests are kept by an intelligence authority.
2. Expired on 1 January 2024

Paragraph deleted:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

3. Declarations of assets, income and private interests shall be completed, verified and kept in accordance with the procedure laid down by laws and other legal acts.

CHAPTER 9 USE OF COERCIVE AND SERVICE FIREARMS

*The title of the section has been changed:
No [XIII-674](#),
12/10/2017;
published in TAR on 23/10/2017, i.e. 2017-16704*

Article 48: Means of coercion and conditions of use thereof

1. An intelligence officer shall be entitled to use coercion only in cases of indispensability of the service and only to the extent necessary for the performance of his or her official duties. The intelligence officer must use coercion in an appropriate manner to the circumstances at hand and proportionate to the threat involved, taking into account the specific situation, the nature, intensity and individual characteristics of the offender. Physical coercion is used only when mental abuse has been ineffective or where any delay endangers the life or health of an intelligence officer or other person.

2. An intelligence officer shall have the right to use coercion in the following cases:

(1) protecting or protecting other persons from imminent danger to life or health;

(2) persons evading the legitimate demands or instructions of intelligence officers (to compel individuals to obey), as well as by detaining persons (if they resist);

(3) resisting attacks on structures (including premises), service firearm, special means, classified service documents, means of transport, communication or other assets of intelligence authorities;

(4) entering areas, premises or means of transport where, according to the information available, persons who may have committed administrative offences or criminal offences may hide there;

(5) stopping a vehicle, vessel or aircraft (in cases of service necessity).

3. An intelligence officer who has arrested a person who has committed an administrative offence or a criminal offence must surrender him to the police.

4. The intelligence officer shall have the right to use a service firearm as a special measure to expel devices included in the Special Devices Specification whose effect is not to create an immediate danger to the life of the person against whom the firearm is being used or of other persons.

5. Where there is no imminent danger to the life or health of intelligence officers or other persons, the use of physical coercion shall be prohibited:

(1) against persons who are obviously persons with disabilities;

Amendments to the paragraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

(2) against women if they are obviously pregnant;

(3) against minors, provided that they have an age-appropriate appearance.

6. An intelligence officer who has used mental or physical coercion to endanger the life or health of a person must provide the person with the necessary immediate medical or other necessary assistance and take other necessary measures to remedy the dangerous consequences of his action. The physical or mental coercion used by an intelligence officer, if this has led to the death or impairment of a person's health, shall be reported immediately to the head of the intelligence authority and to the prosecutor.

7. Intelligence officers must be specially trained and regularly checked for their ability to deal with situations involving the use of mental or physical coercion. The procedure for the preparation and verification of intelligence officers shall be laid down by the Government.

8. The specification of special measures and the procedure for their use shall be laid down by the Government.

Amendments to the Article:

No [XIII-674](#),
12/10/2017;
published in TAR on 23/10/2017, i.e. 2017-16704

Article 49. Use of service firearms

1. A service firearm may be used only in exceptional cases where it is strictly necessary and where mental or physical coercion has been ineffective or there is an imminent danger to the life or health of a person.

2. An intelligence officer shall have the right to use a service firearm against persons in the following cases:

(1) by defending or defending another person against an instigation or imminent threat of serious harm to life or health;

(2) repelling armed attacks on structures (including premises), areas or means of transport of intelligence authorities;

(3) apprehension of a person who may have committed a criminal offence if there is an imminent danger to the life or health of an intelligence officer or another person;

(4) apprehension of a person driving a vehicle where the driver of the vehicle poses an imminent danger to the life of an intelligence officer or another person.

3. An intelligence officer shall have the right to use a service firearm against an animal, vessel, aircraft or vehicle without immediate danger to the life or health of the intelligence officer or other persons, as well as against the unmanned aircraft, if his/her flight is performed despite the prohibition laid down in Article 5(3) of this Law.

Amendments to subparagraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

4. An intelligence officer who intends to use a service firearm must give notice of such intent, giving the person the opportunity to fulfil his or her legitimate requirements, unless the delay poses an imminent danger to the life or health of the intelligence officer or another person or such warning is impossible.

5. An intelligence officer shall have the right to fire a service firearm, without endangering the values protected by law, to call for assistance when it is necessary to give an alarm.

6. Where there is no imminent danger to the life or health of an intelligence officer or other persons, the use of a service firearm shall be prohibited:

(1) places of gatherings of persons where this may cause harm to unauthorised persons, except in the case referred to in point 1 of paragraph 2 of this Article;

(2) in structures (including rooms) containing explosives, readily flammable substances that could endanger the life, health or public safety of a person.

7. An intelligence officer who has used a service firearm that endangers the life or health of a person must provide the person with the necessary immediate medical or other necessary assistance and take other necessary measures to remedy the dangerous consequences of his action. A service firearm used by an intelligence officer shall be immediately reported to the head of the intelligence authority and to the prosecutor if this has led to the death or impairment of a person's health.

8. Intelligence officers must be specially trained and regularly checked for their ability to deal with situations involving the use of a firearm. The procedure for the preparation and verification of intelligence officers shall be laid down by the Government.

Amendments to the Article:

No [XIII-674](#),
12/10/2017;
published in TAR on 23/10/2017, i.e. 2017-16704

SECTION 10

REASSIGNMENT OF INTELLIGENCE OFFICERS, REMOVAL FROM OFFICE, DISMISSAL

Article 50. Reassignment of intelligence officers

1. Where there is a need for service, intelligence officers may, by decision of the head of the intelligence authority, be transferred to an equivalent post in any unit of the intelligence authority. Such transfer does not require the consent of the intelligence officer, unless the post to which the intelligence officer is transferred has a lower salary coefficient.

2. Intelligence officers may be transferred to senior positions:

(1) upon request or consent;

(2) where the intelligence officer's official performance has been assessed very well or well and with the consent of the intelligence officer to be promoted.

3. Intelligence officers may be transferred to lower posts and equivalent positions with a lower salary coefficient:

(1) upon request or consent;

(2) restructuring the structure of the intelligence authority if it is not possible to reassign and to be transferred with the consent of the intelligence officer to a lower position or to an equivalent post with a lower salary coefficient;

(3) the state of health, if there is no possibility of reassignment;

(4) if, following a satisfactory or unsatisfactory assessment of the official's official performance, a decision is taken to reassign him to a lower post or to an equivalent post with a lower salary coefficient;

(5) upon expiry of the appointment of the Head of the Board or of the Deputy Head of the Management Board and with the consent of the intelligence officer, to be downgraded;

(6) where the administrative penalty provided for in Article 58(5) of this Law is imposed.

4. Intelligence officers may be transferred from one intelligence authority to another by agreement between the heads of these authorities. Such transfer requires the consent of the intelligence officer.

5. Given the need for specialists, intelligence officers may, with their written consent, be temporarily transferred, for a period of up to 3 years, by order of the Head of the Intelligence Authority, to serve diplomatic missions, consular posts and representations of the Republic of Lithuania at international organisations or special missions, to international and European Union institutions or institutions of foreign states, as well as to foreign state or international military or defence institutions. This time limit may be extended to 3 years by decision of the Head of the Intelligence Authority where there is a need for service. Intelligence officers shall be subject to the provision laid down in Article 64¹ of this Law during the period of service abroad.

6. Intelligence officers of the second department of operational services may be sent to international operations in accordance with the procedure laid down by laws and other legal acts of the Republic of Lithuania. Intelligence officers deployed to participate in international operations, prepare for participation in international operations and perform service tasks in the area of an international operation shall be provided under the conditions and in accordance with the procedure laid down in the Law on the organisation of the security system and military service.

7. Where there is a need for service and where the heads of state or municipal institutions or bodies agree on the matter, the intelligence officer may, by order of the head of the intelligence institution, be temporarily transferred from the intelligence institution to a career civil servant's post in another state or municipal institution or institution, provided that the intelligence officer meets the general requirements for admission to the position of civil servant laid down in the Law on the Civil Service of the Republic of Lithuania and the special requirements laid down in the description of the post to which he or she is transferred, for a period of up to 3 years. Where there is a need for service, this time limit may be extended by up to 2 years, subject to the agreement of the heads of state or municipal institutions or bodies.

During the transfer period, the State or municipal institution or body to which the intelligence officer has been transferred shall pay the intelligence officer the remuneration provided for in this Law, calculated on the basis of the official salary coefficient established for the duties of intelligence officer prior to the transfer.

8. The time of temporary transfer of an intelligence officer to a post or service referred to in paragraphs 5, 6 and 7 of this Article shall be credited to the seniority of the intelligence officer's service. During the transfer period, he shall retain his rank or service grade prior to the transfer, all prohibitions, restrictions and guarantees imposed on intelligence officers by this Act, and, at the end of the transfer period, shall guarantee the performance or other equivalent position of intelligence officer or, failing that, other lower intelligence officer positions.

Amendments to the Article:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

Article 51. Temporary delegation to perform other duties

1. Without their consent, the head of the intelligence authority may, without their consent, delegate to intelligence officers other higher, equivalent or lower positions corresponding to their qualifications.

2. The temporary delegation provided for in paragraph 1 of this Article to an intelligence officer shall not exceed one year without interruption.

3. Where an intelligence officer is assigned to a higher position in accordance with the procedure set out in paragraph 1 of this Article, an official salary corresponding to that post shall be paid. In the event of delegation of a lower or equivalent post, the remuneration received prior to the provisional assignment shall be paid.

Article 52. Removal of an intelligence officer from office

1. An intelligence officer may, by decision of the head of the intelligence authority, be removed from office if:

(1) an official check for misconduct in office;

(2) he/she is suspected of having committed a criminal offence or an administrative offence that downgraded the name of an intelligence officer;

TAR Note: The provisions of Article 52(1)(2) shall also apply in cases where administrative offences as provided for in the Code of Administrative Infringements of the Republic of Lithuania, approved by Law No X-4449 of 1984, have been committed.

Amendments to the paragraph:

No [XII-2526](#),

29

JUNE

2016;

published in TAR of 13.7.2016, i.e. 2016-20284

(3) he is under the influence of alcohol, narcotics, psychotropic substances or other psychiatric substances in the service, on that date.

2. An intelligence officer who has been disqualified shall return the service certificate, material assets and documents he has obtained in the course of his or her duties.

3. An intelligence officer shall not be remunerated for the duration of his or her removal from office.

4. An intelligence officer may be suspended for a maximum period of 3 months. This term does not include the periods of sick leave and leave of an intelligence officer.

5. If an intelligence officer is not found guilty of an administrative offence or the commission of a criminal offence in accordance with the procedure laid down in the Code of Administrative Offences of the Republic of Lithuania or the Criminal Code of the Republic of Lithuania, and/or during an official inspection it is established that the intelligence officer has not committed a service offence, he or she shall be reinstated in his post and shall be paid a service salary for the period during which he or she has been suspended from office.

TAR Note: The provisions of Article 52(5) shall also apply in cases where the administrative offences provided for in the Code of Administrative Infringements of the Republic of Lithuania, approved by Law No X-4449 of 1984, have been committed.

Amendments to subparagraph:

No [XII-2526](#),

29

JUNE

2016;

published in TAR of 13.7.2016, i.e. 2016-20284

6. An intelligence officer may also be removed from office in the cases and in accordance with the procedure laid down by other laws.

Article 53: Grounds for dismissal of intelligence officers

The intelligence officer shall be dismissed from service and his contract terminated:

(1) at his own request;

(2) where it transpires that certain data (documents) or misconceived data (documents) have been concealed at the time of entering the service (documents) giving a known misstatement of oneself, his relationship and his interests, which prevented the person from entering the service;

(3) upon the entry into force of a court judgment finding an intelligence officer guilty of a crime, as well as for committing a misdemeanour to the state service and public interests, the National Defence Service;

(4) when he or she loses the nationality of the Republic of Lithuania;

(5) when he breaks the oath of an intelligence officer;

(6) have not passed the probationary period;

(7) where it infringes the prohibitions or restrictions laid down in Article 40 of this Law;

(8) when, by acting in the course of service or outside the service, he or she misses the name of an intelligence officer;

(9) where, in accordance with the procedure laid down by law, he is deprived of special rights relating to the performance of his duties and there are no other duties corresponding to his qualifications;

(10) when it is assessed as unsuitable for continued service;

(11) in the case of an official penalty, dismissal;

(12) where it transpires that he is unable to perform his duties because of his state of health at the time of the medical report and there is no possibility of transferring him to another post appropriate to his state of health;

(13) the will of the head of the intelligence authority when he is temporarily incapacitated for more than 120 consecutive calendar days or for more than 140 calendar days in the previous 12 months, and if the temporary incapacity is not due to a medical impairment occurring in the course of his official duties or as a result of the service;

Amendments to the paragraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

(14) the removal of a post resulting from the winding-up of an intelligence authority;

Amendments to the paragraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

(15) where a post is removed as a result of the restructuring of the structure of the intelligence authority and the absence of a post corresponding to his or her qualifications or refuses to be transferred to another position;

Subparagraph added:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

(16) when he reaches the age laid down in Article 45(1) of this Law and his service has not been extended or has ended;

Amendment to item numbering:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

(17) by agreement between the parties;

Amendment to item numbering:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

(18) at the end of the appointment period referred to in Article 31(5) of this Law to the post of head or deputy head of the board and if he has refused to be downgraded;

Amendments to the paragraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

(19) at the end of the period of appointment to the post of director or deputy director of the intelligence authority referred to in Article 31(5) of this Law.

Subparagraph added:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

Article 54. Procedure and conditions for the dismissal of intelligence officers

1. Intelligence officers shall be dismissed from service and their contract of service shall be terminated by order of the head of the intelligence authority, with the exception of officials dismissed by decree of the President of the Republic or order of the Minister of National Defence.

2. Upon dismissal, the intelligence officer must return at the latest on the date of dismissal the service weapon, service card, service mark, documents and other means of work obtained by him or her for use by the intelligence authority.

3. The intelligence officer shall be dismissed from service on the grounds set out in Article 53(14) and (15) of this Law and his contract of employment shall be terminated by giving at least two months' notice. A pregnant woman (when the intelligence authority is being wound up), a woman or a man raising a child (children) under the age of 14, a person who is less than 5 years old before entitlement to a State pension for officials and soldiers must be given four months' notice in writing of the envisaged dismissal.

Amendments to subparagraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

4. An intelligence officer may not be dismissed from service on the grounds set out in Article 53(15) of this Law during the period of sick leave if the period of sick leave does not exceed 120 consecutive calendar days.

Amendments to subparagraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

5. A pregnant woman, as well as a mother or father with a child under 3 years of age, may not be dismissed from the service of the intelligence authority unless they are at fault (unless the intelligence authority is wound up).

6. An intelligence officer may be dismissed from service during his leave or sick leave on the grounds referred to in Paragraph 53(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (16), (17), (18) and (19) of this Law.

Amendments to subparagraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

7. Upon death, declared dead in accordance with the procedure laid down by law, intelligence officers recognised as unknown shall be removed from the lists of intelligence officers by order of the Head of the Intelligence Authority.

8. Disputes arising from dismissal shall be settled in accordance with the procedure laid down in the Law of the Republic of Lithuania on Administrative Proceedings.

Article 55. Dismissal of an intelligence officer at his own request

1. The intelligence officer shall have the right to terminate service voluntarily upon request of the Head of the Intelligence Authority at least 14 calendar days in advance. The intelligence officer shall be dismissed on the date specified in the request.

2. If the head of the intelligence authority agrees, the intelligence officer may be dismissed and his/her contract terminated earlier than provided for in paragraph 1 of this Article.

3. The intelligence officer shall have the right to withdraw a request for voluntary termination of service no later than 3 working days from the date on which the request was made.

4. In the case of an investigation of misconduct in service, the intelligence officer may be dismissed only after the investigation has been completed, within 3 working days of the end of the investigation.

Article 56. Dismissal of an intelligence officer by agreement between the parties

When an intelligence officer is dismissed by agreement between the parties, a written agreement shall be concluded to discuss the conditions for dismissal, the granting or compensation of unused annual leave, the payment of severance pay (the amount of which may not exceed that laid down in Article 68(1) of this Law), the reimbursement of the costs of training, professional development and other conditions.

ELEVENTH SECTION

PROMOTION AND RESPONSIBILITY OF INTELLIGENCE OFFICERS

Article 57. Promotion of intelligence officers and awards

1. For the exemplary service, intelligence officers may be encouraged or rewarded:

(1) thanking;

(2) nominative gift;

(3) a cash payment of up to 2 official salaries for personal and exceptional contribution to the achievement of objectives or results set by the intelligence authority;

Amendments to the paragraph:

No [XIII-1102](#),

19

APRIL

2018

published in TAR on 02/05/2018, i.e. 2018-06969

(4) a medal or decoration from the intelligence authority;

(5) a medal of the national defence system.

2. Intelligence officers may be presented to state awards for special merit in the service.
3. Intelligence officers shall be encouraged and awarded in accordance with the general procedure laid down by the Director of the State Security Department and the Minister of National Defence.
4. Intelligence officers with existing service penalties shall not be promoted or rewarded.

Article 58: Official penalties

For misconduct in service, intelligence officers shall be subject to the following official penalties:

- (1) a warning;
- (2) reprimand;
- (3) severe reprimand;
- (4) reduction of the official salary;
- (5) transfer to a lower post or equivalent with a lower salary coefficient;

Subparagraph added:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

- (6) Dismissal.

Amendment to item numbering:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

Rule 59 — Misconduct in office

1. Misconduct in office shall be divided into:

- (1) rough;
- (2) other misconduct in office.

2. Serious misconduct in office:

(1) intentional acts (acts or omissions) by an intelligence officer which is not used in the interest of the service or in accordance with laws or regulations, or for self-ustaining purposes (unlawful appropriation or transfer of assets, funds, etc.) or other personal incitements (revenge, excuse, illegal service provision, etc.) as well as acts of an intelligence officer which go beyond the authorised authority or arbitrarily (abuse of the office), provided that there are no indications of a criminal offence;

(2) wilful failure or improper performance of official duties as provided for in the Staff Regulations, as well as failure to perform or improper performance of the task assigned by lawful order or order, provided that there are no elements of a criminal offence (failure to perform official duties);

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(3) an intentional or negligent act in the performance of an irregular task or delegation (performance of an unlawful task). An intelligence officer who initiates or commences the execution of an order or task the legality of which has doubts as to its legality, has informed, in accordance with the procedure laid down in the Rules of Procedure or the internal rules, the head of a higher than that which issued the order or order, or the head of the intelligence authority, of the initiation or execution of an order is exonerated if there is no indication of a criminal offence;

(4) being under the influence of alcohol, narcotic, psychotropic or other psychoactive substances during service;

(5) absence from the place of employment for one or more working days without valid reason;

(6) an act committed intentionally or negligently in breach of the rules of procedure for dealing with classified information providing for the use, storage of classified information (breach of the rules governing the handling of classified information), provided that there is no indication of a criminal offence;

(7) intentional or negligent conduct which infringes the procedures for issuing, returning, carrying, possessing and using service firearms, as well as the rules on the use of other objects, machinery or equipment recognised as sources of higher risk (breach of the rules on dealing with the source of higher risk);

(8) Providing a false explanation of misconduct in office, as well as a translation to give a false explanation;

(9) wilful conduct that violates the internal order and the rules on the use of objects, tools or equipment that has caused material damage to an intelligence authority, provided that it does not contain elements of a criminal offence (inflicting material damage).

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3. Serious misconduct in the service may give rise to the following administrative penalties:

(1) severe reprimand;

(2) reduction of the official salary;

(3) transfer to a lower post or equivalent with a lower salary coefficient;

Subparagraph added:

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(4) Dismissal.

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4. Dismissal may also be imposed for one serious misconduct.

5. 'Other misconduct in service' means repeated breaches of the requirements of the Code of Ethics for Intelligence Officers, breaches of the service procedure laid down in this Law and other legal acts, provided that they do not contain any evidence of serious misconduct in the service, as well as negligent failure or improper performance of the official duties provided for in the Staff Regulations, failure to perform or improperly perform a task assigned by lawful order or delegation.

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6. Other misconduct in the service shall be subject to the following administrative penalties:

(1) a warning;

(2) reprimand;

(3) strong reprimand.

7. Attenuating liability for misconduct in office are the following:

(1) the person reports that he/she has committed an official misconduct;

- (2) the person's sincere regret;
 - (3) the person has prevented the harmful consequences of misconduct in office and has voluntarily eliminated the damage caused;
 - (4) the misconduct in office is the result of a serious feeling caused by the unlawful conduct of the victim;
 - (5) The misconduct in office was committed as a result of mental or physical coercion, provided that such coercion does not remove liability;
 - (6) the misconduct in office was committed in breach of the conditions of necessity;
 - (7) the misconduct in office was committed outside self-defence;
 - (8) other mitigating circumstances recognised as relevant by the head of the intelligence authority.
8. The following circumstances constitute aggravating liability for misconduct in office:
- (1) the offence of duty was committed during a war or state of emergency;
 - (2) the misconduct in office continued despite the requirement to terminate it;
 - (3) repeated serious misconduct in the course of the year;
 - (4) misconduct in office committed by persons in the group;
 - (5) The offence was committed by a person under the influence of alcohol, narcotics, psychotropic substances or other psychiatric substances.
9. The intelligence officer shall not be liable for misconduct committed in the course of self-defence, necessary necessity, justified official risk or proper execution of a lawful order.

Rule 60 — Investigation of misconduct in office and imposition of penalties

1. The investigation procedure for misconduct in office shall be initiated no later than 3 working days when the head of the intelligence authority or his/her authorised representative receives information on a possible official misconduct committed by an intelligence officer. The procedure for investigating misconduct in office shall consist of the commissioning of an official check, the performance of an official check and the imposition of an official penalty.
2. The official inspection is carried out by intelligence officers authorised by the Head of the Intelligence Authority.
3. The official check shall include a full, thorough and objective investigation of the misconduct in office, the reasons for and conditions for its commission, and the identification of those guilty, and shall ensure that only those responsible are held liable for misconduct in office. Where possible, measures must be put in place to strengthen discipline and prevent misconduct in office.
4. The official check may not be carried out for more than 3 months, excluding any period during which an intelligence officer has been absent from service due to sick leave or on leave.
5. Where it transpires that there is a criminal offence, the official check shall be suspended and the materials of the official check shall be forwarded to the authority competent to investigate the criminal offences concerned. If criminal proceedings are refused or the person is relieved of criminal liability, the official check shall continue in accordance with the procedure laid down in this Article.
6. The administrative penalty shall be imposed no later than one month from the date on which the misconduct in service became apparent, excluding the time spent by the intelligence officer on sick leave or on leave. No administrative penalty shall be imposed if three years have elapsed since the date on which the official misconduct was committed.

Amendments to subparagraph:

No [XIV-2392](#),

19/12/2023,

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7. The intelligence officer is required to provide a written explanation after the opening of an investigation of misconduct in office. The procedure for investigating misconduct in office shall also be continued if the official refuses to provide an explanation.

8. The official penalty shall be imposed by order of the head of the intelligence authority.

9. One official offence shall be punishable by a single administrative penalty.

10. When imposing the official penalty, the head of the intelligence authority shall take into account:

(1) the nature of the misconduct committed;

(2) the form of guilt;

(3) the personality of the offender;

(4) mitigating and aggravating circumstances.

11. The official salary may be reduced by a maximum of one third and for a maximum period of three months. The amount and time limit of the reduction in service remuneration shall be determined by the head of the intelligence authority by means of an official penalty.

12. At the end of the period of validity of the official penalty in the form of a transfer to a lower post or to an equivalent post with a lower salary coefficient, an intelligence officer shall be transferred to a higher or equivalent post for which a higher salary coefficient is fixed, in accordance with the procedure laid down in this Law.

Supplemented with a paragraph:

No [XIV-2392](#),

19/12/2023,

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13. An intelligence officer shall be deemed not to have been punished by a service penalty if one year has elapsed since the imposition of a penalty for an official offence (except for dismissal).

Renumbering of the paragraph:

No [XIV-2392](#),

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14. The administrative penalty may be lifted before the expiry of the time limit laid down in paragraph 13 of this Article, but not earlier than 6 months after its appointment.

Amendments to subparagraph:

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15. Details of the official penalty imposed on an intelligence officer shall be entered in his or her personal file.

Renumbering of the paragraph:

No [XIV-2392](#),

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16. The head of the intelligence authority shall lay down the procedure for investigating, imposing and revoking official misconduct by order.

Renumbering of the paragraph:

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17. The decision imposing the official penalty may be appealed in accordance with the procedure laid down in Lithuanian legislation.

Renumbering of the paragraph:

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19/12/2023,

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Article 61. Material liability conditions for intelligence officers

1. Intelligence officers who have caused (intentionally or negligently) direct actual damage to the intelligence authority in which they are serving are obliged to make good this damage.
2. Intelligence officers shall be subject to limited or total material liability.
3. Intelligence officers shall not be held materially liable if the conditions laid down in Article 59(9) of this Law are met.
4. The circumstances removing material responsibility are confirmed by the head of the intelligence authority by issuing an order for the removal of an intelligence officer from material responsibility.
5. The amount of compensation for damage caused to the intelligence authority as a result of negligence in the performance of their official duties by intelligence officers shall not exceed 3 monthly salaries.
6. Intelligence officers appointed on a permanent or temporary basis in accordance with the procedure laid down by laws or other legal acts to perform duties or tasks related to the reception, storage, accounting, management, disposal or handling of material goods, monetary funds or other assets shall be materially liable for any damage caused to the intelligence authority through their fault when they have taken charge of, or have actually entered into accounting for, or have been given the power to decide on their management, management or disposal.
7. Intelligence officers shall be liable for any damage caused to the intelligence authority through their fault, regardless of their position, in the following cases:
 - (1) where the damage was caused by a criminal offence;
 - (2) where the damage to property or material goods has been committed intentionally;
 - (3) where the damage was caused by intoxication or under the influence of narcotic drugs, psychotropic substances or other psychoactive substances;
 - (4) where damage to property or material goods is not caused during the performance of their duties or in the interests of the service.
8. The procedure for investigating, identifying and repairing material damage shall be determined by the head of the intelligence authority.
9. Monthly deductions for damage caused may not exceed 20 % of the monthly salary due to the intelligence officer.

TWELFTH SECTION

INTELLIGENCE OFFICERS' SERVICE GRADES AND DEGREES OF SOLDIERS

Article 62. Service grades and degrees of soldiers

1. Intelligence officers, other than soldiers, shall be assigned a service grade corresponding to the duties, qualifications and professional experience of the intelligence officer. The highest is the first grade and the lowest 16th grade.
2. The Director of the State Security Department shall be assigned a second service by the President of the Republic to the Deputy Director of the State Security Department. The Director of the Second Operational Services Department shall be assigned the first level of service and his deputies shall be assigned a second grade by the Minister of Defence when appointed to that post.
3. Soldiers serving in the second department of operational services shall be awarded degrees in accordance with the requirements and procedure laid down in the Law on the Organisation of the Defence System and Military Service and in the Orders of the Minister of National Defence.
4. Intelligence officers with existing service penalties shall not be granted a higher grade.
5. When an intelligence officer is downgraded in accordance with the procedure laid down in this Law, unless he is transferred to a lower position because of a satisfactory or unsatisfactory

assessment of the career development, the official grade held shall be maintained. Where an intelligence officer is downgraded as a result of a satisfactory or unsatisfactory assessment of professional development, he or she shall be assigned the highest grade for the post to which he or she is transferred.

6. Service grades shall be awarded in accordance with the general procedure laid down by the Director of the State Security Department and the Minister of National Defence.

Amendments to the Article:

No [XIV-2392](#),

19/12/2023,

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Article 63 Coordination of intelligence officers' positions, military grades and service grades

Intelligence officers shall be assigned the following grades and grades corresponding to the post:

(1) Director from Colonel (maritime captain) to Brigadier General (Flotille Admiral) or first official grade;

(2) Deputy Director – Colonel (maritime captain) or second official grade;

(3) Head of Board, Deputy Head of Board – Lieutenant Colonel (comando) or third rank;

(4) Adviser, Head of Unit, from Major (Ltutenant Comand) to Lieutenant Colonel (comandoro) or from the fourth to the third grade;

(5) Deputy Head of Division, Head of Division – Major (Ltutenant Coman) or 4th official;

(6) Chief Specialist, from Lieutenant to Major (Ltutenant Comando) or from seventh to fourth official grade;

(7) senior specialist, from a staff sister, a staff sister (spoke bowl, snap officer) to a major sister (spoke snail) or from the twelfth to eighth service grade;

(8) specialist, from ordinary (seafarer) to senior sister, senior sister officer or grade 15 to thirteenth;

(9) junior professional with a junior rating (young seaman) or 16th official grade.

Amendments to the Article:

No [XIV-2017](#),

25

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published in TAR 2023-06-09, i.e. 2023-11596

THIRTEENTH SECTION PAYMENT AND SOCIAL SECURITY FOR INTELLIGENCE OFFICERS' SERVICE

Rule 64 — Remuneration of intelligence officers and other employment-related allowances

1. The remuneration of intelligence officers shall consist of:

(1) official salary;

(2) bonuses (except for the head of the intelligence authority);

(3) supplement for the seniority of intelligence officers' service (except for the head of the intelligence authority).

2. The Head of the Intelligence Authority shall approve the payment system of the intelligence officers' service (hereinafter referred to as the Service Payment Scheme), which details the criteria for determining the official salary coefficient for positions on the Intelligence Authority's list above the official salary coefficient set out in Annex 2 to this Act (granted service grade or military grade, education, professional experience, operational complexity, workload, level of responsibility, possession of additional skills or knowledge relevant to the post in question, etc.) and, taking into account the criteria specified, fix maximum salary coefficients for the post, the weighting bands for the job in question, the procedure and levels of bonuses. The maximum coefficient for the remuneration of an intelligence officer may not

exceed the level of the official salary coefficient of the head of the intelligence authority set out in Annex 2 to this Act.

3. The official salary of an intelligence officer is determined by selecting a specific salary coefficient from the range of official salary coefficients set for the position of the intelligence officer in the payment system. The unit for the coefficient of remuneration shall be the basic amount of the official salary (remuneration) laid down in the Law of the Republic of Lithuania on the determination of the basic amount of the official salary (remuneration) and on the conversion of appropriations for remuneration (hereinafter 'the basic amount').

4. The following allowances shall be paid to intelligence officers:

(1) for deputising in writing to carry out the functions of another intelligence officer on a temporary basis, with the consent of the intelligence officer;

(2) carrying out additional tasks, formulated in writing, where this results in an excess of the normal workload or in the performance of functions not provided for in the job description;

(3) for activities in excess of the normal workload where there is an increase in the scope of the duties defined in the job description.

5. The amount of the allowances referred to in paragraph 4 shall be determined by the head of the intelligence authority, provided that the amount of each of those allowances shall not be less than 10 per cent of the official salary. The amount of the allowances granted to the intelligence officer referred to in paragraph 4 may not exceed 80 per cent of the official salary.

6. For intelligence officers, the increment for the service of intelligence officers shall be one percent of the official salary for each year of service. The amount of this supplement may not exceed 20 per cent of the official salary.

7. During the period of annual leave, intelligence officers are paid an average official salary calculated in accordance with the procedure laid down by the Government.

8. For intelligence officers who are temporarily incapacitated as a result of the performance of their official duties or where temporary incapacity is linked to the performance of official duties (when a person becomes temporarily incapacitated because of an accident in the service or on his/her way to (from) the service), the difference between their average official salary and the sickness allowance received shall be reimbursed from the institution's resources in accordance with the procedure laid down by the Government.

9. Soldiers serving in the second department of operational services shall not be subject to the provisions of the Law on organisation of the security system and military service on food security and official accommodation, with the exception of soldiers serving in military units of international operations.

10. Intelligence officers who, because of the need for service, to be transferred to a post in the territory of another municipality or after temporary assignment to perform other duties in the territory of another municipality shall be reimbursed if they, their family members in the municipality of the place of service or in another municipality at a shorter distance from the place of employment than the distance fixed by joint order of the Director of the State Security Department and the Minister for National Defence, have no property, technical and hygiene-compliant accommodation or part thereof.

11. The costs of renting accommodation shall not be reimbursed if, at their choice, intelligence officers are covered by the guarantee provided for in paragraph 14 of this Article.

12. If there are two intelligence officers (spouses) in a family who are entitled to reimbursement of the costs of renting accommodation and serve the same municipality, and there is no judicial confirmation of their separation, they shall be reimbursed for the renting of one dwelling, up to the maximum amount set by the Government for that area of service.

13. The maximum cost of renting accommodation, depending on the place of employment, as well as the number of family members living with the intelligence officer, shall be approved by the Government, taking into account the market prices for the rental of dwellings. The procedure for reimbursing the costs of rental of a dwelling space shall be laid down by the Director of the State Security Department and the Minister of National Defence by

joint order, in accordance with the amount of rent set by written agreement between the intelligence officer and the lessor, within the limits of the maximum costs of renting accommodation approved by the Government.

14. Intelligence officers shall be reimbursed for travel between their place of residence and the service and return by any means of transport, except in the cases referred to in paragraph 15 of this Article, if, on account of the necessity of the service, on transfer to a post in the territory of another municipality or after being assigned to other duties on a temporary basis in the territory of another municipality, they and their family members do not have in the municipality of the place of service any dwelling or part of their property, technical and hygiene requirements.

15. Travel between the place of residence and the service shall not be reimbursed if the intelligence officers are travelling by official transport to and from the place of employment or are subject, at their choice, to the guarantees provided for in paragraphs 10 to 13 of this Article.

16. Intelligence officers who are reimbursed for renting accommodation shall be reimbursed once a week for travel within the territory of the Republic of Lithuania between the place of duty and the actual place of residence of the family member, which is not the same as the actual place of residence of the intelligence officer, and back by any mode of transport.

17. The procedure and conditions for the reimbursement of travel expenses when travelling by public and non-public transport, the amount of the reimbursement per kilometre of non-public transport and the minimum and maximum distances per day for the reimbursement of travel expenses referred to in paragraph 14 of this Article shall be laid down by joint order of the Director of the State Security Department and the Minister of Defence.

18. When transferred to another municipality, intelligence officers shall be reimbursed for removal (travel and transport of property) in accordance with the procedure and under the conditions laid down by the Director of the State Security Department and the Minister for National Defence, up to the maximum amount of reimbursable costs laid down by the Government.

19. Mission expenses shall be paid to intelligence officers who are sent by the Head of the Intelligence Authority or a person authorised by him on official mission in accordance with the procedure laid down by the Government. Intelligence officers deployed on a foreign mission are covered by accident and sickness insurance.

TAR Note: The reimbursement of expenses provided for in Article 64(10) to (19) shall also apply to intelligence officers who, before the date of entry into force of this Law, but no earlier than 1 January 2013, have been transferred to a post in the territory of another municipality or who, on a temporary basis, perform other duties in the territory of another municipality, where the duties in question were assigned on a temporary basis before the date of entry into force of this Law. Compensation for the expenses provided for in Article 64(10) to (19) of the Intelligence Act, as set out in Article 33 of this Law, shall not be paid to the intelligence officers referred to in this paragraph for periods prior to the date of entry into force of this Law.

Amendments to the Article:

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19 APRIL 2018
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No [XIV-2017](#),

25 MAY 2023
published in TAR 2023-06-09, i.e. 2023-11596

No [XIV-2392](#),

19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

64 Article¹. Provision of intelligence officers during the period of service abroad

1. During the period of service abroad, the intelligence officer shall be paid the official salary provided for in this Act and the increment for the length of service of intelligence officers, unless they are remunerated by the receiving authority.

Amendments to subparagraph:

2. Groomofficers temporarily transferred to international and European Union institutions or institutions of foreign states shall be provided for secondment under the conditions and in accordance with the procedures laid down by the laws governing international and European Union institutions or institutions of foreign states.

3. Intelligence officers temporarily transferred to diplomatic missions, consular posts, missions to international organisations or special missions of the Republic of Lithuania shall be provided under the conditions and in accordance with the procedure laid down in the legal acts governing diplomatic service.

4. Intelligence officers temporarily transferred to foreign or international military or defence institutions shall be provided under the conditions and in accordance with the procedures set out in paragraphs 5 to 28 of this Article.

5. Intelligence officers temporarily transferred to foreign or international military or defence institutions shall be reimbursed for expenses related to service abroad, on the basis of a flat-rate compensation coefficient for expenses related to foreign service, determined by the Government, depending on the position of the intelligence officer, and a local coefficient for the standard of living consisting of a baseline and a motivation coefficient, the amounts of which shall be determined by the Government. In foreign countries for which the level of the coefficient for the standard of living is not determined by the government, a coefficient of 1.2 shall be applied to the place of living. The unit value of the reimbursement coefficient in euro for expenses relating to foreign service shall be equal to the basic amount.

Amendments to subparagraph:

6. The intelligence officer for the spouse, minor children (adopted) if they are not emancipated or married, adult children (adopted) under the age of 20, if they share a farm with the intelligence officer, have not married and have not yet completed secondary education, minor children (adopted) of the spouse, provided that their place of residence is established with the spouse of the intelligence officer and are not emancipated or married; adult children (adopted) under the age of 20, if their place of residence has been established with the spouse of the intelligence officer and they share a farm with the intelligence officer, have not married and have not yet completed secondary education, the benefits and/or compensations provided for in paragraphs 7 to 17, 26 and 27 of this Article shall be paid to minor dependants whose guardian or guardian is a designated intelligence officer and/or his spouse (collectively referred to in this Article as ‘family members’) who live with the intelligence officer abroad.

7. When the spouse lives with the intelligence officer, compensation is paid to the intelligence officer together with the official salary of 0.5 per month for expenses related to the foreign service received by the intelligence officer. At the request of the spouse of the intelligence officer, this compensation is paid to the spouse. This compensation shall not be payable if the spouse receives income from the employment relationship or the relationship which corresponds to its substance.

8. Where his or her children/adopted children or those of his spouse, as well as minor dependants for whom an intelligence officer or his spouse is appointed as a guardian or custodian, compensation is paid to the intelligence officer for each child (adopted) or minor dependent intelligence officer, in addition to their official salary, amounting to 0.3 per month in compensation for expenses related to the foreign service received by the intelligence officer.

9. Where dependants other than those referred to in paragraphs 7 and 8 reside with the intelligence officer, whose guardian or custodian has been appointed an intelligence officer or

his spouse, compensation for each dependant shall be paid to the intelligence officer in addition to the official salary of 0.25 per month of compensation received by the intelligence officer for expenses related to the foreign service.

10. Where his or her children/adopted children or those of his spouse, as well as minor dependants for whom an intelligence officer or his spouse is appointed as guardian or custodian, the intelligence officer shall be paid or reimbursed, in whole or in part, for their pre-primary and pre-primary education costs. The Government sets out the share of pre-school education costs and pre-primary education expenses paid or reimbursed, and the Intelligence Authority's appropriation manager shall determine the costs of pre-school education and pre-primary education, their calculation, payment or compensation.

11. When children/adopted children (adopted) of his or her spouse, as well as minor dependants or other dependants for whom an intelligence officer or his spouse is appointed as guardian or custodian, the intelligence officer is fully or partially paid or reimbursed for their education costs until they complete their secondary education. The expenses referred to in this paragraph shall be paid or reimbursed from the date on which the children/adopted children and dependants usually reach the age of 6, but not longer, until they reach the age of 20. The Government shall determine the share of education costs paid or reimbursed, and the Intelligence Authority's appropriation manager shall determine the training costs paid or reimbursed, the procedure for calculating, paying or reimbursing them.

12. Where spouses living in service are temporarily transferred to the same or different military or international military or defence institutions, the compensation referred to in paragraphs 8 and 9 of this Article shall be paid to the spouse to whom they are greater and the expenses referred to in paragraphs 10 and 11 of this Article shall be paid or reimbursed at the choice of one of them.

13. An intelligence officer temporarily transferred to a foreign state or an international military or defence institution and his/her family members shall be covered by health insurance. Health insurance costs are covered by State budget appropriations allocated to the intelligence authority that transferred the intelligence officer. In States where health insurance is not available, expenses related to the personal health care of an intelligence officer or members of his/her family are covered by State budget appropriations allocated to the relevant intelligence authority. The health insurance and health-care-related expenses referred to in this paragraph shall be paid in accordance with the procedure laid down by the Minister for National Defence and the Director of the State Security Department, within the limits of health insurance and health care expenditure laid down by the Government, by applying a coefficient for the place of living. Compulsory health insurance contributions are also payable for family members from the appropriations allocated to the relevant intelligence institution, provided that they are to be paid in accordance with Article 17(11) of the Law of the Republic of Lithuania on Health Insurance.

14. An allowance is granted to the intelligence officer on a monthly basis to provide accommodation corresponding to his post and the number of members of his family and to pay for communal, communication and other costs related to the maintenance of the dwelling, as well as the costs related to the conclusion of a rental agreement for accommodation. In addition, the costs incurred by an intelligence officer and his family members moving from the Republic of Lithuania to a foreign state, from a foreign country to the Republic of Lithuania or from one foreign state to another foreign state (including the transport of personal cargo within the limits set by the Government) are paid or reimbursed, and a lump sum payment for establishment in a foreign state is paid at the level fixed by the Government, calculated by applying the locality coefficient for the standard of living. The costs of moving (including the transport of personal cargo within the limits set by the Government) from a foreign state to the Republic of Lithuania shall be paid or reimbursed if the intelligence officer moved to the Republic of Lithuania after the expiry of the duties or service referred to in Article 50(5) of this Law within the time limit laid down in Article 65(9) of this Law, and his family members within 2 months of the last day of the intelligence officer's service (residence) in the foreign state. The amounts of allowances

for the provision of accommodation and for communal, communication and other expenditure related to the maintenance of dwellings and the procedure for granting them, the costs associated with the conclusion of a rental contract for accommodation and the procedure for their payment or reimbursement, the conditions and procedure for the payment or reimbursement of removal costs (including the transport of personal cargo within the limits set by the Government), the procedure for the payment of a single installation allowance shall be determined by the Intelligence Authority's appropriation manager. The allowance for the provision of accommodation and for the payment of communal, communication and other expenditure related to the maintenance of dwellings shall be calculated by applying a local coefficient for the level of rent of dwellings fixed by the Government. In foreign countries where the level of rent is not determined by the Government, a coefficient of 1.2 shall be applied for the location of the rental level of dwellings. The allowance for the provision of accommodation and for the payment of communal, communication and other expenditure relating to the maintenance of dwellings is not payable if an intelligence officer is provided with an official residence in that State. In this case, communal, communication and other costs related to the provision and maintenance of dwellings shall be paid in accordance with the procedure laid down by the Intelligence Authority's appropriation manager.

15. The costs of moving a former intelligence officer and /or his family members from a foreign state to the Republic of Lithuania (including the transport of personal cargo within the limits set by the Government) shall be paid or reimbursed in accordance with the procedure laid down by the Intelligence Authority's appropriation manager, where the employment contract has been terminated with the intelligence officer who served foreign States or international military or defence institutions and the former intelligence officer and/or his family members moved from a foreign state to the Republic of Lithuania within 2 months of the termination of the contract.

16. In the event of the death or death of an intelligence officer, the cost of transporting personal cargo of a deceased or deceased person to the Republic of Lithuania shall be paid or reimbursed within the limits set by the Government, as well as the costs of moving his family members from a foreign state to the Republic of Lithuania (including the transport of personal cargo of his family members within the limits set by the Government) if the family members of the deceased or deceased intelligence officer move from a foreign state to the Republic of Lithuania within 3 months of the date of death or death of the intelligence officer. In addition, the guarantees provided for in paragraphs 7 to 14 and 26 of this Article and Article 6(1) of the Law of the Republic of Lithuania on State Social Insurance shall apply to the members of his family living together with the deceased or deceased intelligence officer until the date on which they move to the Republic of Lithuania for a period not exceeding 3 months from the date of death or death of the intelligence officer.

17. By decision of the Intelligence Authority's appropriation manager, the costs of studying in the Republic of Lithuania of family members referred to in paragraph 11 of this Article who have resided and trained in a foreign State and their spouse who have resided with the intelligence officer in accordance with the procedure laid down by law, are paid or reimbursed until the end of the current school year, provided that they are not admitted to a State or municipal school of general education situated in the territory designated by the implementing authority, the rights and duties of the school owner in the area designated by the implementing authority and/or the possibility of continuing a general education programme established in a foreign State. The payment or reimbursement of part of the training costs and the arrangements for their calculation, payment or reimbursement shall be determined in accordance with the procedure referred to in paragraph 11 of this Article. If, on the basis of a notification by the host State, an intelligence officer who has been removed from office is transferred to another post in a foreign state, the guarantees set out in this paragraph shall not apply from the date of his or her appointment.

18. An intelligence officer who is not provided with office space in a foreign state or an international military or defence institution shall be paid for the rent of office space, charges for communal and communication services for rented premises and other charges related to the maintenance of the rented premises. The annual costs of renting premises, charges for utility and communication services for rented premises and other charges related to the maintenance of the rented premises are determined by the Intelligence Authority's appropriation manager.

19. An intelligence officer who uses a non-service car for service purposes is reimbursed for the purchase of fuel and the depreciation of the car. The amount of reimbursable expenses and the cases of reimbursement, as well as the conditions, procedures and procedures for the reimbursement of the rental and operating costs of a car used for the purposes of the service, and the list of positions in respect of which intelligence officers are entitled to rent a car, are determined by the Intelligence Authority's appropriation manager. The amount of reimbursable expenditure may not exceed 0.39 of the country's average gross monthly wages and salaries last published by the Lithuanian Statistics Department.

20. The intelligence officer is paid or reimbursed, in accordance with the procedure laid down by the Intelligence Authority's appropriation manager, for the transport of passengers by means of transport on local (urban and suburban) scheduled routes, in cases where such journeys are not considered to be posted. The costs referred to in this paragraph shall not be paid or reimbursed if the intelligence officer receives the compensation referred to in paragraph 19 of this Article.

21. Intelligence officers to whom foreign state or international military or defence authorities pay remuneration and/or daily subsistence allowances shall not be paid in accordance with paragraph 5 of this Article.

22. The amounts of compensation to be paid to the intelligence officer under paragraphs 7, 8 and 9 of this Article shall be calculated by applying the compensation coefficient referred to in paragraph 5 of this Article for expenses related to foreign service, depending on the position of the intelligence officer, and the place of residence coefficient for the standard of living.

23. Intelligence officers transferred to foreign states or international military or defence institutions located in States in armed conflict during the entire period of service with foreign States or international military or defence institutions located in States in armed conflict shall be subject to the payment of service provided for in Article 61⁽²⁾ of the Law of the Republic of Lithuania on the organisation of the national defence system and military service, instead of the compensation provided for in paragraph 5 of this Article. The amounts of compensation to be paid to the intelligence officer under paragraphs 7, 8 and 9 of this Article shall be calculated by applying the compensation coefficient referred to in paragraph 5 of this Article for expenses related to foreign service, depending on the position of the intelligence officer, and the place of residence coefficient for the standard of living.

24. In the case of cities in foreign countries whose rates of living standard and/or rent level of dwellings are not determined by the Government, the Intelligence Authority's appropriation manager, taking into account the characteristics of the city in which the intelligence officer is temporarily transferred to serve, changes in living standards and changes in the market prices for the rental of immovable property, shall be entitled to fix up to 50 per cent lower coefficients for the place of living standards and/or the location of the rental level of dwellings determined for that foreign state (if the foreign country has been established for several cities in one State, the lower coefficients shall be determined by reference to the highest rate of living and/or renting of residential premises for the city of that foreign country).

25. Taking into account the economic situation of the Republic of Lithuania, fluctuations in exchange rates, the characteristics of the foreign state or city in which the service is carried out, changes in the standard of living and changes in market prices for the rental of immovable property, the appropriations manager of the intelligence institution shall have the right to increase (reduce) the limit for health insurance costs, the coefficients for the location of the rent

level of dwellings and the location of the standard of living on a temporary basis, not more than once a quarter.

26. Once a year, counting from the date of transfer to a foreign state or international military or defence institution, the intelligence officer and the members of his/her family living with him/her shall be paid or reimbursed in accordance with the procedure laid down by the Intelligence Authority's appropriation manager for travel to and from the Republic of Lithuania, and for family members who do not live with him/her, travel costs to the intelligence officer and back to the Republic of Lithuania. If the spouses are temporarily transferred to different foreign countries or to different cities of the same foreign state, the cost of travel to and from the Republic of Lithuania referred to in this paragraph shall, at the choice of one of them, be paid for or reimbursed instead of the journey to and from the Republic of Lithuania referred to in this paragraph, and those of the family members living with him/her to another foreign state or to another city of the same foreign state where the other spouse is assigned to perform the service. If, due to unforeseen objective circumstances, the intelligence officer and/or his/her family members have not been able to exercise the right laid down in this paragraph within the specified time limit, upon a reasoned request from the intelligence officer, the period for exercising this right shall be extended by 6 months by decision of the Intelligence Authority's appropriation manager or of a person authorised by him. These guarantees shall also apply in cases where the spouse of the intelligence officer is a diplomat, other civil servant or professional military service officer who performs service abroad in accordance with the procedure laid down by law, or a person seconded to an international and European Union institution or a foreign state institution in accordance with the procedure laid down by the Law on the secondment of persons of the Republic of Lithuania to international and European Union institutions or institutions of foreign states. In exceptional cases, where the Ministry of Foreign Affairs recommends, together with an intelligence officer, the temporary return to the Republic of Lithuania of family members residing in a foreign country shall be paid or reimbursed for the travel expenses of family members to and from the Republic of Lithuania and the guarantees laid down in this paragraph, paragraphs 7, 8, 9, 10, 11, 13, 14, 15, 16 and 27 of this Article and Article 6(1) of the Law on State Social Insurance shall continue to apply for a period not exceeding 6 months from the date of the return of the family member to the Republic of Lithuania.

27. The intelligence officer and the spouse attending and/or leaving with him/her may be paid or reimbursed in accordance with the procedure laid down by the Intelligence Authority's appropriation manager for one of the official languages of the State in which the intelligence officer performs the service (residence) or another foreign language as required.

28. The guarantees laid down in paragraphs 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 26 and 27 of this Article and Article 6(1) of the Law on State Social Insurance, as well as the guarantee for the remuneration of the rental and operating costs of a vehicle used for service purposes, as laid down in paragraph 19 of this Article, shall continue to apply to intelligence officers posted on secondment to the Republic of Lithuania and to their family members for a period not exceeding 6 months from the date of secondment of the intelligence officer to the Republic of Lithuania.

Amendments to the Article:

No [XIV-1123](#),

24/05/2022,

published in TAR on 10/06/2022, i.e. 2022-12615

Rule 65 — Holidays for intelligence officers

1. For intelligence officers, the length of annual leave shall be determined according to the length of service of the intelligence officer:

- (1) up to 5 years – 22 working days;
- (2) From 5 to 10 years – 25 working days;
- (3) between 10 and 15 years: 29 working days;
- (4) between 15 and 20 years: 33 working days;

(5) 37 working days of 20 years or more.

2. Intelligence officers may be granted annual leave either in full or in instalments, but one continuous part of the annual leave shall not be less than 10 working days. Annual leave shall be granted for the year of service with the intelligence authority. The right to take part of the annual leave (or an allowance in lieu thereof in the case set out in paragraph 12 of this Article) arises when the intelligence officer is entitled to leave of at least one working day.

3. The right to take all or part of the annual leave shall be forfeited 3 years after the end of the calendar year in which the right to full annual leave was acquired, unless the intelligence officer was actually unable to take it.

4. Where there is a need for service, in urgent cases where an intelligence authority is required to ensure the fulfilment of statutory tasks and functions, the intelligence officer may be removed from annual leave. Such revocation shall not require the consent of the official.

5. Intelligence officers may be granted the following special leave:

- (1) pregnancy and childbirth;
- (2) parenthood;
- (3) taking care of the child;
- (4) learning;
- (5) resettlement;
- (6) preventive rehabilitation;
- 7) free of charge.

6. Maternity leave and paternity leave shall be granted to intelligence officers in accordance with the procedure laid down in the Labour Code.

7. Child-care leave shall be granted to intelligence officers in accordance with the procedure laid down in the Labour Code, but no longer than the official reaches the age laid down in Article 45(1) of this Law and his service is not extended or extended. Before the end of the leave granted to care for the child, the intelligence officer may return to service after giving at least 14 calendar days' notice to the head of the intelligence authority.

8. An intelligence officer who changes their place of residence may be granted up to 5 working days on account of reassignment or temporary assignment.

9. Intelligence officers who have performed tasks under higher risk conditions may, depending on their nature and duration, be granted precautionary rehabilitation leave of up to 10 working days.

10. An intelligence officer may be granted unpaid leave of up to 15 calendar days in accordance with the procedure laid down by the head of the intelligence authority only because of special personal or family circumstances.

11. Periods of annual and special leave are counted towards the period of service of an intelligence officer.

12. When an intelligence officer is dismissed from office, unused annual leave shall not be granted. He shall be paid an allowance in lieu of annual leave not taken. Entitlement to an allowance in lieu of unused annual leave shall be lost 3 years after the end of the calendar year in which the right to full annual leave was acquired, unless the intelligence officer was actually unable to take it.

13. The conditions and procedures for granting annual leave, training leave, resettlement leave and preventive rehabilitation leave to intelligence officers shall be determined by the head of the intelligence authority.

Amendments to the Article:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

Rule 66 — State social insurance for intelligence officers

1. Intelligence officers are insured in all the types of social insurance referred to in the Law of the Republic of Lithuania on State Social Insurance. The procedures and conditions of

insurance shall be laid down by the legislation governing the different types of social security.

2. Intelligence officers shall be entitled to a state pension for officials and soldiers in accordance with the procedure laid down in the legislation governing the granting of this pension.

Article 67. Health promotion activities of intelligence officers

1. The health surveillance of intelligence officers is carried out in the personal and public health care facilities of the national health system, as well as in health institutions in the area of management of the Minister for the Protection of K. The scope and special requirements of health promotion activities provided to intelligence officers in health care institutions of the Minister of Defence K shall be determined by the Minister of Defence and Health and the conditions of execution shall be laid down by the Minister for National Defence.

2. In accordance with the procedure laid down by the Government or an institution authorised by it, intelligence officers are medically examined for fitness for the service in accordance with established medical criteria.

Amendments to the Article:

No [XII-1645](#),

23

APRIL

2015

published in the TAR of 30 April 2015, i.e. 2015-06587

Rule 68 — Severance compensation for intelligence officers dismissed from service

1. An intelligence officer who is dismissed on the grounds set out in Article 53(12), (13), (14), (15), (16), (18) and (19) of this Law shall be paid a severance compensation equal to 2 months' average official salary.

Amendments to subparagraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

2. The compensation for intelligence officers who have completed more than 5 years of service as an intelligence officer shall be increased by one and a half times, by more than 10 years twice for more than 10 years and by three times for more than 20 years, in the amount set out in paragraph 1 of this Article.

Article 69. Compensation in case of death or impairment of an intelligence officer

1. When an intelligence officer died (deceased) as a result of the service at the intelligence authority, his family, minor children (adopted) and those who are enrolled in regular education institutions registered in accordance with the procedure for the children/adopted children up to the age of 24, the spouse, the children of the deceased (death) born after his/her death, the father or mother and the incapacitated persons who were dependent on or were entitled to maintenance on the day of the death of the deceased; within one year of the death (death) of an intelligence officer, one-off compensation of 93.1 monthly official salaries shall be paid in equal instalments, reduced by the amount of the lump-sum social insurance allowance provided for in the Law of the Republic of Lithuania on Social Insurance for Accidents at Work and Occupational Diseases.

Amendments to subparagraph:

No [XII-1645](#),

23

APRIL

2015

published in the TAR of 30 April 2015, i.e. 2015-06587

No [XIII-1808](#),

20/12/2018;

published in TAR 28/12/2018, i.e. 2018-21821

2. If an intelligence officer is found to be unaware of where he is located or has been declared dead, he shall be deemed to be inadvertent or declared dead as a result of service, unless proven otherwise, to the members of his family referred to in paragraph 1 of this Article and to

those incapacitated persons who were dependent on him or were entitled to maintenance at the date of the declaration of lack of knowledge or declaration of death, shall be paid in equal monthly instalments, up to a maximum of 93.1 monthly monthly instalments of the official's average salary.

Amendments to subparagraph:

No [XIII-1808](#),

20/12/2018;

published in TAR 28/12/2018, i.e. 2018-21821

3. An intelligence officer whose health has been disturbed in the performance of his or her official duties or whose state of health is impaired as a result of the performance of his or her duties or the status of intelligence officer shall be compensated in the amount of his or her average official salary, reduced by the amount of the lump-sum compensation or periodic compensation payable for up to 12 months of absence (until 31 December 2023 – working capacity) provided for in the Law of the Republic of Lithuania on social insurance for accidents at work and occupational diseases:

(1) Where lost between 75 % and 100 per cent of their participation (by 31 December 2023 in terms of ability to work) – 46.55 monthly average official salaries;

(2) Where lost 60-70 per cent of their participation (by 31 December 2023: capacity for work) – 37.24 monthly average emoluments;

(3) Where lost 45-55 per cent of their participation (by 31 December 2023: ability to work) – 27.93 monthly average emoluments;

(4) for those who lost up to 40 per cent of their participation (by 31 December 2023 in terms of ability to work) 23.28 of the average monthly salary;

(5) in the event of serious impairment, in the case of residual phenomena and a change in the degree of suitability for service, to be determined 12 months after cure, 18.62 of the average monthly salary;

(6) in the case of a less serious impairment of health, in the case of residual phenomena and changes in the degree of suitability for service, to be determined 6 months after cure, 13.97 of the average monthly salary;

(7) In the event of mild ill-health, 9.31 monthly average salary for residual events and changes in the degree of fitness for service to be determined 3 months after cure.

Amendments to subparagraph:

No [XII-1645](#),

23

APRIL

2015

published in the TAR of 30 April 2015, i.e. 2015-06587

No [XIII-1808](#),

20/12/2018;

published in TAR 28/12/2018, i.e. 2018-21821

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

4. The degree of severity of the medical disturbance of the intelligence officer and the level of participation (until 31 December 2023 – ability to work) shall be determined by the Government or an institution authorised by it in accordance with the procedure laid down by law.

Amendments to subparagraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

5. Whether the death (death) or impairment of an intelligence officer is linked to a service shall be determined in accordance with the procedure laid down by the head of the intelligence authority.

6. The compensation provided for in this Article shall not be paid if:

(1) an intelligence officer has died (deceased) and his/her health has been compromised when he/she committed a criminal offence;

(2) the death or impairment of the intelligence officer was caused by the intoxication of alcohol, narcotic, psychotropic or other psychitic substances that are not related to the performance of their duties;

(3) the intelligence officer has suicide, attempted suicide or deliberately disturbed one's health;

(4) an intelligence officer has died (deceased) or a state of health in an accident if he driven a vehicle without having the right to drive it and this is not related to the performance of official duties or handed it over to a person under the influence of alcohol, narcotic, psychotropic or other psychiatric substances or who is not entitled to drive it;

(5) an intelligence officer was killed (deceased) or medically impaired due to illness, which is not related to the performance of official duties;

(6) the death/death of an intelligence officer and the impairment of health were caused by a breach of safety rules.

7. An intelligence officer to whom compensation has been paid pursuant to paragraph 3, points (5), (6) or (7) of this Article, and who is subsequently identified as having a participation rate (until 31 December 2023) as a result of the same impairment, shall be paid in addition to the difference between the compensation paid pursuant to paragraph 3, point (5), (6) or (7) of this Article and the compensation referred to in paragraph 3, points (1), (2), (3) or (4) of this Article, taking into account the level of participation (until 31 December 2023 – ability to work).

Amendments to subparagraph:

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

8. The amount of compensation to be paid is calculated on the basis of the average salary of the intelligence officer who died or damaged.

9. Intelligence officers who died (deceased) as a result of a service in an intelligence institution are buried at the expense of the State. The amount of burial costs financed by the State shall be determined by the Government and the description of the burial costs of intelligence officers who died (deceased) as a result of a service in an intelligence institution shall be approved by the Government.

Supplemented with a paragraph:

No [XII-2621](#),

20/09/2016,

published in TAR 28/09/2016, i.e. 2016-24162

10. An intelligence officer who died (deceased) abroad as a result of a service at an intelligence authority, as well as persons killed abroad (deceased) living together with an intelligence officer abroad: minor children (adopted) of the spouse, minor children (adopted) who are not emancipated or married, adult children (adopted) under 20 years of age who share a farm with the intelligence officer, have not married and have not yet completed secondary education, minor children (adopted) of the spouse whose place of residence is established with the spouse of the intelligence officer and who are not emancipated or married, adult children (adopted) under the age of 20, whose place of residence has been established with the spouse of the intelligence officer and who share a farm with the intelligence officer, have not married and have not yet completed secondary education, the costs of transporting the remains of dependants whose guardian or custodian is appointed by the intelligence officer and/or his spouse to the Republic of Lithuania shall be paid from State funds under the conditions and in accordance with the procedure laid down by the Government.

Supplemented with a paragraph:

No [XIII-675](#),
12/10/2017;
published in TAR on 23/10/2017, i.e. 2017-16705

Rule 70 — Other guarantees by intelligence officers

1. An allowance of up to 5 times a minimum monthly salary may be granted to intelligence officers whose material condition has become serious as a result of illness, illness or death of a family member, a natural disaster, loss of property, as well as in other special cases.

2. Family members of an intelligence officer who died, with the exception of those who die as a result of a service within an intelligence authority, shall be paid an allowance equal to one month of the average official's salary received by him.

3. A person may be admitted to a service with an intelligence authority or may continue to serve in the event of a negative medical check if, for overriding reasons recognised by the head of the intelligence authority, this is necessary for the interests of the service.

4. The guarantees laid down in the Labour Code for employees raising children apply to intelligence officers in so far as they are not covered by this Law.

Supplemented with a paragraph:

No [XII-2621](#),
20/09/2016,
published in TAR 28/09/2016, i.e. 2016-24162

5. The intelligence officer is guaranteed the post held and the service salary is set:

(1) where the intelligence officer has travelled to court or to law enforcement or control (supervision) functions following an invitation or summons;

(2) close relatives (parents/adopted parents, children (adopted), siblings, siblings, grandparents, grandchildren, spouse, parents (adopted), children (adopted), siblings, siblings/sisters, partners, cohabiting parents, children/adopters, children/adopted children, siblings and sisters, up to 3 working days;

(3) for donors, on working days on which they are to be exempted from service in accordance with the procedure laid down by law.

Supplemented with a paragraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

6. Intelligence officers shall be informed of the terms of their service in accordance with the procedure laid down by the Director of the Intelligence Authority.

Supplemented with a paragraph:

No [XIV-1194](#),
28/06/2022,
published in TAR on 11/07/2022, i.e. 2022-15185

Renumbering of the paragraph:

No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

Rule 71 — Special social guarantees for intelligence officers and secret colleagues

Special social guarantees shall be laid down by the Government for intelligence officers and secret collaborators.

I promulgate this Law adopted by the Parliament of the Republic of Lithuania.

INTELLIGENCE COMMUNITY STAFFERATION NO ____

(date)

(place)

Intelligence Authority represented by _____
(name, function)

operational _____
(act authorising the signature of the contract)

and a citizen of the Republic of Lithuania _____

(first name, surname, personal ID No)

(hereinafter 'the intelligence officer'), in accordance with Article 37(1) of the Law of the Republic of Lithuania on Intelligence, concluded the following agreement between the intelligence officer's service:

1. The intelligence authority accepts an intelligence officer for an indefinite period.

2. For the intelligence officer: _____
(indicate a deadline of up to 12 months or not to be set)

probationary period.

3. An intelligence officer shall be appointed, transferred, dismissed from office under the conditions and in accordance with the procedure laid down in the Intelligence Act and other legal acts.

4. This contract enters into force and the person becomes an intelligence officer when appointed to a specific position in an intelligence institution and sworn to the Lithuanian State.

5. This contract may be terminated on the grounds and under the conditions laid down in the Intelligence Act.

6. Additional contract terms:

7. Disputes concerning the contract shall be examined in accordance with the procedure laid down by the laws of the Republic of Lithuania.

8. This contract is drawn up in duplicate, one protected by the intelligence authority, the second being given to the intelligence officer.

Intelligence officer on behalf of the intelligence authority

(name, function)

(signature)

(name, surname)

(signature)

A.V.

The intelligence officer has been appointed to the post by Order No _____ .
(date)

Contract terminated _____

(ground, date of dismissal order, No, date of termination of contract)

Annex amended by:

No [XIV-2017](#),

25

published in TAR 2023-06-09, i.e. 2023-11596

No [XIV-2392](#),

19/12/2023,

published in the TAR of 29.12.2023, i.e. 2023-25906

MAY

2023

INTELLIGENCE OFFICERS' SALARY COEFFICIENTS

Order No	Job title	Salary coefficient (in basic amounts)
1.	Director	4,00
2.	Deputy Director	from 2,08
3.	Head of the Board	from 1,98
4.	Deputy Head of Board	from 1,88
5.	Adviser	from 1,73
6.	Head of Unit	from 1.62
7.	Deputy Head of Unit	from 1,52
8.	Head of Section	from 1,52
9.	Senior specialist	from 1,47
10.	Senior specialist	from 1,37
11.	Professional	from 1.22
12.	Junior specialist	from 1.11

The following Annex has been added:

No [XIV-2017](#),

25

MAY

2023

published in TAR 2023-06-09, i.e. 2023-11596

Amendments:

1.

Seimas of the Republic of Lithuania, Law

No [IX-1019](#),

2

JULY

2002,

Žin.,

2002,

No.

72-3019 (17 July 2002), i.e. 1021010ISTA0IX-1019

Law amending Article 13 of the Intelligence Law of the Republic of Lithuania

2.

Seimas of the Republic of Lithuania, Law

No [XI-2289](#),

17

OCTOBER

2012

Žin.,

2012,

No

129-6463 (8 November 2012), i.e. 1121010ISTA0XI-2289

Law amending the Law of the Republic of Lithuania on Intelligence

3.

Seimas of the Republic of Lithuania, Law

- No [XII-121](#),
20/12/2012,
Žin., 2012, No
155-7999 (31.12.2012), i.e. 1121010ISTA0XII-121
Law amending Articles 1 and 2 of the Law amending the Law of the Republic of Lithuania on Intelligence
4.
Seimas of the Republic of Lithuania, Law
- No [XII-1645](#),
23 APRIL 2015
published in the TAR of 30 April 2015, i.e. 2015-06587
Law amending Articles 67 and 69 of Law No VIII-1861 of the Republic of Lithuania on Intelligence
5.
Seimas of the Republic of Lithuania, Law
- No [XII-1683](#),
7 MAY 2015
published in the TAR of 20 May 2015, i.e. 2015-07664
Law amending Articles 13 and 24 of Law No VIII-1861 of the Republic of Lithuania on Intelligence
6.
Seimas of the Republic of Lithuania, Law
- No [XII-1801](#),
18/06/2015;
published in TAR on 25/06/2015, i.e. 2015-10142
Law amending Article 46 of Law No XI-2289 of the Republic of Lithuania on Intelligence
7.
Seimas of the Republic of Lithuania, Law
- No [XII-2382](#),
19 MAY 2016;
published in TAR on 02/06/2016, i.e. 2016-14743
Law amending Articles 20 and 32 of Law No VIII-1861 of the Republic of Lithuania on Intelligence
8.
Seimas of the Republic of Lithuania, Law
- No [XII-2526](#),
29 JUNE 2016;
published in TAR of 13.7.2016, i.e. 2016-20284
Law amending Article 52 of Law No VIII-1861 of the Republic of Lithuania on Intelligence
9.
Seimas of the Republic of Lithuania, Law
- No [XII-2621](#),
20/09/2016,
published in TAR 28/09/2016, i.e. 2016-24162
Law amending Articles 69 and 70 of Law No VIII-1861 of the Republic of Lithuania on Intelligence
- 10.

Seimas of the Republic of Lithuania, Law

No [XIII-675](#),
12/10/2017;
published in TAR on 23/10/2017, i.e. 2017-16705
Law amending Article 69 of Law No VIII-1861 of the Republic of Lithuania on Intelligence

11.

Seimas of the Republic of Lithuania, Law

No [XIII-674](#),
12/10/2017;
published in TAR on 23/10/2017, i.e. 2017-16704
Law amending Articles 2, 9, 48 and 49 and the title of Section 9 of Law No VIII-1861 of the Republic of Lithuania on Intelligence

12.

Seimas of the Republic of Lithuania, Law

No [XIII-1102](#),
19 APRIL 2018
published in TAR on 02/05/2018, i.e. 2018-06969
Law amending Articles 57 and 64 of Law No VIII-1861 of the Republic of Lithuania on Intelligence

13.

Seimas of the Republic of Lithuania, Law

No [XIII-1808](#),
20/12/2018;
published in TAR 28/12/2018, i.e. 2018-21821
Law amending Article 69 of Law No VIII-1861 of the Republic of Lithuania on Intelligence

14.

Seimas of the Republic of Lithuania, Law

No [XIII-1821](#),
20/12/2018;
published in TAR 28/12/2018, i.e. 2018-21842
Law amending Articles 29 and 50 of Law No VIII-1861 on intelligence

15.

Seimas of the Republic of Lithuania, Law

No [XIII-1952](#),
12/01/2019,
published in TAR of 21/01/2019, i.e. 2019-00867
Law amending Article 41 of Law No VIII-1861 of the Republic of Lithuania on Intelligence

16.

Seimas of the Republic of Lithuania, Law

No [XIII-2349](#),
16/07/2019,
published in the TAR of 31 July 2019, i.e. 2019-12633
Law amending Article 50 of Law No VIII-1861 of the Republic of Lithuania on intelligence and adding Article 64-1

17.

Seimas of the Republic of Lithuania, Law
No [XIII-3254](#),
30 JUNE 2020
published in TAR 15/07/2020, i.e. 2020-15769
Law amending Articles 14 and 16 of Law No VIII-1861 on intelligence and inserting an Article 16-1 into the Law

18.

Seimas of the Republic of Lithuania, Law
No [XIII-3245](#),
30 JUNE 2020
published in TAR 16/07/2020, i.e. 2020-15883
Law amending Article 27 of Law No VIII-1861 of the Republic of Lithuania on Intelligence

19.

Seimas of the Republic of Lithuania, Law
No [XIV-869](#),
23/12/2021,
published in TAR 25.12.2021, i.e. 2021-26906
Law amending Articles 16-1 and 23 of Law No VIII-1861 of the Republic of Lithuania on Intelligence and inserting
an Article 22-1 into the Law

20.

Seimas of the Republic of Lithuania, Law
No [XIV-1194](#),
28/06/2022,
published in TAR on 11/07/2022, i.e. 2022-15185
Law amending Articles 31 and 70 of Law No VIII-1861 of the Republic of Lithuania on Intelligence

21.

Seimas of the Republic of Lithuania, Law
No [XIV-1123](#),
24/05/2022,
published in TAR on 10/06/2022, i.e. 2022-12615
Law amending Article 64-1 of Law No VIII-1861 of the Republic of Lithuania on Intelligence

22.

Seimas of the Republic of Lithuania, Law
No [XIV-2017](#),
25 MAY 2023
published in TAR 2023-06-09, i.e. 2023-11596
Law amending Articles 28, 30, 37, 46, 50, 62, 63, 64 and 64-1 of, and the Annex to, Law No VIII-1861 on
intelligence and adding an Annex 2

23.

Seimas of the Republic of Lithuania, Law
No [XIV-2392](#),
19/12/2023,
published in the TAR of 29.12.2023, i.e. 2023-25906

Law amending Articles 2, 5, 9, 10, 11, 12, 13, 15, 16, 18, 21, 24, 26, 29, 31, 32, 40, 41, 42, 43, 44, 45, 47, 48, 49, 50, 53, 54, 58, 59, 60, 62, 64, 65, 68, 69, 70 and Annex 1 to Law No VIII-1861 on intelligence