

**L A W**

from June 28<sup>th</sup>, 2000

**on the integrated rescue system and on the amendment of some laws**

The Parliament has decided on following Law of Czech Republic:

**P A R T O N E**

**CHAPTER 1**

**BASIC PROVISIONS**

**§ 1**

**Subject of regulation**

This Law specifies the integrated rescue system, specifies the bodies of integrated rescue system and their domains, provided they are not specified by a relevant legal regulation, domain and jurisdiction of government authorities and of territorial autonomous administrations, rights and obligations of legal entities and natural persons in preparation for emergencies and in rescue and remedy work and in the protection of population before and during the proclamation of state of jeopardy, emergency, national danger and state of war (herewith only "crisis situation").

**§ 2**

**Terms specification**

For the purposes of this Law following terms shall be understood:

- a) integrated rescue system are coordinated proceedings of its bodies in preparation for emergencies and in rescue and remedy work,
- b) emergency is a negative influence of forces and phenomena caused by human activities, by natural forces, and also accidents which threaten life, health, property or environment, and require rescue and remedy work,
- c) rescue work are activities aimed to avert or minimize the immediate influence of risks caused by an emergency, namely in connection with life, health, property and environment jeopardy, and leading to the break of their causes,
- d) remedy work are activities aimed to suppress the consequences caused by an emergency,

- e) protection of population is the fulfilment of Civil Ward tasks<sup>1</sup>, namely warning, evacuation, shelter and emergency survival of population, and further provisions ensuring the protection of their lives, health and property,
- f) institution of Civil Ward without legal subjectivity (herewith only "institution of Civil Ward") are the component parts of a legal entity or municipality, designed for the protection of population; consists of employees or other persons on the basis of agreement, and of technical means,
- g) material help is the supply of technical means for the provision of rescue and remedy work as a reaction to the appeal of commanding officer of the intervention, or of municipal mayor or of district authority head; as material help shall be understood even the help given voluntarily without an appeal, but with the consent or knowledge of the intervention commanding officer, of municipal mayor or of district authority head,
- h) personal help is the activity or service in rescue and remedy work as a reaction to the appeal of commanding officer of the intervention, or of municipal mayor or of district authority head; as personal help shall be understood even the help given voluntarily without an appeal, but with the consent or knowledge of the intervention commanding officer, of municipal mayor or of district authority head,

## CHAPTER II

### INTEGRATED RESCUE SYSTEM

#### § 3

#### **Application of integrated rescue system**

Integrated rescue system shall be applied during the preparation for emergency and in a necessity of simultaneous provision of rescue and remedy work by two or more component parts of integrated rescue system.

#### § 4

#### **Component parts of integrated rescue system**

(1) Basic component parts of integrated rescue system are the Fire and Rescue Service of Czech Republic<sup>2</sup> (herewith only "fire and rescue service"), fire brigades included into district areal coverage by fire brigades<sup>3</sup>, medical rescue service and Police of Czech Republic.

(2) Other component parts of integrated rescue system are the designated corps and means of armed force, other armed safety forces, other rescue bodies, the authorities of public health protection<sup>4</sup>, emergency, stand-by, special and other services, Civil Ward institutions, non-profit organizations and citizen associations, which can be employed in rescue and remedy work. Other component parts of integrated rescue system supply the planned help in rescue and remedy work on request (§ 21).

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<sup>1</sup> Art. 61 of Complementary Protocol to Geneva Agreement from August 12, 1949, on the protection of victims of international armed conflicts (Protocol I), adopted in Geneva on June 8, 1972 and published by Notification No. 168/1991 digest.

<sup>2</sup> Law No. 238/2000 digest on Fire and Rescue Service and on some laws amendment.

<sup>3</sup> Law No. 133/1985 digest on Fire Protection, in the meaning of later regulations.

<sup>4</sup> Law No. 20/1966 digest on Population Health Care, in the meaning of later regulations.

(3) During crisis situations are regarded as other component parts of integrated rescue system also specialized medical institutions on faculty hospital level, for the provision of specialized care for the population.

(4) The basic component parts of integrated rescue system ensure a continuous stand-by service for the reception of emergency announcement, its consideration and an immediate intervention at emergency site. For this purpose they dislocate their units and means over the whole territory of Czech Republic.

(5) The activity of basic and other component parts in integrated rescue system does not influence their position and tasks specified by special legal regulations<sup>5</sup>.

(6) Component parts of integrated rescue system are during the intervention obliged to respect the orders of intervention commanding officer, eventually the directions of municipal authority head, regional sheriff, in Praha of Lord-mayor of Praha (herewith only "sheriff"), or of Ministry of Interior, as far as they coordinate the rescue and remedy work.

(7) Component part of integrated rescue system included in particular alarm scheme of integrated rescue system on regional or district level, while providing help to other region or district, is obliged to inform its relevant local operational and informative centre of integrated rescue system; as alarm scheme of district integrated rescue system shall be understood the district fire alarm scheme issued according to special legal regulation<sup>3</sup>.

(8) While providing rescue and remedy work during an emergency, jeopardy of State or war situation, the component parts of integrated rescue system are governed by directions of Ministry of Interior. In state of jeopardy the component parts of integrated rescue system are on the domain of relevant region or district governed by that particular person, who declared the state of jeopardy according to special legal regulation<sup>6</sup>.

(9) Staff and means of basic and other component parts are in state of war marked by internationally understood designation marking for medical service, clergy and Civil Ward<sup>7</sup>.

## § 5

### **Continual institutions for the coordination of component parts of integrated rescue system**

(1) Continual institutions for the coordination of component parts of integrated rescue system are operational centres of Fire and Rescue Service of particular region and informative centre of General Directorate of Fire and Rescue Service.

(2) Operational and informative centres of integrated rescue system are obliged

a) to receive and evaluate information about emergencies,

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<sup>5</sup> e.g. Law No. 133/1985 digest in the meaning of later regulations, Law No. 283/1991 digest on the Police of Czech Republic, in the meaning of later regulations, Law No. 238/2000 digest.

<sup>6</sup> Law No. 240/2000 digest on crisis control and on some laws amendment (Crisis Law).

<sup>7</sup> e.g. Notification No. 168/1991 digest, Law No. 126/1992 digest on Protection of name and sign of Red Cross and on Czechoslovak Red Cross.

- b) to negotiate the system of fulfilment of tasks imposed by intervention commanding officer according to § 19 article 3,
- c) to fulfil tasks imposed upon them by institutions authorized for coordination of rescue and remedy work,
- d) if necessary, to provide the information of basic and other component parts of integrated rescue system and the information of government authorities and territorial autonomous administrations, according to integrated rescue system documentation.

(3) Operational and informative centres of integrated rescue system are authorized to:

- a) summon and employ corps and means of Fire and Rescue Service and fire brigades, other component parts of integrated rescue system according to alarm scheme of integrated rescue system or according to intervention commanding officer requirements; at the same time they take care, that the above requirements are not in contradiction with the resolution of the relevant Fire and Rescue Service functionary, of district authority head, sheriff or of Ministry of Interior in their coordination of rescue and remedy work,
- b) request and organize help (§ 20), personal and material help according to intervention commanding officer requirements (§ 19),
- c) warn inhabitants on jeopardized territory in danger of delay, provided a special legal regulation does not specify otherwise<sup>8</sup>.

(4) The working legal regulation specifies:

- a) principles of coordination of component parts of integrated rescue system during joint intervention, of the cooperation of operational centres of basic component parts of integrated rescue system, and details about the tasks of operational and informative centres of integrated rescue system,
- b) content of the documentation of integrated rescue system, they method of its preparation, and the details of alarm levels of alarm scheme of integrated rescue system.

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<sup>8</sup> e.g. Law No. 18/1997 digest on peaceful exploitation of nuclear energy and ionizing radiation (nuclear law) and on amendment and modification of some laws in the meaning of later regulations, Government Decree No. 11/1999 digest on Emergency Scheme Zone, Law No. 353/1999 digest, on prevention from major accidents caused by selected hazardous chemicals and products, and o the modifications of Law No- 425/1990 digest on district authorities, modification of their jurisdiction, and on some other relative provisions in the meaning of later regulations (the Law on major accidents prevention).

## CHAPTER III

### POSITION AND TASKS OF STATE AUTHORITIES AND OF TERRITORIAL AUTONOMOUS ADMINISTRATION IN PREPARATION FOR EMERGENCIES AND IN RESCUE AND REMEDY WORK REALISATION.

#### *Section 1*

#### *Ministries and other central administration*

#### § 6

Ministries and other central administrations (herewith only "ministries") on preparation for emergencies, on protection of population and while providing rescue and remedy work within their jurisdiction

- a) keep records of possible sources of risk, analyse dangers and in the frame of prevention according to special legal regulations<sup>9</sup> negotiate the remedy of events and situations, which could cause the rise of emergency,
- b) decide about activities to provide rescue and remedy work and to minimize their consequences, provided a special legal regulation<sup>10</sup> does not specify otherwise,
- c) organize immediate repairs of necessary public equipment for the protection of population.

Comment:

#### § 7

#### **Ministry of Interior**

(1) Ministry of Interior fulfils tasks in the range<sup>11</sup> of:

- a) preparation for emergencies, integrated rescue system and protection of population,
- b) joining of Czech Republic in international rescue operations during emergencies abroad and during humanitarian help to foreign countries in cooperation with Ministry of foreign affairs; as humanitarian help is for the purposes of this Law understood the provisions made for the help to population affected by an emergency, in the frame of which human and material sources are being used.

(2) Ministry of Interior while fulfilling the tasks in article (1):

- a) unifies proceedings of ministries, regional authorities, district authorities, municipal authorities, legal entities and natural persons, which provide entrepreneurial activity according to special legal regulations<sup>12</sup> (herewith only "enterprising natural persons),

<sup>9</sup> e.g. Law No. 133/1985 digest in the meaning of later regulations, Law No. 18/1977 digest in the meaning of later regulations, Law No. 353/1999 digest.

<sup>10</sup> e.g. Law No. 18/1977 digest in the meaning of later regulations.

<sup>11</sup> § 12 article 2 letter m) of Law No. 2/1969 digest on constitution of ministries and other central institutions of government administration of Czech Republic, in the meaning of later regulations.

<sup>12</sup> e.g. Law No. 455/1991 digest on trade business (Trade Law) in the meaning of later regulations, Law No. 513/1991 digest, Commercial Code, in the meaning of later regulations.

- b) directs the integrated rescue system
- c) controls and coordinates alarm schemes of integrated rescue system of regions and districts and prepares the central alarm scheme of integrated rescue system, which approves Home Secretary,
- d) manages construction and operation of informative and communicative networks and services of integrated rescue system,
- e) prepares the conception of citizens protection
- f) ensures and operates unified system of warning and information, specifies the method of informing legal entities and natural persons about the nature of possible danger, provisions being prepared, methods and time of their realisation,
- g) organizes instruction and training in the range of citizens protection and for the preparation of component parts of integrated rescue system, aimed to their mutual cooperation; for this purpose establishes educational institutes,
- h) following negotiations with Ministry for Local Development specifies technical building requirements for buildings designed for citizens protection at emergencies, for provision of rescue work, for storage of Civil Ward material and for protection and shelter of operators of important services (herewith only "Civil Ward buildings or buildings affected by Civil Ward requirements"),
- i) in agreement with Ministry of Foreign Affairs decides about humanitarian help given by State to foreign countries and about joining international rescue operations,
- j) directs proceedings in Civil Ward constitution.

(3) Ministry of Interior ensures the central coordination of rescue and remedy work, if:

- a) the particular emergency exceeds Czech Republic borders and a coordination of rescue and remedy work exceeding the range of cross-border contacts is necessary, or
- b) the particular emergency exceeds the region territory and the intervention commanding officer (§ 19) declared the highest alarm level, or
- c) the intervention commanding officer (§ 19), head of district authority or sheriff himself asks for that coordination.

(4) The tasks of Ministry of Interior specified in articles 2 and 3 fulfils the General Directorate of Fire and Rescue Service, constituted according to special Law<sup>2</sup>.

(5) Ministry of Interior is authorized to request the participation of representatives of other ministries and of component parts specified in § 4 article 2, eventually even other specialists, in preparation for emergencies and in provision of rescue and remedy work.

(6) Ministry of Interior specifies the method of assurance of continuous operation of phone line of unified European number for emergency calls.

(7) The working legal regulation specifies:

- a) rules for joining international rescue operations,

- b) rules for giving and receiving humanitarian help,
- c) proceedings in constitution of Civil Ward institutions and in special training of its staff,
- d) methods of informing legal entities and natural persons about the nature of possible danger, provisions being prepared, methods of their realisation,
- e) technical, operational and organizational assurance of unified system of warning and information and the method of producing emergency information,
- f) the method of evacuation and its all-round security,
- g) principles of proceedings in furnishing shelters and method and scope of collective and individual protection of citizens,
- h) requirements for citizens protection in regional planning and technical building requirements on Civil Ward buildings or buildings affected by Civil Ward requirements,
- i) proceedings of regional resolutions and building permissions and their amendments in the application of the requirements of citizens protection, and proceedings of regional planning authorities and building authorities on realisation of these requirements.

§ 8

**Ministry of Health Matters**

(1) Ministry of Health Matters coordinates the territorial centres of Medical Rescue Service and centres of Medical Rescue Service in regions and districts in those cases, where an emergency exceeds the scope of jurisdiction of district centre of Medical Rescue Service, or where that is necessary from special, eventually capacity reasons.

(2) On coordination according to article 1 the district centres of Medical Rescue Service are obliged to respect the directions of Ministry of Health Matters and of territorial centres of Medical Rescue Service.

§ 9

**Ministry of Transport and Communications**

(1) Ministry of Transport and Communications for the need of administration and for basic component parts of integrated rescue system assures nation-wide informative system for rescue and remedy work in the range of mobile sources of danger in transport (herewith only "transport informative system").

(2) Administrations and transporters are obliged to supply the Ministry of Transport and Communications with necessary documents and data for the purposes of transport informative system before every transport of dangerous items by road, railway, air and inland water transports. Data from transport informative system shall be used only for purposes specified by this Law.

(3) Operator of transport informative system shall ensure the protection of acquired information and data, the misuse of which could lead to endangering health, life, property, environment or business interests of legal entities or trading natural persons.

(4) The working legal regulation specifies the method of creating and keeping the transport informative system and the content and scope of documents and data supplied for the purposes of transport informative system.

## *Section 2*

### *Regional authorities*

#### § 10

(1) Regional authorities ensure preparation for emergency, provision of rescue and remedy work a citizens protection.

(2) Regional authority in performance of administration for the purpose specified in article 1:

- a) organizes the cooperation between district authorities and other administrations and municipalities in particular region, namely in preparation of alarm scheme of integrated rescue system, ensures emergency preparedness and verifies it by trainings (§ 17),
- b) directs the integrated rescue system on regional level,
- c) unifies proceedings of district authorities and territorial administrations with regional jurisdiction in the field of citizens protection,
- d) cooperates in preparation and modernization of flood scheme of whole river basin according to special legal regulation<sup>13</sup>,
- e) concludes agreements with relevant territorial region of neighbouring State, provided an international contract, approved by the Parliament of Czech Republic and announced in Law digest or in International agreements code, does not specify otherwise.

(3) Where the emergency planning zone extends to territories of more than one district of proper region, or extends to regional territory from territory of other region, prepares the regional authority together with relevant district authorities a scheme for rescue and remedy work in the vicinity of dangerous source (herewith only "external emergency scheme"). Where the emergency planning zone extends to territories of more regions, then the coordination of preparation of external emergency scheme and of the joint remedy of emergency ensures that regional authority, on whose territory is the source of danger located. The external emergency scheme is a part of regional crisis scheme.

(4) For the preparation of external emergency schemes is the regional authority authorized, provided the security of data is respected, to employ, collect and register data from crisis schemes of regions and districts, according to special legal regulation<sup>6</sup>.

(5) The tasks of regional authorities specified in articles 1 to 4 fulfils the regional Fire and Rescue Service, constituted according to special law<sup>2</sup>. For assurance of rescue and remedy work it further:

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<sup>13</sup> e.g. Law No. 138/1973 digest on waters (Water Law) in the meaning of later regulations.

- a) manages construction and operation of informative and communicative networks and services of integrated rescue system,
- b) organizes instruction and training in the range of citizens protection and in the preparation of component parts of integrated rescue system, aimed to their mutual cooperation; for this purpose establishes educational institutes,
- c) controls and coordinates of alarm schemes of district integrated rescue system and prepares alarm scheme of regional integrated rescue system,
- d) assures warning and information,
- e) coordinates rescue and remedy work a fulfils tasks in rescue and remedy work, specified by Ministry of Interior,
- f) organizes determination and marking of dangerous areas, decontamination and other protective provisions,
- g) organizes and coordinates evacuation, temporary accommodation, emergency supply of drinking water, food and other necessary means for population survival,
- h) organizes a coordinates humanitarian help,
- i) organizes management of Civil Ward material,
- j) keeps evidence of and controls the Civil Ward buildings and of buildings affected by requirements of Civil Ward in relevant region.

(6) Regional Fire and Rescue Service is the relevant body in territorial and building procedure<sup>14</sup> from citizens protection point of view.

(7) Regional authority provides performances specified in articles 1 to 5, so as to be adequate and by their contents and scope correspond to the purpose and conditions of particular emergency.

#### § 11

Sheriff:

- a) organizes integrated rescue system on regional level,
- b) coordinates and controls preparation for emergencies realized by regional authorities, by territorial administrations with regional jurisdiction, heads of district authorities, legal entities and natural persons,
- c) coordinates rescue and remedy work in remedy of emergency arisen on regional domain, provided it extends the territory of one district and the intervention commanding officer declared the highest alarm degree or asked for it, or he was asked for coordination by the head of district authority. Sheriff may for the coordination of rescue and remedy work employ the regional crisis headquarters established according to special legal regulation<sup>6</sup>,

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<sup>14</sup> Law No. 50/1976 digest on territorial planning a building code (Building Law) in the meaning of later regulations.

d) approves external emergency scheme a alarm scheme of regional integrated rescue system.

### *Section 3*

#### *District authorities*

#### § 12

#### **District authority**

(1) District authority assures district preparedness for emergencies, provision of rescue and remedy work and of citizens protection.

(2) The tasks of district authority specified in article 1 fulfils regional Fire and Rescue Service, which for the district needs and for the preparation of rescue and remedy work further:

- a) directs integrated rescue system on district level,
- b) fulfils tasks in rescue and remedy work, specified by Ministry of Interior and by regional authority,
- c) organizes cooperation between district authority and territorial administrations with district jurisdiction and municipalities,
- d) for the assurance of rescue and remedy work performs similarly the activities specified in § 10 article 5, under conditions specified in § 10 article 7,
- e) under conditions specified in § 10 article 4 collects and employs data needed for preparation of external emergency schemes and of district emergency scheme,
- f) informs municipalities, legal entities and natural persons about the nature of possible population endangering and about prepared rescue and remedy work,
- g) prepares scheme for rescue and remedy work on district territory (herewith only "district emergency scheme"), eventually also the external emergency scheme, provided it follows from special legal regulation<sup>8</sup> and the emergency planning zone does not extend the district territory. The district emergency scheme and external emergency scheme are parts of district crisis scheme according to special law<sup>6</sup>,
- h) cooperates with regional authority in preparation of external scheme and in coordinated remedy of an emergency, provided the emergency planning zone extends district territory,
- i) ensures emergency preparedness specified by district emergency scheme and by external emergency schemes, and verifies it by trainings (§ 17).

(3) Working legal regulation specifies the principles and methods of preparation, approval and use of district emergency scheme and of external emergency scheme.

#### § 13

Head of district authority:

- a) organizes integrated rescue system on district level,
- b) coordinates and controls the preparation for emergencies performed by district authority, territorial administrations with district jurisdiction, municipalities, legal entities and natural persons,
- c) coordinates rescue and remedy work at emergency event arisen on district domain, provided it the intervention commanding officer declared the highest alarm degree or asked for coordination. The head of district authority may for the coordination of rescue and remedy work employ the district crisis headquarters, established according to special legal regulation<sup>6</sup>,
- d) approves the district emergency scheme and external emergency schemes,
- e) is authorized to appeal to legal entities and natural persons to supply personal or material help in coordination of rescue and remedy work.

§ 14

The sheriff and the head of district authority are in coordination of rescue and remedy work obliged to forward to Ministry of Interior reports about their course, by the means of operational and informative centres of integrated rescue system (§ 5).

*Section 4*

*Municipal authorities*

§ 15

(1) Municipal authorities assure the preparedness of municipality for emergencies and participate in provision of rescue and remedy work and of citizens protection.

(2) Municipal authority during performance of administration for the purpose specified in article 1:

- a) organizes preparation of municipality for emergencies,
- b) participates in provision of rescue and remedy work with integrated rescue system,
- c) assures warning, evacuation and shelter of persons against imminent danger, provided a special legal regulation does not specify otherwise<sup>8</sup>,
- d) manages the Civil Ward material,
- e) supplies the district authority by documents and information necessary for the preparation of district or external emergency scheme,
- f) participates in ensurance of emergency survival of municipality population,
- g) keeps evidence and provides inspections of Civil Ward buildings or of buildings affected by Civil Ward requirements in the municipality.

(3) For the fulfilment of tasks specified in article 2 is the municipality authorized to establish Civil Ward institutions. On establishing those institutions and fulfilling Civil Ward tasks are the municipal authorities obliged to proceed according to this Law and to special legal regulation<sup>3</sup>.

(4) The municipal authority informs legal entities and natural persons in the municipality about the nature of possible population endangering, about prepared rescue and remedy work and about citizens protection. For this purpose organizes their education.

(5) The municipality is from the citizens protection point of view considered as interested body in building and territorial proceedings<sup>14</sup>.

#### § 16

During rescue and remedy work the head of the municipality:

- a) assures warning of persons being on municipal territory against imminent danger,
- b) in agreement with intervention commanding officer or with head of district authority organizes evacuation of persons from the endangered municipal territory,
- c) organizes performance of the municipality in conditions of emergency survival of municipal population,
- d) is authorized to appeal to legal entities and natural persons to provide personal or material help.

#### *Section 5*

#### *Training and communication of component parts of integrated rescue system*

#### § 17

#### **Screening training and tactical training**

(1) Screening training is realized for the purpose of verifying the preparedness of component parts of integrated rescue system for rescue and remedy work. Part of the training maybe also the announcement of drill alarm for component parts of integrated rescue system.

(2) Tactical training is realized for the purpose of preparation of component parts of integrated rescue system and of authorities participating in provision and coordination of rescue and remedy work in emergency. Realization of tactical training shall be consulted in advance with interested component parts and authorities.

(3) For ordering screening training or tactical training is authorized the Home Secretary, General Director of Fire and Rescue Service, sheriff, director of regional Fire and Rescue Service, or the head of district authority.

#### § 18

#### **Communication of component parts of integrated rescue system**

(1) During preparation for emergency and during rescue and remedy work the crisis communication is used; as crisis communication is for the purposes of this Law understood the transmission of information between government authorities, territorial autonomous authorities and component parts of integrated rescue system, with employment of the means of voice and data transmission of information from public telecommunication network and selected part of closed telecommunication networks.

(2) Ministry of Interior is obliged to enable to the authorities and component parts specified in article 1 to realize crisis communication in closed telecommunication network of Ministry of Interior.

(3) Providers of services in communication area are obliged to cooperate with Ministry of Interior in preparation and design of crisis communication method and of unified European number for emergency calls (§ 7 article 6).

(4) The working legal regulation specifies:

- a) principles of method of crisis communication and communication in integrated rescue system, and structure of shared data,
- b) method of using communication network by component parts of integrated rescue system.

#### CHAPTER IV

#### ORGANIZATION OF RESCUE AND REMEDY WORK ON INTERVENTION SITE

##### *Section 1*

##### *Intervention commanding officer*

##### § 19

(1) Coordination of rescue and remedy work on the site of intervention of component parts of integrated rescue system and in the area of anticipated effects of an emergency (herewith only "intervention site") and management of coordination of those component parts provides the intervention commanding officer, who in compliance with the seriousness of the emergency declares the relevant alarm degree, according to relevant alarm scheme of integrated rescue system. Provided a special legal regulation does not specify otherwise<sup>5</sup>, as intervention commanding officer is considered the fire unit commanding officer<sup>3</sup>, or the relevant official of Fire and Rescue Service with the right of priority command<sup>15</sup>.

(2) If on intervention site is not appointed any intervention commanding officer according to article 1, manages the cooperation of those component parts the commanding officer or the chief of intervening forces and means of the component part of integrated rescue system, which on intervention site performs the prevailing activity.

(3) During rescue and remedy work is the intervention commanding officer authorized:

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<sup>15</sup> § 13 of Decree No. 22/1996 digest, which specifies the details of fire units tasks, determines the activity of persons participating in their fulfilment, and the principles of intervention command.

- a) to forbid or limit the entry of persons to intervention site and to order, that the intervention site must leave any person, whose presence is not necessary, to order evacuation of persons, eventually to determine other temporary limitations aimed to protection of life, health, property and environment, and to challenge a person, who does not respect determined limitations, to identify himself/herself; that person is obliged to comply with that challenge,
- b) to order immediate provision or removal of buildings, terrain arrangements, for the purpose of limitation of or prevention from risks caused by an emergency,
- c) to appeal to legal entities or natural persons to provide personal or material help,
- d) to establish intervention commanding officer headquarters as his executive body, and to appoint headquarters chief and members. Members of headquarters are mainly the commanding officers and chiefs of component parts of integrated rescue system. Members of this headquarters can be also natural persons and representatives of legal entities, with whom the component parts of integrated rescue system cooperate, or who provide personal or material help,
- e) to divide the intervention site to sectors, eventually to sections, and to appoint their commanding officers, upon whom is authorized to impose tasks and to decide about the assignation of forces and means into subordination of sector and section commanding officers.

## *Section 2*

### *Asking for help in provision of rescue and remedy work*

#### § 20

#### **The right to ask for help**

(1) Ministry of Interior asks for help in compliance with the central alarm scheme of integrated rescue system by the means of operational and informative centre of General Directorate of Fire and Rescue Service; for the purposes of this Law is as help understood the provision of forces, material means or performance of component parts of integrated rescue system, for the purposes of rescue and remedy work; in case of other component parts of integrated rescue system is thus realized the planned help on request (§ 21).

(2) Sheriff and head of district authority ask for help in compliance with relevant alarm scheme of integrated rescue system- This and also other help they ask for by the means of relevant operational and informative centre of integrated rescue system.

(3) Intervention commanding officer asks for help directly the commanders and chiefs of component parts of integrated rescue system on intervention site, in other cases asks for help by the means of territorially relevant operational and informative centre of integrated rescue system.

(4) For the provision of rescue and remedy work on Czech Republic territory requests Ministry of Interior in agreement with Ministry of Foreign Affairs foreign help, and prepares its employment, provided an international contract, approved by the Parliament of Czech Republic and announced in Law digest or in International agreements code, does not specify otherwise.

(5) Sheriff and head of district authority are authorized for requiring help from relevant territorial region of neighbouring State and for the preparation of its use for provision of rescue and remedy work, provided an international contract, approved by the Parliament of Czech Republic and announced in Law digest or in International agreements code, does not specify otherwise.

(6) On appeal to provide material help the head of district authority or municipal magistrate proceed in evidence of supplied material means in compliance with special legal regulation<sup>6</sup>. Where the material help was supplied on intervention commanding officer appeal, the intervention commanding officer reports this fact into documentation of intervention proceedings. That report contains data about the person who the material means supplied, identification data of those means and data about time and purpose of requested means use.

## § 21

### **Planned help on request**

(1) The supply of planned help on request is included in alarm scheme of integrated rescue system; as planned help is for purposes of this Law understood the beforehand in writing agreed method of help supplied by other component parts of integrated rescue system to district authority, regional authority, Ministry of Interior or to basic component parts of integrated rescue system on provision of rescue and remedy work.

(2) To supply the planned help on request are obliged as follows:

- a) ministries, territorial administrations, authorities of regions and municipalities in the scope of their domain,
- b) legal entities and natural persons, which are the owner or user of Civil Ward building or of building affected by Civil Ward requirements,
- c) medical institutes,
- d) other component parts of integrated rescue system specified in § 4 article 2,
- e) military rescue units<sup>16</sup>
- f) other persons, who are bound to it by contract.

(3) Planned help on request is not obliged to supply that body, who by supplying this help would seriously endanger the fulfilment of their own more serious tasks, imposed upon them according to special legal regulations<sup>5</sup>.

(4) Other component parts of integrated rescue system are obliged on determination of range of planned help on request, based on demand of operational and informative centre of integrated rescue system, to give

- a) persons authorized for help assurance, and the method of their information,
- b) forces and means designed for help supplement,

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<sup>16</sup> § 19 of Law No. 219/1999 digest on Armed Forces of Czech Republic.

c) time necessary for supplying forces and means in case of requesting help.

§ 22

**Other help**

On request of district authority, regional authority or Ministry of Interior may be for the needs of component parts of integrated rescue system in rescue and remedy work used economic provisions, military units and military institutions of armed forces of Czech Republic, in compliance with special legal regulations<sup>17</sup>.

**P A R T I I**

**RIGHTS AND OBLIGATIONS  
OF LEGAL ENTITIES AND NATURAL PERSONS  
IN EMERGENCIES**

**CHAPTER I**

**LEGAL ENTITIES AND TRADING NATURAL  
PERSONS AND NATURAL PERSONS**

§ 23

(1) Where the district authority incorporates in district emergency scheme or in external emergency scheme a particular legal entity or trading natural person, is this person obliged to:

- a) free of charge supply and modernize required documents,
- b) ensure for their employees, affected by anticipated emergency, provisions specified in § 24 article 1 letter b) of this Law.

(2) Legal entities and trading natural persons are in connection with rescue and remedy work obliged to:

- a) supply personal or material help on direct request of intervention commanding officer (§ 19), head of district authority (§ 13) or municipal magistrate (§ 16), or by the means of operational and informative centre of integrated rescue system,
- b) allow access of persons performing rescue or remedy work on estates and into buildings, and employment of necessary technique, realization of terrain arrangements, building of protection installations, clearing of estate and removal of buildings, their parts and growth, provided they are owners or users of real estates and provided a special legal regulation<sup>9</sup> does not specify otherwise,
- c) allow location of warning and information system equipment on real estates which they own, and to enable access to them for relevant officials of district authority or for persons by them authorized, for the purposes of use, inspection, maintenance and repairs,

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<sup>17</sup> e.g. § 15 to 18 of Law No. 219/1999 digest, Law No. 241/2000 digest on Economic provisions for crisis situations and on amendment of some coherent laws.

- d) where they are owners of Civil Ward buildings or of building affected by Civil Ward requirements, to avoid, during the use of those property and during all connected activities, any change of character of that building in connection with its purpose, and to enable its use for purposes of Civil Ward, and to enable access into these buildings for fire authorities or for persons by them authorized, for the purposes of use, inspection, maintenance and repairs,
- e) where they manage educational, medical, social or similar institutions, to create in them conditions for distribution of protecting face masks, protecting bags for children, protecting jackets for children, protecting clothes, filters for the protection of respiratory organs and of body surface, and other protecting means.

(3) For the purpose of fulfilment of tasks according to article 1 may the legal entities and trading natural persons constitute Civil Ward institutions in compliance with this Law and in compliance with a special legal regulation<sup>3</sup>.

(4) The working legal regulation specifies compensation of expenses incurred by legal entities and trading natural persons on population protection.

#### § 24

If emergency occurs in connection with operation of technical equipment and buildings, during manipulation of hazardous chemicals<sup>18</sup> a during their transport, or during manipulation with hazardous waste (herewith only "accidents"), is the legal entity or trading natural person, who is the owner, manager or user of mentioned equipment, buildings, substances or waste, obliged as follows:

- a) to participate in the preparation of rescue and remedy work and in the preparation of district emergency scheme or external emergency scheme in such a way, that supplies the district authority on request, provided a special legal regulation does not specify otherwise<sup>8</sup>, by following information:

1. about risk sources,
2. about anticipated consequences of accidents and possible methods of their remedy,
3. about possible influence to population and environment,
4. about provisions prepared within their proper jurisdiction for the provision of necessary forces and means for rescue and remedy work in their building or equipment,

- b) for their employees ensure, provided a special legal regulation does not specify otherwise<sup>8</sup>, as follows:

1. information about imminent emergencies and planned provisions,
2. warning, evacuation, eventually shelter,
3. organization of rescue work,
4. organization of preparedness for self-protection and mutual help.

(2) Legal entity or trading natural person, who suffered an emergency, is obliged as follows:

- a) immediately realize rescue and remedy work,

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<sup>18</sup> § 3 to 5 of Law 157/1998 digest on chemical substances and chemical agents, and on amendment of some other laws, in the meaning of Law No. 352/1999 digest.

- b) immediately notify the emergency to territorially relevant operational and informative centre of integrated rescue system, to district authority and jeopardized municipalities; by the above is not impeded the obligation of notification, specified according to special legal regulations,
- c) to participate in warning of persons jeopardized by an emergency, in the scope specified by a special legal regulation<sup>8</sup>,
- d) to supply the intervention commanding officer with the facts, which could endanger lives or health of persons performing the intervention, or of other citizens, namely the information about explosives, hazardous chemical substances, sources of ionizing radiation, wild or dangerous animals,
- e) to participate in emergency remedy with component parts of integrated rescue system, administrations and authorities of regions and municipalities,
- f) to reimburse the district authority or component parts of integrated rescue system with expenses connected with supplement of material and personal help, with remedy work and with loss demonstrably caused by emergency,
- g) to ensure decontamination work in compliance with directions of relevant administrations or municipalities,
- h) to ensure the disposal of waste, created in consequence of an emergency and in consequence of its remedy,
- i) to cooperate in preparation of documents of rescue and remedy work.

### Natural persons

(1) Natural person staying on Czech Republic territory has the right to information about provisions for population protection and to provision of instructions and training to their performance during emergencies.

(2) Natural person is obliged as follows:

- a) to allow limitations caused by provisions determined at an emergency and limitations ordered by intervention commanding officer during rescue and remedy work,
- b) on appeal of municipal magistrate, head of district authority or intervention commanding officer, to provide personal or material help,
- c) provided it is necessary for rescue and remedy work and provided they are owners, users or managers of real estate, to allow access of persons performing rescue or remedy work on estates or into buildings, employment of necessary technique, realization of terrain arrangements, building of protection installations, clearing of estate and removal of buildings, their parts, equipment and growth,
- d) to supply the intervention commanding officer with the facts, which could endanger lives or health of persons performing the intervention, or of other citizens, namely the information about explosives, hazardous chemical substances, sources of ionizing radiation, wild or dangerous animals,
- e) allow location of warning and information system equipment on real estates which they own, and to enable access to them for relevant officials of district authority or for persons by them authorized, for the purposes of use, inspection, maintenance and repairs,
- f) where they are owners of Civil Ward buildings or of building affected by Civil Ward requirements, to avoid, during the use of those property and during all connected activities, any change of character of that building in connection with its purpose, and to enable its use for purposes of Civil Ward, and to enable access into these buildings for relevant district fire authorities or for persons by them authorized, for the purposes of use, inspection, maintenance and repairs,

(3) Natural persons may refuse to fulfil the obligations specified in article 2, where they would by doing so endanger life and health of their own or of other persons, or where important circumstances, which would apparently cause more serious consequences than the jeopardy which should be avoided, prevent them from doing so.

## CHAPTER II

### EXCEPTIONS

(1) To supply material or personal help cannot be asked those natural persons, who enjoy privileges and immunities in compliance with international law.

(2) Free of personal help are persons of age up to 18 and more than 62, and persons physically unfit for required activities, fully disabled persons, members and senators of Parliament of Czech Republic and members of Government, and persons, who would by the above activity expose themselves or close persons to serious danger.

(3) Women may be ordered to supply only such personal help, which is not in contradiction with a special legal regulation<sup>19</sup>.

(4) Persons which are free of personal help obligation can supply a voluntary help.

### CHAPTER III

#### CONTROL, FINES, COMPENSATION AND FINANCIAL ASSURANCE

##### § 27

##### **Control**

(1) Ministry, district authority and regional and municipal institutions, ensuring preparations for emergencies, rescue and remedy work and citizens protection, are in the frame of their jurisdiction authorized to control compliance with this Law and with regulations issued for its execution. While performing control proceedings they are directed by basic rules, specified by a special legal regulation<sup>20</sup>.

(2) The control specified in article 1 provides in municipality the district authority, in district authority the regional authority and in regional authority the Ministry of Interior, in cooperation with the relevant ministry.

##### § 28

##### **Fines**

(1) For infringement of any obligation specified by this Law can the authority, who found out the infringement, charge:

- a) natural person with a fine up to CzCr 20 000,
- b) legal entity or trading natural person with a fine up to CzCr 3 000 000.

(2) Where the obligation has not been fulfilled even to the deadline determined at fine charging, the fine can be charged repeatedly.

(3) The proceedings of fine charging may be commenced in 1 year since the day, when the obligation infringement became known to the authority relevant to charge with a fine, and has to be rightfully

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<sup>19</sup> Law No. 65/1965 digest, Labour Code, in the meaning of later regulations.

Decree No. 261/1997 digest, specifying labour and working places forbidden to all women, pregnant women, mothers up to ninth month after delivery, and to juveniles, and conditions, under which may the juveniles exceptionally perform those labours from the reason of preparation to future occupation, in the meaning of Decree No. 185/1998 digest.

<sup>20</sup> Law No. 552/1991 digest on Government control

finished in 3 years since the obligation was infringed. The fine is due in 30 days since the resolution, which imposed the fine, has taken effect.

(4) The fine shall levy and recovery that authority, which imposed the fine.

(5) The income from fines is considered as State budget income, provided a special legal regulation does not specify otherwise.

## § 29

### **Compensation for ownership or right of use restrictions, for supplement of material and personal help**

(1) For restriction of ownership or right of use, supplement of material or personal help, belongs to legal entity or natural person a financial compensation. This compensation is provided by district authority, on which territory was the help supplied. Financial compensation shall be paid in 6 months since the rescue or remedy work has been finished.

(2) Where the ownership rights to a real estate have been restricted, to its owner shall be given a compensation complying with the restriction of his ownership rights, according to a special legal regulation<sup>21</sup>.

(3) In the case of personal help, where the amount of compensation cannot be determined by agreement or by proceedings in compliance with special legal regulations, is the compensation determined in an amount, answering to usual wage for identical or similar works or services. Determination of compensation for material help is based on the amount of expenses incurred by relevant person, or on the amount of compensation usually charged for the use of identical or similar material means during the period of its use, specified in compliance with a special legal regulation.

(4) Where the personal help to intervention commanding officer appeal, or in the frame of planned help on request, was supplied by trading natural person having income from trading or other independent earning activity<sup>22</sup>, this person shall be compensated for lost income for the period of help supplement. The compensation shall be provided by that district authority, on the territory of which was the help supplied. The calculation of lost income compensation is done by proceedings commensurate with a special legal regulation<sup>23</sup>.

(5) Municipalities, district authorities, regional institutions, eventually the basic component parts of integrated rescue system are authorized to request from the accident originator the reimbursement of expenses, which they incurred as a compensation for material or personal help supplement. By this reimbursement are compensated the expenses incurred<sup>24</sup>.

## § 30

### **Loss compensation**

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<sup>21</sup> e.g. Civil Code, Commercial Code.

<sup>22</sup> § 7 article 1 and 2 of Decree No. 298/1993 digest on determination of the amount of claims compensation for lost income on tax management.

<sup>23</sup> § 190 to 203 and § 260 of Labour Code.

Government order No. 108/1994 digest, by which is executed the Labour Code and some other laws.

<sup>24</sup> § 49 article 9 of Law No. 218/2000 digest on budget rules and on amendment of some related laws (Budget Rules)

(1) The Government is liable for the damage inflicted upon legal entities and natural persons, arisen in correlation with rescue and remedy work and training, done according to this Law. From that liability can be the Government exempted only if can be proved that the damage was inflicted by the damaged person himself/herself, or that he/she caused an accident.

(2) Financial compensation shall be provided to legal entities and natural persons, who suffered health damage or material loss during the following:

- a) activities of component parts of integrated rescue system, or of bodies coordinating rescue and remedy work,
- b) supplement of personal or material help.

(3) Health damage shall be compensated similarly in compliance with regulations on labour injuries reimbursement<sup>25</sup>, provided the claim for compensation of that damage did not arise from wage agreement already. In case of damaged person death the financial compensation shall be given to his/her heirs.

(4) Financial compensation will be provided by district authority, in the domain of which, during rescue and remedy work or during training, the said damage or loss has arisen. On provision of that compensation for material damage shall be proceeded in compliance with special legal regulations, valid in the time of damage.

(5) The claim for damage compensation, together with statement of reasons, shall be applied in written at relevant district authority in 6 months since the time, when the legal entity or natural person learned about the damage, but not later than 5 years since the rise of the damage, otherwise the aforesaid right expires. District authority can in cases of particular significance admit compensation of a damage even after the deadline for the application, or even without an application being submitted, but not later than 5 years since the rise of the damage.

(6) Where damage is inflicted upon component parts of integrated rescue system or upon persons in component parts marshalled, shall be that damage reimbursed by Ministry of Interior, provided that damage has arisen during an international aid approved by Ministry of Interior. In case of cross-border help shall be that damage reimbursed by that district authority, from whose territory was that help supplied. Compensation is provided in the same way, as if arose on Czech Republic territory.

(7) Compensation for damage is not provided to legal entities and to natural persons, who caused the accident.

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<sup>25</sup> § 190 to 203 and § 260 of Labour Code.

Government order No. 108/1994 digest, by which is executed the Law Code and some other laws.

**Financial assurance  
of integrated rescue system**

(1) Financial means for the coverage of expenses needed for preparation of documents, population protection, checking the preparedness to rescue and remedy work, and for establishment and operation of shared equipment for the needs of integrated rescue system, namely in the area of telecommunications and informative systems, includes Ministry of Interior into the draft of its budget. Regional authorities and district authorities request those means through Ministry of Interior.

(2) Settlement of extra expenses, arisen in consequence of rescue and remedy work, may be used the financial reserve, reserved in budget chapter "General cash management".

(3) The government, regional institutions or district authority, refund the expenses incurred by component parts of integrated rescue system on covering the expenditures arisen during employment of forces and means of component parts of integrated rescue system in cases, if not refunding those expenses could impair the functional ability of component parts of integrated rescue system to provide the rescue and remedy work.

(4) Method of financial assurance of particular component parts of integrated rescue system during the activities, determined to those component parts by special legal regulations, is not impeded by this Law.

CHAPTER IV

COMMON AND CLOSING PROVISIONS

**Mass information media**

Each body which operates mass information media, television and radio broadcasting inclusive, is obliged, without any compensation for expenses, on request of operational and informative centre of integrated rescue system, immediately and without any modification of contents and meaning to issue emergency information needed for rescue and remedy work.

**Relation to special legal regulations**

(1) To resolutions and determination of obligations according to this Law, with the exemption of fines in compliance with § 29, does not apply the administrative rules.

(2) During State jeopardy declared in connection with the defence of Czech Republic against outer attack, and during the state of war, the component parts of integrated rescue system, legal entities and natural persons, fulfil the tasks specified in this Law, provided a special legal regulation<sup>26</sup>.

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<sup>26</sup> Law No. 222/1999 digest on provision of defence of Czech Republic.

### **Special cases**

This Law applies also to cases of an emergency, which endanger public health, and the Authority of Public Health Protection asks the district authority, regional institutions, or Ministry of Interior, for common remedy of particular emergency.

#### § 35

### **Authorizing provisions**

(1) The Government shall issue a decree for execution of § 7 article 7 letter a) and b), and § 23 article 4.

(2) Ministry of Interior shall issue a decree for execution of § 5 article 4, § 7 article 7 letter c) to g), § 12 article 3, and § 18 article 4 letter a).

(3) Ministry of Interior after negotiation with Ministry for Local Development shall issue a decree for execution of § 7 article 7 letter h).

(4) Ministry for Local Development after negotiation with Ministry of Interior shall issue a decree for execution of § 7 article 7 letter i).

(5) Ministry for Transport and Communications after negotiation with Ministry of Interior shall issue a decree for execution of § 9 article 4 and § 18 article 4 letter b).

## **P A R T   T H R E E**

### **CHAPTER I**

#### **Amendment of Law on constitution of ministries and other central institutions of State administration of Czech Republic**

#### § 36

Law No. 2/1969 digest on constitution of ministries and other central institutions of State administration of Czech Republic, in the meaning of Law No. 34/1970 digest, Law No. 125/1970 digest, Law No. 147/1970 digest, Law No. 60/1988 digest, Law No. 173/1989 digest, Law Provision No. 9/1990 digest, Law No. 126/1990 digest, Law No. 203/1990 digest, Law No. 288/1990 digest, Law Provision No. 305/1990 digest, Law No. 575/1990 digest, Law No. 173/1991 digest, Law No. 283/1991 digest, Law No. 19/1992 digest, Law No. 23/1992 digest, Law No. 103/1992 digest, Law No. 167/1992 digest, Law No. 239/1992 digest, Law Provision No. 350/1992 digest, Law No. 358/1992 digest, Law No. 359/1992 digest, Law No. 474/1992 digest, Law No. 548/1992 digest, Law No. 21/1993 digest, Law No. 166/1993 digest, Law No. 285/1993 digest, Law No. 47/1994 digest, Law No. 89/1995 digest, Law No. 289/1995 digest, Law No. 135/1996 digest, Law No. 272/1996 digest, Law No. 152/1997 digest, Law No. 15/1998 digest, Law No. 148/1998 digest, Law No. 63/2000 digest, Law No. 130/2000 digest, and Law No. 154/2000 digest, has been amended as follows:

1. In § 12 article 1 at the end of letter l has been the fullstop replaced by comma, and letter m) has been complemented in following wording:

"m) crisis management, civil emergency planning, population protection and integrated rescue system".

2. In § 12 article 2 the wording is as follows:

"(2) Ministry of Interior assures communication networks for the Police of Czech Republic, component parts of integrated rescue system and for territorial institutions of State administration."

3. In § 16 article 1 letter c) the wording is as follows:

"c) administration of municipalities in military zone "

Existing letter c) has been cancelled.

4. To § 16 has been complemented article 4 in wording as follows:

"(4) Rights and obligations arising from wage agreement, in the State administration matters of Civil Ward region, has been since the day the Law on integrated rescue system and on some laws amendment came into force, transferred from Ministry of Defence to Ministry of Interior."

## CHAPTER II

### **Building Code amendment**

#### § 37

Law No. 50/1976 digest on territorial planning and building rules (Building Code), in the meaning of Law No. 137/1982 digest, Law No. 103/1990 digest, Law No. 425/1990 digest, Law No. 519/1991 digest, Law No. 262/1992 digest, Law No. 43/1994 digest, Law No. 19/1997 digest, Law No. 83/1998 digest, Law No. 95/2000 digest, Law No. 96/2000 digest, Law No. 132/2000 digest, and Law No. 151/2000 digest, has been amended as follows:

In § 2 article 1 at the end of letter k) has been the fullstop replaced by comma, and letter l) has been complemented in following wording:

" l) determines the territory affected by population protection requirements."

## **PART FOUR**

### **FORCE**

#### § 38

This law comes into force on January 1<sup>st</sup>, 2001.

Signatures.