

239/2000 Coll.

**The Integrated Rescue System Act
and amendments to certain acts**

28th June 2000

Amendment: [320/2002 Coll.](#)

Amendment: [20/2004 Coll.](#)

Amendment: [186/2006 Coll.](#)

Amendment: [306/2008 Coll.](#)

Amendment: [151/2010 Coll.](#)

Amendment: [375/2011 Coll.](#)

Amendment: [303/2013 Coll.](#), [344/2013 Coll.](#)

Amendment: [64/2014 Coll.](#)

Amendment: [267/2006 Coll.](#)

The Parliament of the Czech Republic has enacted the following Act:

PART ONE

CHAPTER I

BASIC PROVISIONS

§ 1

Subject of Regulation

This Act specifies the Integrated Rescue System, its components and their powers, unless they are provided by a special legal instrument, powers and competences of state authorities and authorities of the territorial self-governing units, and self-governmental authorities, rights and obligations of legal and natural entities during preparedness for emergency events and during rescue and relief work, during population protection under and after the state of danger, the emergency state, the state of the State menace and the war state (hereinafter referred to as “crisis states”).

§ 2

Term Specification

For the purpose of this Act the following terms shall be understood

- a) the term *Integrated Rescue System* shall denote the coordinated approach of its components in preparing for emergency events and in conducting rescue and relief work,
- b) the term *emergency event* shall denote harmful effects of forces and events caused by human activity, natural effects and also the accidents threatening life, health, property or environment, requiring rescue and relief work,

c) the term *rescue work* shall denote activities preventing or limiting immediate risk effects arising from an emergency event, especially threatening life, health, property or environment, leading to interruption of their causes,

d) the term *relief work* shall denote activities eliminating consequences of an emergency event,

e) the term *population protection* shall denote performance of the tasks of civil protection,¹⁾ particularly warning, evacuation, sheltering and emergency survival of the population and other measures ensuring the population protection of life, health and property,

f) the term *civil protection facility without legal personality* (hereinafter referred to as “civil protection facility”) shall denote legal entities or municipalities intended to protect the population; it consists of employees or other entities under the agreement, and of material resources,

g) the term *material assistance* shall denote provision of material resources in carrying out rescue and relief work and in exercises on the command of the Intervention Commander, Regional Commissioner or Mayor of the Municipality; material assistance shall also denote the assistance given voluntarily without a command, but with the consent or knowledge of the Intervention Commander, Mayor of the Municipality or Regional Commissioner,

h) the term *personal assistance* shall denote an activity or service in conducting rescue and relief work and in exercises on the command of the Intervention Commander, Regional Commissioner or Mayor of the Municipality; personal assistance shall also denote an activity given voluntarily without a command but with the consent or knowledge of the Intervention Commander, Mayor of the Municipality or Regional Commissioner.

CHAPTER II

INTEGRATED RESCUE SYSTEM

§ 3

Use of the Integrated Rescue System

The Integrated Rescue System is to be used in preparedness for an arisen emergency event and in case of need to conduct rescue and relief work by two or more components of the Integrated Rescue System.

§ 4

Components of the Integrated Rescue System

(1) The basic components of the Integrated Rescue System are the Fire Rescue Service of the Czech Republic²⁾ (hereinafter referred to as the “Fire Rescue Service”), fire protection units within the district coverage by fire protection units³⁾, providers of emergency medical

service and Police of the Czech Republic.

(2) Other components of the Integrated Rescue System are the designated military forces and means, other armed security forces, other rescue forces, public health authorities⁴⁾, accident, emergency, expertise and other services, civil protection facilities, non-profit organizations and citizen associations that can be used for rescue and relief work. Other components of the Integrated Rescue System provide during rescue and relief work the planned assistance on request (§21).

(3) During crisis states the providers of urgent inpatient care who have established an emergency reception²⁷⁾ also become other components of the Integrated Rescue System. In case the providers of medical service stated in the first sentence conclude with a local emergency medical services' provider or with a Regional Council an agreement on the planned assistance on request (§21), the Regional Fire Rescue Service will incorporate them into the Regional warning emergency plan of the Integrated Rescue System and they will become other components of the Integrated Rescue System also for the periods beyond a crisis state.

(4) The basic components of the Integrated Rescue System provide continuous preparedness for receiving the announcement of an emergency event, its evaluation and urgent intervention at an emergency scene. For this purpose they deploy their forces and means throughout the Czech Republic.

(5) The status and tasks of the basic and other components of the Integrated Rescue System stated by special legal instruments are not affected by their activity⁵⁾.

(6) During an intervention, components of the Integrated Rescue System are obliged to obey the commands of the Intervention Commander, Mayor of the Municipality with extended powers, Regional Commissioner, in Prague the Mayor of the Capital City of Prague (hereinafter referred to as „Commissioner“) or the Ministry of Interior, providing they coordinate rescue and relief work.

(7) The component of the Integrated Rescue System incorporated into the warning emergency plan of the Regional Integrated Rescue System is obliged, when giving assistance to other Region, to inform its local relevant operational and information centre of the Integrated Rescue System; under the Regional warning emergency plan of the Integrated Rescue System we understand the Regional fire warning emergency plan issued by the special legal instrument³⁾.

(8) When conducting rescue and relief work during an emergency state, state of the State menace or the war state the components of the Integrated Rescue System follow instructions of the Ministry of Interior. During the state of danger the components of the Integrated Rescue System of a Region follow instructions of the person who has declared the state of danger under the special legal instrument.⁶⁾

(9) During the war state, staff and resources of the basic and other components are marked with the internationally valid distinctive signs of medical service, religious personnel and civil protection⁷⁾.

Permanent Bodies of Co-ordination of the Integrated Rescue System

(1) Permanent bodies of coordination of the Integrated Rescue System are the operational and information centres of the Integrated Rescue System, which are the operational centres of the Fire Rescue Service and the operational and information centre of the Directorate-General of the Fire Rescue Service.

(2) Operational and information centres of the Integrated Rescue System are obliged

- a) to receive and evaluate information on emergency events,
- b) to mediate the organization of the task fulfilment imposed by the Intervention Commander according to §19 section 3,
- c) to fulfil the tasks imposed by the bodies authorized to co-ordinate rescue and relief work,
- d) to provide, if necessary, the notification of the basic and other components of the Integrated Rescue System and the notification of state authorities and territorial self-governing units according to the documentation of the Integrated Rescue System.

(3) Operational and information centres of the Integrated Rescue System are authorized

- a) to call up and deploy forces and resources of the Fire Rescue Service and fire protection units and other components of the Integrated Rescue System according to the warning emergency plan of the Integrated Rescue System or as required by the Intervention Commander; at the same time they ensure that the mentioned requirements are not in conflict with the decision of a competent official of the Fire Rescue Service, Regional Commissioner or the Ministry of Interior in coordination rescue and relief work,
- b) to require and organise assistance (§20), personal and material assistance as required by the Intervention Commander (§19),
- c) to warn, in case of danger of delay, the population in an endangered area unless the special legal instrument states otherwise⁸⁾.

(4) The statutory legislative instrument determines

- a) the principles of the component coordination of the Integrated Rescue System during a joint intervention, of cooperation of operational centres of basic components of the Integrated Rescue System and task details of operational and information centres of the Integrated Rescue System,
- b) the content of the documentation of the Integrated Rescue System, way of elaboration and the details on alert stages of the warning emergency plan of the Integrated Rescue System.

CHAPTER III

STATUS AND TASKS OF STATE AUTHORITIES AND AUTHORITIES OF

TERRITORIAL SELF-GOVERNING UNITS IN PREPARING FOR EMERGENCY EVENTS AND IN CONDUCTING RESCUE AND RELIEF WORK

PART 1

Ministries and Other Central Administrative Authorities

§ 6

Ministries and other central administrative authorities (hereinafter referred to as “Ministry”) in preparing for emergency events, in conducting rescue and relief work and in protecting population within their competence

- a) keep the overview of potential risk origin, conduct threat analyses and within the prevention framework and under special legal instruments⁹⁾ correct the facts and conditions that may cause emergency events,
- b) decide on activities conducted during rescue and relief work to mitigate their consequences, unless the special legal instrument¹⁰⁾ provides otherwise,
- c) organise immediate repairs of public facilities necessary for population protection.

§ 7

Ministry of Interior

(1) The Ministry of Interior is responsible for the task performance in the field of¹¹⁾

- a) preparedness for emergency events, the Integrated Rescue System and population protection,
- b) involvement of the Czech Republic in international rescue operations during emergency events abroad and providing humanitarian assistance abroad in cooperation with the Ministry of Foreign Affairs; for the purposes of this Act the humanitarian assistance shall denote the measures taken to assist the population affected by an emergency event within which, human and material resources are used.

(2) The Ministry of Interior in performing the tasks referred to in section 1

- a) unifies procedures of Ministries, Regional Councils, Municipal Councils, legal and natural entities performing business activities under special legal instruments¹²⁾ (hereinafter referred to as “undertaking natural entities”),
- b) directs the Integrated Rescue System,
- c) conducts controls and coordination of the contingency plans of the Regional Integrated Rescue Systems and processes the central warning emergency plan of the Integrated Rescue System approved by the Minister of Interior,
- d) manages construction and operation of the information and communication networks and

services of the Integrated Rescue System,

e) processes the concept of population protection,

f) provides and operates the unified system of warnings and notifications, determines the means of informing legal and natural entities about the nature of potential threat, upcoming measures, methods and time of their execution,

g) organises the briefings and trainings in the field of population protection and prepares the components of the Integrated Rescue System for their mutual synergy; for the purpose of which, establishes educational facilities,

h) asserts an opinion on territorial development policy in terms of population protection and civil emergency planning in preparedness for emergency events,

i) determines, after consulting with the Ministry of Regional Development, the construction and technical requirements for the premises designed to protect the population in case of emergency events, to ensure rescue work, to store the material of civil protection, to protect and shelter operators of critical operations (hereinafter referred to as “premises of civil protection or premises affected by the civil protection requirements”),

j) directs proceedings in establishing civil protection facilities.

(3) The Ministry of Interior provides central coordination of rescue and relief work, in case that

a) an emergency event exceeds the state border of the Czech Republic and the coordination of rescue and relief work beyond border relations is necessary, or

b) an emergency event exceeds a Region and the Intervention Commander (§19) has declared the highest alert level, or

c) the Intervention Commander, Mayor of the Municipality with the extended powers or Regional Commissioner asks for its coordination.

(4) The Ministry of Interior also

a) organises rescue and material assistance abroad in cooperation with the Ministry of Foreign Affairs, components of the Integrated Rescue System or with central administrative authorities,

b) continuously provides in accordance with the international treaties abiding the Czech Republic, the function of the contact point of requested humanitarian assistance for foreign affected countries or an international organization; the possibility to require humanitarian assistance abroad through diplomatic channels or the declaration of the arisen emergency event abroad, which could also threaten the Czech Republic, is not affected by this,

c) informs relevant international organisations about forces and resources of the Czech Republic predetermined for humanitarian assistance abroad.

(5) The tasks of the Ministry of Interior referred to in paragraphs 2, 3 and 4 are fulfilled by the Directorate General of the Fire Rescue Service established under the special act²⁾.

(6) The Ministry of Interior is entitled to request participation of representatives of other ministries and representatives of the components listed in §4 section 2 and of other experts in preparing for emergency events and in conducting rescue and relief work.

(7) The Ministry of Interior shall determine the way of providing around-the-clock service of the unitary European emergency call number.

(8) The statutory legislative instrument stipulates

- a) the rules of participation in the international rescue operations,
- b) the rules of providing and receiving humanitarian assistance,
- c) the procedure in establishing civil protection facilities and in special training of their personnel,
- d) the manner of informing legal and natural entities about the nature of potential threat, upcoming measures and the manner of their implementation,
- e) the technical, operational and organisational ensuring of the unitary system of warning and notification and the manner of providing emergency information,
- f) the manner of conducting an evacuation and its comprehensive ensuring,
- g) the procedural principles of providing the shelter, manner and scope of collective and individual population protection,
- h) the requirements of population protection in Regional planning and the construction technological requirements for civil protection premises or the premises affected by the civil protection requirements.

§ 8

Ministry of Health

(1) In case an emergency event exceeds the area of the Region, that has established the provider of emergency medical service, or in case it is essential due to expertise or capacity reasons, and in case Regions do not agree on the situation solution, the Ministry of Health, on request of the Region, coordinates activities of the provider of emergency medical service and the provider of transport of patients of urgent care.

(2) In coordination referred to in section 1 the provider of emergency medical service, of medical transport service and of transport of patients of urgent care is obliged to follow the instructions of the Ministry of Health.

(3) The Ministry of Health is responsible under its jurisdiction for selection and

methodical management of training of healthcare workers and for the choice of resources for international relief operations and for providing humanitarian assistance abroad.

§ 9

Ministry of Transport

(1) The Ministry of Transport provides for the needs of administrative authorities and basic components of the Integrated Rescue System the nationwide information system for rescue and relief work in the field of mobile sources of danger in traffic (hereinafter referred to as “transport information system”).

(2) Administrative authorities and transport providers are obliged to supply the Ministry of Transport with necessary documents and data for the needs of the transport information system before each shipment of dangerous loads by road, railway, air and domestic waterway. The data from the transport information system shall be used only for the purposes specified by this Act.

(3) The operator of the transport information system ensures protection of the provided information and data, the potential abuse of which could threaten health, life, property, and environment and business interests of legal entities or undertaking natural entities.

(4) The statutory legislative instrument determines the method of establishment and management of the transport information system, content and scope of documents and the data provided for the purpose of the transport information system.

PART 2

Regional Authorities

§ 10

(1) Regional authorities provide preparedness for emergency events, rescue and relief work and population protection.

(2) A Regional Council in executing state administration for the purpose specified in section 1

a) organises cooperation of Municipal authorities with extended powers and other administrative authorities and Municipalities in a Region, particularly in processing the Integrated Rescue System warning emergency plan, ensures emergency preparedness and verifies it by exercises (§17),

b) regulates the Integrated Rescue System at Regional level,

c) unifies proceedings of Municipal Councils with extended powers and territorial administrative authorities with Regional powers in the field of population protection,

d) processes the plan of rescue and relief work in a Region (hereinafter referred to as “Regional contingency plan”),

- e) processes the warning emergency plan of the Integrated Rescue System of a Region,
- f) cooperates in processing and updating the flood plan of a Region under the special legal instrument,¹³⁾
- g) makes agreements with a relevant territorial unit of a neighbouring state, unless the international agreement approved by the Parliament of the Czech Republic and promulgated in the Collection of Laws or in the Collection of International Agreements provides otherwise.

(3) In case an emergency planning zone⁸⁾ extends the territory of more than one administrative district of a Municipality with extended powers of a Region or extends to a Region from the territory of another Region, a Regional Council in cooperation with relevant councils of Municipalities with extended powers elaborates the plan of rescue and relief work in the area of the source of danger (hereinafter referred to as “external emergency plan”). In case the zone of an emergency planning extends the territory of more Regions, processing of the external emergency plan and common solution of an emergency event is coordinated by the Regional Council, where the source of danger is located.

(4) For processing an emergency plan of a Region and external emergency plans, a Regional Council is authorized under the terms of data protection to use, collect and record data from the Regional contingency plan according to the special legal instrument.⁶⁾

(5) The tasks of Regional authorities referred to in sections 1 – 4 are fulfilled by the Regional Fire Rescue Service established under the special Act²⁾. In order to ensure rescue and relief work it also

- a) manages construction and operation of the information and communication networks of the Integrated Rescue System,
- b) organises briefings and trainings in the field of population protection and prepares the components of the Integrated Rescue System for their mutual synergy; for the purpose of which establishes educational facilities,
- c) provides warning and notification,
- d) coordinates rescue and relief work and fulfils the tasks in executing rescue and relief work stipulated by the Ministry of Interior,
- e) organises detection and marking of dangerous areas, decontamination and other protective measures,
- f) organises and coordinates the evacuation, emergency housing, emergency supplies of drinking water, food and other necessary means for the population survival,
- g) organises and coordinates humanitarian assistance,
- h) organises management of the civil protection material,
- i) keeps the record and inspects civil protection premises and premises affected by the

requirements of the civil protection in a Region,

j) applies the opinion on the principles of Regional development in terms of population protection and civil emergency planning in preparation for emergency events.

(6) The Regional Fire Rescue Service is a concerned authority in the Regional and construction management¹⁴⁾ in terms of population protection.

(7) A Regional Council performs activities referred to in sections 1 – 5 so that they are adequate and their content and scope correspond to the purpose and conditions of a relevant emergency event.

§ 11

Regional Commissioner

a) organises the Integrated Rescue System at a Regional level,

b) coordinates and supervises preparedness for emergency events conducted by Regional authorities, local administrative councils with Regional powers, legal and natural authorities,

c) coordinates rescue and relief work in solving emergency events arising in a Region, if it exceeds an area of one administrative district of a Municipality with extended powers and the Intervention Commander has declared the highest alert level or he/she had been asked for it or for its coordination by a Mayor of the Municipality with extended powers. For coordinating rescue and relief work the Regional Commissioner may use the Crisis Staff established under the special legal instrument⁶⁾,

d) approves the Regional emergency plan, external emergency plan and warning emergency plan of the Integrated Rescue System.

PART 3

Authorities of the Municipalities with Extended Powers

§ 12

Council of the Municipality with Extended Powers

(1) The Council of the Municipality with extended powers in performing state administration in addition to the tasks referred to in §15 ensures preparedness of an administrative district of the Municipality with extended powers for emergency events, rescue and relief work and population protection.

(2) The tasks of the Council of the Municipality with extended powers referred to in section 1 are fulfilled by the Regional Fire Rescue Service, which for the needs of administrative districts of the Councils of the Municipalities with extended powers and for preparing rescue and relief work also

- a) fulfils the tasks in performing rescue and relief work determined by the Ministry of Interior,
- b) organises cooperation of the Council of the Municipality with extended powers and territorial administrative authorities with the powers in its administrative district and other municipalities,
- c) performs similar activities referred to in §10 section 5 under conditions specified in §10 section 7 to ensure rescue and relief work,
- d) collects and uses for processing external emergency plans and the Regional emergency plan necessary data under the conditions specified in §10 section 4,
- e) informs other Municipalities, legal and natural entities in its administrative district about the nature of potential threat to the population, with prepared rescue and relief work,
- f) processes the external emergency plan if it arises from the special legal instrument⁸⁾ and the emergency planning zone does not exceed the administrative district of the Council of the Municipality with extended powers,
- g) cooperates in processing the external emergency plan and in coordinating an emergency event solution by the Regional authority if the emergency planning zone extends an area of the administrative district of the Council of the Municipality with extended powers,
- h) ensures emergency preparedness stipulated by the Regional emergency plan and by external emergency plans and verifies it by exercises (§17),
- i) submits opinions on the land-use and regulatory plans in terms of its competence in fire protection, in the Integrated Rescue System and population protection in preparing for emergency events.

(3) The statutory legislative instrument stipulates the principles and ways of processing, approving and implementing a Regional emergency plan and an external emergency plan.

§ 13

Mayor of the Municipality with Extended Powers

The Mayor of the Municipality with extended powers

- a) coordinates rescue and relief work in dealing with an emergency event arisen in the administrative district of the Council of the Municipality with extended powers, if the Intervention Commander has asked for it. For coordination of rescue and relief work the Mayor of the Municipality with extended powers can use the municipal crisis staff,
- b) approves external emergency plans.

§ 14

When coordinating rescue and relief work the Regional Commissioner and the Mayor of the Municipality with extended powers are obliged to submit the Ministry of Interior reports on its development through operational and information centres of the Integrated Rescue System (§5).

PART 4

Municipal Authorities

§ 15

(1) Municipal authorities ensure preparedness of a Municipality for emergency events and participate in rescue and relief work and in population protection.

(2) The Municipal Council in performing state administration for the purpose specified in section 1

- a) organises preparedness of a Municipality for emergency events,
- b) participates in conducting rescue and relief work with the Integrated Rescue System,
- c) provides warning, evacuation and sheltering of people in case of imminent threat unless the special legal instrument stipulates otherwise⁸⁾,
- d) administers the material of civil protection,
- e) provides the Regional Fire Rescue Service with the documents and information required to process the Regional emergency plan and the external emergency plan,
- f) participates in ensuring emergency survival of the population of a Municipality,
- g) keeps the register and supervises constructions of civil protection premises or the constructions affected by the civil protection requirements in a Municipality.

(3) In order to fulfil the tasks referred to in section 2 a Municipality is authorised to establish civil protection premises. When establishing these premises and fulfilling the tasks of population protection Municipal authorities are obliged to proceed in accordance with this Act and with the special legal instrument³⁾.

(4) The Municipal Council informs legal and natural entities of a Municipality about the nature of potential threat, with prepared rescue and relief work and population protection. For this purpose they organise their training.

(5) The Municipal Council is a concerned authority in terms of population protection in deciding on the placement, permission and use of constructions, their changes, removal and in deciding on premises permission, removal and landscaping.

§ 16

The Municipality Mayor in conducting rescue and relief work

- a) ensures the threat warning of the people located in the Municipality,
- b) organises in agreement with the Intervention Commander or with the Mayor of the Municipality with extended powers the evacuation of people from the affected municipal area ,
- c) organises performance of the Municipality in terms of emergency survival of the population,
- d) is authorised to call legal and natural entities on personal or material assistance.

PART 5

Exercises and Communication of the Components of the Integrated Rescue System

§ 17

Evaluation Exercises and Tactical Exercises

(1) Evaluation exercises are conducted to verify the preparation of the components of the Integrated Rescue System to conduct rescue and relief work. A part of the exercise may be the announcement of the warning drill for the components of the Integrated Rescue System.

(2) Tactical exercises are conducted to prepare the components of the Integrated Rescue System and other bodies participating in the implementation and coordination of rescue and relief work during an emergency event. Holding a tactical exercise shall be consulted with involved components and authorities in advance.

(3) The Minister of Interior, General Director of the Fire Rescue Service, Regional Commissioner or the Director of the Regional Fire Rescue Service are authorised to command to perform evaluation and tactical exercises.

§ 18

Communication of the Components of the Integrated Rescue Service

(1) In preparing for an emergency event and conducting rescue and relief work crisis communication shall be used; for the purposes of this Act the crisis communication shall denote the transfer of information between state authorities, territorial self-governing authorities and the components of the Integrated Rescue System using the means of voice and the data information transfer of the telecommunication network and selected parts of non-public telecommunication networks.

(2) The Ministry of Interior is obliged to allow the authorities and components referred to in section 1 crisis communication through the special-purpose telecommunication network of the Ministry of Interior.

(3) Providers of communication services are required to cooperate with the Ministry of Interior in preparing and solving the methods of crisis communication and of the unitary European emergency call number (§7 section 6).

(4) The statutory legislative instrument stipulates

- a) the principles of crisis communication and connection in the Integrated Rescue System and the structure of shared data,
- b) the methods of using the telecommunication networks by the components of the Integrated Rescue System.

CHAPTER IV

ORGANISATION OF RESCUE AND RELIEF WORK AT THE INTERVENTION PLACE

PART 1

Intervention Commander

§ 19

(1) The coordination of rescue and relief work at a place of deployment of the components of the Integrated Rescue System and in an area of presumptive effects of an emergency event (hereinafter referred to as “intervention place”) and the management of the components’ synergy is conducted by the Intervention Commander who declares according to the seriousness of an emergency event a corresponding degree of the alert pursuant to the relevant warning emergency plan of the Integrated Rescue System. Unless the special legal instrument stipulates otherwise⁵⁾, a Commander of a Fire Protection Unit³⁾ or the relevant officer of the Fire Rescue Service with the right of priority command¹⁵⁾ is the Intervention Commander.

(2) In case the Intervention Commander is not appointed at the intervention place according to section 1, the coordination of the components is conducted by the Commander or the Chief of deployed forces and means of the component of the Integrated Rescue System, which performs prevailing activity at the intervention place.

(3) The Intervention Commander in conducting rescue and relief work is authorised

- a) to forbid or restrict the entry of people at the intervention place and order a non-authorised person to leave the place, order the evacuation of people or make temporary restrictions to protect life, health, property and environment and ask the person who fails to comply with the stipulated restrictions to prove his/her identity; this person is obliged to meet this challenge.
- b) to order immediate construction, removal of premises or landscaping to mitigate or prevent the risks arising from an emergency event,
- c) to request legal or natural entities to provide personal or material assistance,

d) to establish the staff of the Intervention Commander as his/her executive body and designate the Chief and staff members,

e) to divide an intervention place into sectors or sections, designate their commanders, assign the tasks and decide on allocations of forces and means in accordance with the subordination of sector and section commanders.

PART 2

Assistance Request in Conducting Rescue and Relief Work

§ 20

Authorisation to Request Assistance

(1) The Ministry of Interior requires the assistance according to the Central Warning Emergency Plan of the Integrated Rescue System through the operational and information centre of the Directorate General of the Fire Rescue Service; for the purpose of this Act the assistance shall denote provision of forces, material resources or activities of the Integrated Rescue System for the purposes of rescue and relief work; in respect of other components of the Integrated Rescue System the planned assistance is on request (§21).

(2) A Regional Commissioner and a Mayor of a Municipality with extended powers requests the assistance in accordance with the warning emergency plan of the Regional Integrated Rescue System. This and other assistance is required through the operational and information centre of the Regional Integrated Rescue System.

(3) An Intervention Commander requests the assistance directly from the Chiefs and Commanders of the components of the Integrated Rescue System at an intervention place, in other cases he/she requests the assistance through a locally relevant operational and information centre of the Integrated Rescue System.

(4) In order to conduct rescue and relief work on the territory of the Czech Republic, the Ministry of Interior requires foreign assistance in agreement with the Ministry of Foreign Affairs and prepares its use unless an international agreement approved by the Parliament of the Czech Republic and published in the Collection of Laws or in the Collection of International Agreements stipulates otherwise.

(5) A Regional Commissioner is authorised to request the assistance of a relevant territorial unit of the neighbouring country and prepares its use to conduct rescue and relief work, unless an international agreement approved by the Parliament of the Czech Republic and published in the Collection of Laws or in the Collection of International Agreements stipulates otherwise.

(6) A Municipal Mayor, being asked to provide material assistance, when recording provided material means, follows the special legal instrument⁶⁾. If the provided material assistance is on request of an Intervention Commander, he/she records this fact in the documentation of the intervention management. The content of recording includes the information about the person who has provided material means, identification data of the means and the data of time and use purpose of requested means.

Planned Assistance on Request

(1) Providing planned assistance on request is included into the warning emergency plan of the Integrated Rescue System; the planned assistance on request for the purposes of this Act shall denote in advance written agreed way of provided assistance by other components of the Integrated Rescue System to a Municipal Council of a Municipality with extended powers, Regional Council, the Ministry of Interior or the basic components of the Integrated Rescue System during rescue and relief work.

(2) The planned assistance on request is obligatory provided by

- a) Ministries, territorial administrative Councils, authorities of Regions and Municipalities within their jurisdiction,
- b) legal and natural entities who are the owners or operators of civil protection constructions or the constructions affected by the civil protection requirements,
- c) providers of an urgent impatient care who have established the emergency reception²⁷⁾,
- d) other components of the Integrated Rescue System referred to in §4 section 2,
- e) military rescue units¹⁶⁾,
- f) other persons who are contractually obliged.

(3) Planned assistance on request is not obligatory for those who, by providing assistance, would seriously endanger fulfilment of their own more serious tasks stipulated by the special legal instruments⁵⁾.

(4) Other components of the Integrated Rescue System are obliged, in determining the scope of planned assistance on request, to inform on request of an operational and information centre of the Integrated Rescue System about

- a) the persons responsible for assistance provision and about the manner of their notifying,
- b) the forces and means designated to provide assistance,
- c) the time required to provide forces and means in case of requested assistance.

Other Assistance

On request of the Regional Fire Rescue Service, Regional Council or the Ministry of Interior, economic measures, military units and military facilities of the Armed Forces of the

Czech Republic can be used for the need of the components of the Integrated Rescue System when conducting rescue and relief work, in accordance with the special legal instruments¹⁷⁾.

PART TWO

RIGHTS AND DUTIES OF LEGAL AND NATURAL ENTITIES IN EMERGENCY EVENTS

CHAPTER I

LEGAL ENTITIES AND UNDERTAKING NATURAL ENTITIES

§ 23

(1) In case a Reginal Council includes into the Regional emergency plan or external emergency plan a particular legal entity or an undertaking natural entity, such is obliged

- a) to provide and update required documents free of charge,
- b) to provide the employees, affected by a presumptive emergency event, the measures referred to in §24, section 1, subsection b) of this Act.

(2) Legal and undertaking natural entities are in terms of rescue and relief work and its preparation, obliged

- a) to provide personal or material assistance on the direct request of an Intervention Commander (§18) or a Municipality Mayor (§16) or through an operational and information centre of the Integrated Rescue System,
- b) to tolerate the entry of the persons conducting rescue and relief work on the land and into premises, as well as the use of necessary technique, landscaping, construction of protective structures, land evacuation and the removal of premises, of their parts and vegetation if they are owners or users of the real estate and unless the special legal instrument⁹⁾ stipulates otherwise,
- c) to tolerate the location of warning and notification devices on the property which they own and make the access possible for the Regional Fire Rescue Service or for authorised persons with the purpose of use, inspection, service and repair,
- d) in case they are the owners of civil protection structures or of the premises affected by the civil protection requirements, use these properties and conduct all related activities so as not to change the nature of the premise in relation to its purpose, and allow its use for civil protection and the access of authorities of the Fire Rescue Service or other authorised persons into these structures with the purpose of use, inspection, service and repair,
- e) in case they operate educational, social or similar premises or they are providers of health services, to create conditions for dispensing the protective masks, children's protective bags, children's protective jackets, protective clothes, filters for respiratory protection and body surface protection and other protective equipment.

(3) For the purpose of fulfilling the tasks referred to in section 1 legal and undertaking natural entities can establish premises of civil protection in accordance with this Act and under the special legal instrument³⁾.

(4) The statutory legislative instrument stipulates the reimbursement of costs expended by legal and undertaking natural entities to protect the population.

§ 24

(1) In case of an emergency event related to the operation of technical facilities of premises and buildings, when handling hazardous chemical substances¹⁷⁾ or when handling or transporting hazardous waste (hereinafter referred to as “accidents”), a legal or undertaking natural entity who is the owner, administrator or the user of such facilities, premises, substances or wastes is obliged

a) to participate in preparation of rescue and relief work and in processing the Regional emergency plan or external emergency plan by providing the Regional Fire Rescue Service, unless the special legal instrument stipulates otherwise⁸⁾, the information on request about

1. risks’ sources,
2. probable accidents’ consequences and possible ways of their elimination,
3. probable effects on the population and environment,
4. measures prepared within their competence to ensure necessary forces and means to conduct rescue and relief work in their premise or facility,

b) with respect to employees, to ensure, unless the special legal instrument stipulates otherwise⁸⁾,

1. information on potential emergency events and planned measures,,
2. warning, evacuation or probable sheltering ,
3. organisation of relief work,
4. organisation of training on self-protection and mutual assistance.

(2) The legal or undertaking natural entity where an accident happened is obliged

a) to conduct immediately rescue and relief work,

b) to report the accident immediately at the locally competent operational and information centre of the Integrated Rescue System and at directly threatened municipalities; this does not affect the notification obligation stipulated under special legal instruments,

c) to participate in warning the people affected by the accident in the scope stipulated by the special legal instrument⁸⁾,

d) to provide an Intervention Commander with the information on matters that might endanger lives and health of people conducting the intervention or other population, in particular the information on explosives, dangerous chemicals, sources of ionizing radiation, predatory or dangerous animals,

e) to cooperate in eliminating the accident with the components of the Integrated Rescue System, with administrative authorities and Regional and Municipal authorities,

f) to reimburse the Regional Council or the components of the Integrated Rescue System the costs related to provided material and personal assistance, rescue and relief work and the damage demonstrably arisen in accidents,

g) to ensure clearance work in accordance with instructions of competent administrative Councils or Municipalities,

h) to ensure disposal of waste arisen as a result of an accident and its clearance,

i) to cooperate in processing the documentation of rescue and relief work.

§ 25

Natural Entities

(1) A natural entity residing in the Czech Republic has the right to receive information on taken measures for ensuring population protection and to be provided with mentoring and training of activities related to emergency events.

(2) A natural entity is obliged

a) to tolerate restrictions resulting from the measures stipulated in an emergency event and restrictions enacted by the Intervention Commander in conducting rescue and relief work,

b) to provide personal or material assistance on the command of the Mayor or the Intervention Commander,

c) to tolerate, if it is necessary for rescue and relief work and if he/she is the owner, user or administrator of the premise, the entry of persons conducting rescue and relief work on the land or premises, the use of necessary technique, landscaping, construction of protective structures, land clearance and removal of facilities or their parts, equipment and vegetation,

d) to provide the Intervention Commander with the information on matters that might endanger lives and health of the people conducting an intervention or other population, in particular the information on explosives, dangerous chemicals, sources of ionizing radiation, predatory or dangerous animals,

e) to tolerate the location of warning and notification devices on the property which they own and make the access possible for the Regional Fire Rescue Service or for authorised persons with the purpose of use, inspection, service and repair,

f) in case he/she is the owner of the civil protection construction or the premise affected by the civil protection requirements, use these properties and conduct all related activities so as not to change the nature of the premise in relation to its purpose, and allow its use for civil protection needs and allow the access of authorities of the Fire Rescue Service or of other authorised persons into these structures for the purpose of use, inspection, service and repair.

(3) A natural entity may refuse fulfilling the duties referred to in section 2 if it would endanger the life or health of him/herself or others or if important circumstances prevent

him/her from doing so, which would obviously cause more serious consequence than the threat which should be avoided.

CHAPTER II

EXCEPTIONS

§ 26

(1) The provision of material or personal assistance cannot be imposed upon the natural entity enjoying privileges and immunities in compliance with the International Law.

(2) The persons of the age under 18 and above 62 years, persons physically unfit for required type of work, persons disabled in the third degree, the Deputies and Senators of the Parliament of the Czech Republic and members of the Government as well as those persons who would exposed themselves or close persons to a serious threat are exempted from personal assistance.

(3) Women may be ordered to provide only such personal assistance that is not contrary to the special legal instrument¹⁹⁾.

(4) The persons exempted from personal assistance can provide voluntary assistance.

CHAPTER III

CONTROL, FINES, COMPENSATION AND FINACIAL SECURITY

§ 27

Control

(1) The Ministry, Regional Fire Rescue Service and municipal authorities which provide preparation for emergency events, rescue and relief work and population protection are authorised within their jurisdiction to control the compliance of this Act and of the legal instruments issued for its implementation.

(2) The control specified in section 1 shall be conducted in the Municipality by the Regional Council, and in the Regional Council and in the Regional Fire Rescue Service by the Ministry of Interior.

§ 28

Fines

(1) In case of failure to fulfil the obligation under this Act the authority that detected an infringement may fine

a) a natural entity up to CZK 20 000,

b) a legal or undertaking natural entity up to CZK 3 000 000.

(2) In case the obligation was not fulfilled even within the set deadline determined by the imposed fine, it can be re-imposed.

(3) The fine proceedings may be commenced till 1 year since the day when the authority that imposes a fine detected an infringement, and shall be lawfully closed till 3 years after violating the obligation. The fine is due till 30 days since the date when the decision in which a fine was imposed comes into force.

(4) A fine is collected and enforced by the authority that has imposed it.

(5) The proceeds of a fine are the revenues of the state budget unless the special legal instrument stipulates otherwise.

§ 29

Compensation for the Ownership Restriction, for the Right of Use or for Providing Material and Personal Assistance

(1) For the ownership restriction or the right of use, for providing material or personal assistance a legal or natural entity should be financially compensated. The compensation is provided by the Regional Council in the jurisdiction of which the assistance was given. The cash compensation is paid till 6 months after finishing rescue and relief work.

(2) In case the execution of the ownership rights to the property is restricted, the owner will be provided with the compensation adequately to the restriction of his ownership rights under the Civil Code.

(3) In case the amount of the compensation for providing personal assistance cannot be determined by an agreement or by a procedure under the Civil Code, the compensation is to be fixed at the level corresponding to the usual wage for the same or similar work or services. Determining the compensation for material assistance is based on the amount of expenditures incurred by a debtor or on the amount of compensation usually charged for using the same or similar material means at the time of providing, determined by the Civil Code.

(4) In case an undertaking natural entity, who has incomes only from his/her independent activity²²⁾, provides personal assistance on command of an Intervention Commander or within the planned assistance on request, he/she is entitled to the compensation for loss earnings for the period when the assistance was provided. Determining the compensation for loss earnings is based on the special legal instrument²³⁾.

(5) Municipalities, Regions or the basic components of the Integrated Rescue System are authorised to claim reimbursement of the expenditures used as compensation for providing material or personal assistance, for relief work and for damage demonstrably incurred by an accident (§24), from an accident originator. These reimbursements compensate incurred expenditures²⁴⁾.

§ 30

Damage Compensation

(1) The State is responsible for the damage inflicted upon legal and natural entities caused in connection with rescue and relief work and exercises conducted under this Act. The State can be exempted from this responsibility only in case it is proved, that the damage was inflicted by a damaged person him/herself or when he/she caused an accident.

(2) The cash compensation is provided to legal and natural entities who have suffered the damage to health or property

a) during activities of the components of the Integrated Rescue System or of other authorities coordinating rescue and relief work,

b) when providing personal or material assistance.

(3) The damage to health shall be reimbursed in accordance with the Civil Code, in case an injured person had not become entitled to the compensation from casualty insurance under the special legal instrument ²⁵⁾. In case of death of the injured the cash compensation shall be provided to heirs.

(4) The cash compensation is provided by the State through the Regional Council in the jurisdiction of which the damage or injury during rescue or relief work occurred. The provision of the compensation for damage to property shall be abided by provisions of the Civil Code in force at the time the damage occurred.

(5) The right to damage compensation with the stated reasons shall be applied in a written form to the competent Regional Council till 6 months since the time when a legal or natural entity discovered the damage, not later than 5 years from the damage occurrence, otherwise this right expires. A Regional Council may, in exceptional cases, award the damage compensation even after the deadline of the application submitting, or even without a request, but not later than 5 years from the occurrence of the damage.

(6) In case the damage occurred to the components of the Integrated Rescue System or to assigned persons when providing assistance abroad, it is paid by the Ministry of Interior in case the damage occurred when providing the international assistance approved by the Ministry of Interior. When providing assistance in a border area the compensation is paid by the Region from the territory of which the assistance had been provided. The compensation is performed as if the damage occurred on the territory of the Czech Republic.

(7) The damage compensation is not provided to legal and natural entities that caused an accident.

§ 31

Integrated Rescue System Financial Support

(1) The Ministry of Interior and a Region apply in their budget drafts for financial

resources to cover expenditures required for processing the documentation of the Integrated Rescue system, for population protection, common expenditures in verifying the readiness for rescue and relief work and for construction and operation of jointly used premises for the needs of the Integrated Rescue System, particularly in the area of telecommunications and information systems.

(2) The extraordinary expenditures incurred as a result of conducted rescue and relief work can be covered by the financial reserve earmarked in the budgetary chapter General Treasury Administration.

(3) The Government or Regional authorities shall bear the costs incurred by the components of the Integrated Rescue System to cover the expenditures incurred in deployment of forces and means of the components of the Integrated Rescue System in case the failure to pay these costs could endanger functioning of the components of the Integrated Rescue System to conduct rescue and relief work.

(4) The way of financial support of particular components of the Integrated Rescue System in performing activities set to these components by a specific legal instrument are not affected by this Act.

CHAPTER IV

COMMON AND CLOSING PROVISIONS

§ 32

Mass Information Media

Everyone who operates mass information media, including television or radio broadcasting, is obliged, without any compensation and on request of an operational and information centre of the Integrated Rescue System, immediately and without any modification of the content and meaning, to publish the information needed for rescue and relief work.

§ 33

Relationship to Special Legal Instruments

(1) The Administrative Procedure Code shall not be applied in decision –making and imposing the obligation under this Act with the exception of fines pursuant to §28. The standpoints applied in the policy of territorial development and in territorial planning documentation are not an administrative decision. The standpoints issued under this Act as a basis for the decision pursuant to a special legal instrument, territorial agreement or construction announcement are binding standpoints under the Administrative Procedure Code^{25a)} and are not an independent decision of administrative proceedings.

(2) In case of declared state of the State Menace in connection with defence securing the Czech Republic against an external attack and during the war state the components of the Integrated Rescue System and legal and natural entities fulfil the tasks stipulated by this Act unless the special legal instrument²⁶⁾ provides otherwise.

§ 34

Special Cases

This Act is also applied in the cases of an emergency event which endangers public health and the public health authority will ask the Regional Fire Rescue Service, Regional authority or the Ministry of Interior for the common solution of an emergency event.

§ 35

Delegating provisions

(1) The Government shall issue the ruling to implement § 7 section 7 subsection a) and b) and § 23 section 4.

(2) The Ministry of Interior shall issue the regulation to implement § 5 section 4, § 7 section 7 subsection c) to g), § 12 section 3 and § 18 section 4 subsection a).

(3) The Ministry of Interior, after consulting with the Ministry of Regional Development, shall issue the regulation to implement §7 section 7 subsection h).

(4) The Ministry of Transport and Communications, after consulting with the Ministry of Interior, shall issue the regulation to implement § 9 section 4 and § 18 section 4 subsection b).

§ 35a

The scope of competence, delegated to a Regional Council or a Council of the Municipality with extended powers, is under this Act considered to be the execution of the state administration under the delegated powers.

PART THREE

CHAPTER I

Amendment to the Act on Establishment of the Ministries and Other Central Bodies of the State Administration of the Czech Republic

§ 36

Act N. 2/1969 Coll. on Establishment of the Ministries and other Central Bodies of the State Administration of the Czech Republic, as amended by the Act N. 34/1970 Coll., Act N. 125/1970 Coll., Act N. 147/1970 Coll., Act N. 60/1988 Coll., Act N. 173/1989 Coll., legal measure N. 9/1990 Coll., Act N. 126/1990 Coll., Act N. 203/1990 Coll., Act N. 288/1990 Coll., legal measure N. 305/1990 Coll., Act N. 575/1990 Coll., Act N. 173/1991 Coll., Act N. 283/1991 Coll., Act N. 19/1992 Coll., Act N. 23/1992 Coll., Act N. 103/1992 Coll., Act N. 167/1992 Coll., Act N. 239/1992 Coll., legal measure N. 350/1992 Coll., Act N. 358/1992 Coll., Act N. 359/1992 Coll., Act N. 474/1992 Coll., Act N. 548/1992 Coll., Act N. 21/1993

Coll., Act N. 166/1993 Coll., Act N. 285/1993 Coll., Act N. 47/1994 Coll., Act N. 89/1995 Coll., Act N. 289/1995 Coll., Act N. 135/1996 Coll., Act N. 272/1996 Coll., Act N. 152/1997 Coll., Act N. 15/1998 Coll., Act N. 148/1998 Coll., Act N. 63/2000 Coll., Act N. 130/2000 Coll. and Act N. 154/2000 Coll., are amended as follows:

1. In § 12 section 1 at the end of subsection l) a full stop is replaced by a comma and subsection m) is added as follows:

"m) crisis management, civil emergency planning, population protection and the Integrated Rescue System."

2. In § 12 the wording of section 2 is:

"(2) The Ministry of Interior provides the communication networks for the Police of the Czech Republic, for the components of the Integrated Rescue System and for territorial authorities of the state administration."

3. In § 16 section 1 the wording of subsection c) is:

"c) management of military training areas."

The still existing subsection e) shall be deleted.

4. In § 16 section 4 is added as follows:

"(4) The rights and obligations of labour relations in matters of state administration in the field of civil protection are transferred from the Ministry of Defence to the Ministry of Interior with the effective date of the Integrated Rescue System Act as altered by other acts."

CHAPTER II

deleted

§ 37

deleted

PART FOUR

EFFECTIVENESS

§ 38

This Act becomes effective on January 1st 2001.

Klaus m. p.

Havel m. p.

Zeman m. p.

1) Article 61 of the Additional Protocol to the Geneva Convention from 12th August 1949 on Protection of the Victims of International Armed Conflicts (Protocol I), adopted in Geneva on 8th June 1977 and published under the Notification N. 168/1991 Coll.

2) Act N. 238/2000 Coll., on the Fire Rescue Service of the Czech Republic as altered by other acts.

3) Act N. 133/1985 Coll., on Fire Protection, as subsequently amended.

4) Act N. 20/1966 Coll., on Public Health Care, as subsequently amended.

5) F. ex. Act N. 133/1985 Coll., as subsequently amended, Act N. 283/1991 Coll., on Police of the Czech Republic, as subsequently amended, Act N. 238/2000 Coll.

6) Act N. 240/2000 Coll., on Crisis Management, as altered by other acts (Crisis Act).

7) F. ex. Notification N. 168/1991 Coll., Act N. 126/1992 Coll., o Protection of the Emblem and the Name of the Red Cross and on the Czechoslovak Red Cross.

8) F. ex. Act N. 18/1997 Coll., on Peaceful Use of Nuclear Energy and Ionising Radiation (Nuclear Act) and on amendments of certain acts, as subsequently amended, Government Ruling N. 11/1999 Coll., on Emergency Planning Zone, Act N. 353/1999 Coll., on Prevention of Serious Accidents Caused by Particular Dangerous Chemical Substances and Chemical Products and on amendment to the Act N. 425/1990 Coll., on Regional Councils, Regulation of their Competence and on Some Other Related Measures, as amended. (Act on Serious Accidents' Prevention)

9) F. ex. Act N. 133/1985 Coll., as subsequently amended, Act N. 18/1997 Coll., as subsequently amended, Act N. 353/1999 Coll.

10) F. ex. Act N. 18/1997 Coll., as subsequently amended.

11) § 12 section 2 subsection m) Act N. 2/1969 Coll., on Establishment of Ministries and Other Central Bodies of the State Administration of the Czech republic, as subsequently amended.

12) F. ex. Act N. 455/1991 Coll., on Trade Regulation (Trade Act) as subsequently amended, Act N. 513/1991 Coll., Commercial Code, as subsequently amended.

13) F. ex. Act N. 138/1973 Coll., on Water Resources (Water Act), as subsequently amended.

14) Act N. 50/1976 Coll., on Territorial Planning and Building Code (Building Act), as subsequently amended.

15) § 13 Regulation N. 22/1996 Coll., regulating details of the tasks of the Fire Units, determining activities of those involved in their implementation and principles of command in an intervention.

16) § 19 Act N. 219/1999 Coll., on the Armed Forces of the Czech Republic.

17) F. ex. § 15 to 18 Act N. 219/1999 Coll., Act N. 241/2000 Coll., on Economic Measures for Crisis Situations and on amendments to certain other acts.

18) § 3 to 5 Act N.157/1998 Coll., on Chemical Substances and Chemical Products and on amendments to certain other acts, as amended by the Act N. 352/1999 Coll.

19) Act N. 65/1965 Coll., Labour Code as subsequently amended.

Regulation N. 261/1997 Coll., establishing work and workplaces prohibited for all women, pregnant women, mothers until the end of the ninth month after the birth and juveniles and conditions under which juveniles may exceptionally perform such work due to vocational training, as amended by the Regulation N. 185/1998 Coll.

22) § 7 section 1 and 2 Act N. 586/1992 Coll., on Income Tax, as subsequently amended.

23) § 2 section 1 Regulation N. 298/1993 Coll., on Determining the Amount of Compensation Claim for Loss of Earning in Tax Administration.

24) § 49 section 9. Act N. 218/2000 Coll., on Budgetary Rules and on amendments of certain

related acts (Budgetary Rules).

25) Act N. 266/2006 Coll., on Accident Insurance of Employees.

25a) § 149 section 1 Act N. 500/2004 Coll., Administrative Procedure Code.

26) Act N. 222/1999 Coll., on Defence of the Czech Republic.

27) § 17 Act N. 374/2011 Coll., on Medical Emergency Service.