

## **241/2000**

### **ACT**

of 29 June 2000

#### **on Economic Measures for Crisis Situations and the Amending of Certain Related Acts**

Amendment: [320/2002](#)

Amendment: [354/2003](#)

Amendment: [237/2004](#)

Amendment: [413/2005](#), [444/2005](#)

Amendment: [296/2007](#)

Amendment: [153/2010](#)

Amendment: [281/2009](#)

Amendment: [76/2012](#)

Parliament has adopted the following Act of the Czech Republic:

### **PART ONE**

## **ACT ON ECONOMIC MEASURES FOR CRISIS SITUATIONS**

### **CHAPTER I**

#### **BASIC PROVISIONS**

##### **Section 1**

#### **Scope of Application**

(1) The Act regulates the preparation of economic measures for hazard situations,<sup>1)</sup> emergencies,<sup>2)</sup> emergencies for the state,<sup>3)</sup> and states of war<sup>4)</sup> (hereinafter “crisis situations”) and the adoption of economic measures following the declaration of crisis situations.

(2) The Act establishes the jurisdiction of the

a) government,

b) central administrative authorities, Czech National Bank, regional authorities, district authorities for municipalities with extended competency (hereinafter the “administrative authorities”) and

c) authorities of territorial self government  
for the preparation and adoption of economic measures for crisis situations. It also stipulates the rights and responsibilities of natural and legal persons for the preparation and adoption of economic measures for crisis situations.

##### **Section 2**

#### **Definitions**

(1) For the purposes of this Act,

a) economic measures for crisis situations shall mean organizational, material or financial measures adopted by administrative authorities during crisis situations towards securing the necessary supplies of products, labor, and services without which the crisis situations could not be avoided (hereinafter the “necessary supply”),

b) provider of necessary supplies shall mean a natural person with permanent residence or a legal person with its registered office in the Czech Republic, and an organizational unit of a legal person with its registered office abroad which conducts business in the Czech Republic, with the subject of activity or business including activities enabling the provision of necessary supplies or capable of providing such necessary supplies,

c) emergency supply plan means a separate part of the crisis plan handled by an administrative authority within the system of emergency management pursuant to Section 10,

d) economic mobilization system means the organizational, material, personnel, and other measures by which the central administrative authority secures mobilization supplies for the needs of the armed forces or armed security brigades during a emergency for the state or a state of war,

e) economic mobilization plan means a separate part of the crisis plan processed by the internal administrative authority within the system of economic mobilization

f) economic mobilization measure plan means a separate part of the crisis preparedness plan<sup>5)</sup> developed by the provider of mobilization supplies within the system of economic mobilization,

g) mobilization supply shall mean the necessary supply for the support of armed forces or armed security brigades following the declaration of a emergency for the state and a state of war,

h) natural person engaged in business means a natural person who is a business person in accordance with separate legislation,<sup>7)</sup>

i) Retention of production capabilities means the retention of special technological equipment and documentation owned by a mobilization supply provider or a provider of necessary supplies intended for the commencement or extension of the object of mobilization or necessary supplies not used for other manufacturing,

j) infrastructure for the preparation and adoption of economic measures for crisis situations (hereinafter the "infrastructure")

1. buildings designated for the purposes of economic measures for crisis situations owned by the Czech Republic, to which an administrative authority holds the right of management,

2. buildings serving for the purposes of economic measures for crisis situations, to which the Czech Republic has established a right of user or owned by legal persons or natural persons engaging in business,

3. technical equipment of buildings according to item 1, including internal utility and telecommunications lines, beginning with the connection to the public distribution of such lines,

4. technological equipment of buildings in accordance with item 1,

5. roads, railways, ports, and airports providing transportation to and from the buildings in accordance with item 1.

(2) A provider involved in the provision of necessary supplies is considered a provider of such necessary supplies within the meaning of this Act.

### Section 3

(1) Economic measures for crisis situations are adopted after the announcement of crisis situations and are intended

a) for the satisfaction of the basic needs of individuals in the Czech Republic enabling their survival of crisis situations without any serious bodily harm (hereinafter the "basic living needs"),

b) for the support of activities by armed forces, armed security brigades, fire rescue brigades and emergency services,

c) for support of performance of state administration.

(2) The preparation of economic measures for crisis situations is organized by state authorities.

### Section 4

The system of economic measures for crisis situations includes

a) the system of emergency management,

b) the system of economic mobilization,

c) utilization of State Material Reserves,<sup>8)</sup>

d) construction and maintenance of infrastructure,

e) regulatory measures.

## CHAPTER II

### JURISDICTION OF AUTHORITIES WITHIN THE SYSTEM OF ECONOMIC MEASURES FOR CRISIS SITUATIONS

#### Section 5

#### Government

Within the system of economic measures for crisis situations, the Government adopts decisions concerning

a) free use of State Material Reserves,

b) application of regulatory measures,

c) application of measures within the system of economic mobilization.

#### Section 6

### **Central Administrative Authority**

(1) Within the system of economic measures for crisis situations, the central administrative authority (within the scope of its jurisdiction)<sup>9)</sup>

- a) prepares a concept of economic measures for crisis situations as part of a concept of development within the entrusted sector,
- b) prepares a plan for necessary supplies,
- c) makes demands for the creation of State Material Reserves with the Administration of State Material Reserves,
- d) inspects the preparation of economic measures for crisis situations among legal persons and natural persons engaging in business involved in the system of emergency management or the system of economic mobilization, and provides such persons with the necessary information concerning economic measures for crisis situations,
- e) is responsible for due preparation of activities enabling the implementation of regulatory measures,
- f) participates in the system of continuing professional training of the workers of administrative authorities and the providers of mobilization supplies in the area of economic measures for crisis situations, provided by the Administration of State Material Reserves.

(2) Within the extent of its jurisdiction, the central administrative authority provides the necessary supplies

- a) which the regional authority cannot secure within its territorial jurisdiction,
- b) the importance of which goes beyond the territory of the region, or
- c) if support is involved for the armed forces, armed security brigades, fire rescue brigades, or emergency medical services that have been established under its jurisdiction.

### **Section 7**

#### **Regional Authorities**

(1) The regional governor (hereinafter the "governor") shall ensure the region's preparedness in the system of economic measures for crisis situations; the other regional authorities take part in this preparedness. Towards this end, the governor shall

- a) direct and inspect preparation and implementation of economic measures for a crisis situation,
- b) secure the allocation of supplies for humanitarian aid,
- c) order regulatory measures pursuant to [Section 21](#).

(2) In the system of economic measures for crisis situations, the Regional Authority shall

- a) prepare a plan for the region's necessary supplies with the use of plans for necessary supplies of municipalities with extended competence, while coordinating their preparation,
- b) secure necessary supplies in order to satisfy the basic living needs of the region's population
- c) secure activities enabling the adoption of regulatory measures.

(3) Within the territory of the City of Prague, Prague City Hall performs the task of the regional authority in the system of economic measures for crisis situations.

### **Section 8**

#### **Authorities of Municipalities with Extended Competence**

(1) The mayor of a municipality with extended competence ensures preparedness within the administrative jurisdiction of the municipality with extended competence in the system of economic measures for crisis situations; the other authorities of the municipality with extended competence participate in this preparedness.

(2) In the system of economic measures for crisis situations, the municipal authority of a municipality with extended competence

- a) prepares a plan for necessary supplies for the municipality with extended competence,
- b) performs tasks assigned by the regional authority,
- c) secures activities enabling the adopting of regulatory measures.

(3) Within the City of Prague, the tasks of the municipal authority of a municipality with extended competence in the

system of economic measures for crisis situations are performed by the municipal district authority as established by the Statute of the City of Prague.

(4) The mayor of a municipal district established by the Statute of the City of Prague has the same authority in the system of economic measures for crisis situations as the mayor of a municipality with extended competence.

#### Section 9

**repealed**

### CHAPTER III

## SYSTEM OF ECONOMIC MEASURES FOR CRISIS SITUATIONS

### PART 1

#### System of Emergency Management

#### Section 10

(1) The system of emergency management ensures that necessary supplies for

a) the satisfaction of basic living needs,

b) support of the activities of fire rescue brigades, emergency services, emergency medical services, and the Police of the Czech Republic,

c) support for the performance of state administration  
proceed in a manner usual for periods outside of crisis situations.

(2) The necessary supply shall be paid for by the crisis management authority that decided on it.

(3) Should the regional office fail to locate providers of necessary supplies within its administrative district, it shall requisition its securing to that central administrative authority, which is entrusted by separate legislation<sup>10)</sup> in the given area of jurisdiction (hereinafter the "central administrative authority of material jurisdiction").

(4) If the central administrative authority of material jurisdiction is demonstrably unable to secure the necessary supplies within the area of its jurisdiction, it shall requisition the Administration of State Material Reserves to create contingency stocks or to pay for the cost of maintaining manufacturing capability.

#### Section 11

#### Contingency Stocks

(1) Contingency stocks are created by the Administration of State Material Reserves in the system of State Material Reserves.<sup>24)</sup>

(2) The director of the central administrative authority who required the creation of the contingency stocks decides on their use. In accordance with this decision, the Administration of State Material Reserves provides contingency stocks to a recipient, which may be an administrative authority or a body of territorial self-government or a brigade or service pursuant to [Section 10 \(1\) \(b\)](#). The recipient is entitled to provide the contingency supplies to a natural person, legal person, or other organizational unit of the state.

(3) The recipient is required to return provided contingency stocks, apart from stocks that have been consumed, within 60 days after cancellation of the crisis status. After that deadline, the recipient is entitled to use the provided contingency stocks only on the basis of an agreement concluded with the Administration of State Material Reserves. A draft agreement is prepared by the Administration of State Material Reserves on the basis of a requisition submitted by the recipient within 60 days after cancellation of the crisis status. If the recipient fails to submit a requisition within this deadline, use of the contingency stocks constitutes unauthorized use of property to which the Administration of State Material Reserves has the right of management.<sup>11)</sup> If provided contingency stocks are not returned, the procedure shall be in accordance with legislation governing the management of state property.

#### Section 12

#### Stocks for Humanitarian Aid

(1) Stocks for humanitarian aid are a part of the system of emergency management pursuant to [Section 10](#). They are created by the Administration of State Material Reserves in the system of State Material Reserves.

(2) Decisions to release humanitarian aid stock shall be adopted by the director of the Administration of State Material Reserves on the basis of a requisition submitted by the regional governor or mayor of the municipality with extended competence. The allocation of stocks for humanitarian aid to natural persons seriously affected by a crisis situation is the responsibility of the regional governor or mayor of a municipality with extended competence, to whom the stocks for humanitarian aid have been provided. Compensation is not paid for issued stocks, nor are the stocks returned.

(3) The use of humanitarian aid stock shall follow the same principles as the use of other components of the State Material Reserves, unless the law stipulates otherwise.

## **PART 2**

### **System of Economic Mobilization**

#### **Section 13**

##### **Mobilization Supply**

(1) Pursuant to requisitions from armed forces and armed security brigades, an economic mobilization plan shall be processed by the central administrative authority competent with respect to the management thereof pursuant to the relevant legislation<sup>12)</sup> (hereinafter the "party ordering mobilization supply").

(2) The party ordering mobilization supply shall enter into a written agreement with the provider of the mobilization supply. No preliminary agreement may be applied to securing of mobilization supplies.

(3) The provider of mobilization supplies shall be entitled to condition its performance by the requirement to secure evidently necessary material means, or the financial compensation for the preparation of the mobilization supply, including compensation for the retention of production capabilities. These expenses shall be covered from the budget of the Administration of State Material Reserves.

(4) Each signing of, amendment to, or cancellation of a mobilization supply agreement shall be notified by the parties to the materially relevant central administration authority and the Administration of State Material Reserves.

#### **Section 14**

##### **Procedure after Announcement of a Crisis Situation**

(1) The provider of mobilization supplies shall preferentially satisfy mobilization supplies and immediately inform the party ordering mobilization supply about all circumstances which may threaten or hinder the preferential satisfaction of the mobilization supply in question.

(2) The party ordering mobilization supply shall indemnify the provider of mobilization supplies for any damage incurred as a consequence of a delay in the performance subject to another agreement, provided that the provider of mobilization supplies proves that the damage has been incurred in direct consequence with the preferential satisfaction of the mobilization supplies and that this reason was the only cause of its delay in the performance subject to another agreement. Similarly, the party ordering mobilization supply shall indemnify the provider of mobilization supplies for any interest on late payment, payment for default and contractual or other penalties.

#### **Section 15**

##### **Plan for Economic Mobilization Measures**

The provider of mobilization supplies shall process a plan for economic mobilization measures. Selected data from this plan shall be forwarded within 30 days of preparation to the party ordering mobilization supplies, including to the materially relevant central administrative authority, the Administration of State Material Reserves, and the regional government of local jurisdiction. The forwarded data shall be updated

a) at times during which no crisis situation is announced – always within 30 days following the date of the change,

b) at times following the announcement of crisis situations – immediately.

#### **Section 16**

##### **Entity of Economic Mobilization**

(1) The provider of mobilization supplies may be appointed an entity of economic mobilization. In justifiable cases, upon a proposal of the central administrative authority of material jurisdiction, even a provider of necessary supplies securing supplies during emergencies for the state and a state of war may be appointed an entity of economic mobilization. For the purposes of the appointment of an entity of economic mobilization, it is necessary to verify that the economic situation and the technical capacities will enable such an entity to provide mobilization or necessary supplies by the required deadlines and of the required quality, and whether such an entity will meet the requirements concerning the protection of classified information according to the relevant legislation.<sup>13)</sup>

(2) An entity of economic mobilization is appointed and recalled by decision of the director of the Administration of State Material Reserves. The proceedings concerning the appointment of an entity of economic mobilization may also be suspended if the party to the proceedings – despite repeated requests – fails to submit the necessary evidence or is cancelled during the course of the proceedings according to the relevant legal regulation.

(3) The entity of economic mobilization shall obtain a certificate of appointment from the Administration of State Material Reserves which shall be used to prove its identity while exercising its rights. The certificate is a public document. The holder shall return the certificate to the Administration of State Material Reserves within 30 days of which a decision of the

director of the Administration of State Material Reserves to cancel the authorization for the entity of economic mobilization becomes legally effective. Upon the dissolving of the legal person or the death of a natural person engaged in business, the legal successor or inheritor shall return the certificate during the same period.

(4) The authorization for entities of economic mobilization shall be cancelled for the following reasons:

- a) the agreement pursuant to [Section 13 \(2\)](#) ceases to be effective,
- b) the court of jurisdiction issues a declaration of bankruptcy of the provider of mobilization supply or the court denies the motion for bankruptcy because the assets of the provider of mobilization supply are insufficient to cover the costs of insolvency proceedings,
- c) the legal person is dissolved pursuant to relevant legislation or the natural person engaged in business has died.

(5) The Administration of State Material Reserves will issue certificates to the entities of economic mobilization pursuant to [paragraph 3](#) by 1 January 2002 at the latest.

(6) The central administrative authority of material jurisdiction who has proposed the appointment of an entity of economic mobilization pursuant to [paragraph 1](#), second sentence, shall bear the rights and responsibilities of the party ordering mobilization supply during the period of the appointment of the entity of economic mobilization.

#### Section 17

### Standing of an Entity of Economic Mobilization

The entity of economic mobilization is exempt from the duty to provide material means stipulated in the relevant legal regulation<sup>15)</sup> and is entitled – in accordance with the plan of economic mobilization measures – to request that its employees securing the mobilization supply are exempt from the extraordinary service.<sup>16)</sup> The entity of economic mobilization shall apply a request prior to the announcement of crisis situations with the relevant regional authority for the provision of workforce and material means necessary for the provision of the mobilization supply.

## PART 3

### State Material Reserves

#### Section 18

The procurement of State Material Reserves and the utilization thereof shall be governed by separate legislation.<sup>17)</sup>

## PART 4

### Infrastructure

#### Section 19

(1) Requirements concerning the construction of infrastructure shall be based on the crisis plans.

(2) Requirements concerning the construction of new infrastructure objects in order to secure economic measures for crisis situations, the construction of which shall be settled from the budget of the Administration of State Material Reserves, shall be applied by the central administrative authority with the Administration of State Material Reserves.

(3) The infrastructure objects shall be maintained by the administrative authority with jurisdiction over management of such objects.

## PART 5

### Regulatory Measures

#### Section 20

(1) Regulatory measures serve for the reduction of the consumption of scarce materials and products and the supply of services or the regulation of the consumption and supply thereof in accordance with the crisis plans in cases when the crisis situation has reached such an extent that standard economic means are not adequately efficient for the securing the necessary supplies.

(2) Regulatory measures may be ordered only if the effects associated therewith cannot be achieved otherwise. Such measures may be ordered only for the absolutely necessary period of time. They shall be cancelled upon the cancellation of crisis situations at the latest.

(3) If an announced crisis situation is immediately followed by the announcement of another crisis situation, the body authorized to announce such crisis situations may decide to leave some previously ordered regulatory measures in effect.

#### Section 21

(1) During hazard situations, the governor or the mayor of a municipality with extended competence within the territory for which the hazard situation is announced may impose the following duties on a legal person or natural person engaged in business with a place of residence, registered office, place of business, or headquarters the organizational unit within the relevant territory:

- a) to supply products, work or services forming the subject of their enterprise or business, in adequate quantities,
- b) to store within their premises material designed for the avoidance of the hazard situation and the remedy of its consequences, or tolerate such storage,
- c) to move the transportation and means of mechanization, as well as the movable means of production or operation and stocks to a designated place.

(2) During hazard situations, the governor may order:

- a) the regulation of goods sold in the retail network and stipulate
  - 1. how the quantities of goods sold to customers are to be regulated,
  - 2. the maximum quantity of goods that can be sold to a consumer,
  - 3. the group of consumers to whom selected items of goods will be supplied preferentially,
- b) regulatory measures by which the management and organization of transportation is changed.

(3) The duties imposed under [paragraphs 1](#) and [2](#) are crisis measures pursuant to [Section 3 \(2\)](#) of the Crisis Act.

(4) The costs associated with the application of some regulatory measures according to [paragraph 2](#), including the increase in expenses which would not be otherwise incurred by the persons specified in [paragraph 1](#), shall be covered by the administrative authority which has announced the regulatory measures, unless otherwise agreed with the relevant central administrative authority. Decisions concerning the form of reimbursement may also be adopted by the Government.

(5) During a state of emergency, national emergency, or a state of war, a governor or mayor of a municipality with extended competence in the territory for which a crisis status has been declared may order the measures set forth in [paragraphs 1](#) and [2](#), unless the government has already ordered such measures.

## Section 22

(1) During a state of emergency, the Government may enact a ruling

- a) imposing a duty for legal persons and natural persons engaged in business to notify the administrative authorities appointed by the Government by the stipulated deadline about the current volumes of stock of selected material or other commodities, the current data concerning their production or operating capacities and available workforce resources,
- b) adopting measures which may restrict or ban the trading of listed securities,
- c) adopting measures which may restrict or ban road transportation, railway transportation, civilian aviation activities conducted in the Czech Republic, use of important waterways and the use of land communications, and stipulating specific conditions for the protection, maintenance and renovation of roads and the national railway network,
- d) extending or restricting the distribution of drinking water and foodstuffs, and,
- e) extending or restricting the distribution of drinking water and foodstuffs, and stipulating conditions under which the organization and management of such distribution can be modified.

(2) During emergencies, the Government may also enact rulings to adopt measures specified in [Section 21, paragraphs 1](#) and [2](#).

## Section 23

(1) During national emergencies or a state of war, the government may order

- a) a restriction, ban, or command of exports and imports of selected commodities,
- b) a modification of the course of construction work on structures that it chooses, including its suspension, or restricting the commencement of selected construction projects,
- c) restricting or banning – upon a proposal of the Czech National Bank governor – the disposal of money kept on accounts of parties authorized to provide payment services.

(2) During national emergencies or a state of war, the government may order the taking of the measures set forth in [Section 21 \(1\)](#) and [\(2\)](#) and in [Section 22 \(1\)](#).

(3) During national emergencies or a state of war, the governor of the Czech National Bank may make decisions announced in the form of a memorandum in the Collection of Laws

- a) for decisions on major currency exchange policy measures,<sup>18)</sup>
- b) determining the exchange rate of the Czech crown with respect to foreign currencies,

- c) limiting or banning cash-free or cash transactions between providers of financial services,
- d) interrupting administrative proceedings conducted by the Czech National Bank,
- e) limiting or forbidding the engaging in activities subject to permission of the Czech National Bank,
- f) limiting or banning the purchase and exporting of foreign currencies<sup>25)</sup> and the withdrawal of funds from foreign exchange accounts, implementing a duty of offering foreign currency, and determining its extent,
- g) limiting or prohibiting the providing of loans and the sale of credit products by persons authorized to provide payment services,
- h) limiting or forbidding the export of Czech crowns.

## CHAPTER IV

### INSPECTION

#### Section 24

(1) Within its jurisdiction, an administrative authority inspects preparation of economic measures for crisis situations, and after the declaration of a crisis situation, the implementation and effectiveness of the measures.

(2) The Administration of State Material Reserves inspects the administrative authorities, entities of economic mobilization, and providers of mobilization supplies and necessary supplies for the full extent of preparation of planned economic measures for crisis situations, and it verifies their performance and effectiveness. It also inspects the use of funds allotted from its budget heading to legal persons and natural persons engaged in business who are involved with the system of economic measures for crisis situations.

## CHAPTER V

### ADMINISTRATIVE INFRACTIONS

#### Section 25

##### Offences

(1) A natural person commits an offense by

- a) failure to perform a duty pursuant to [Section 23 \(1\)](#), [Section 23 \(3\) \(f\)](#) or [Section 23 \(3\) \(h\)](#), or
- b) failure to perform a duty pursuant to [Section 21 \(2\) \(b\)](#) or [Section 22 \(1\) \(c\)](#).

(2) For an offence, a fine can be imposed of

- a) up to CZK 100,000 in case of an administrative infraction under [paragraph 1 \(a\)](#),
- b) up to CZK 20,000 in case of an administrative infraction under [paragraph 1 \(b\)](#).

(3) In cases when the state is under threat or a state of war, the upper limits of fines set forth in [paragraph 2 \(b\)](#) are doubled.

#### Section 25a

##### **Administrative Infractions by Legal Persons and Natural Persons Engaged in Business**

(1) A legal person or natural person engaged in business commits an administrative infraction by

- a) failure to perform a duty pursuant to [Section 23 \(1\)](#) or [Section 23 \(3\)](#),
- b) failure to perform a duty pursuant to [Section 21 \(1\) or \(2\)](#) or [Section 22 \(1\)](#),
- c) using certification of appointment in violation of [Section 17](#) as an entity of economic mobilization,
- d) failure, in violation of [Section 16 \(3\)](#), to return certification of appointment by an entity of economic mobilization or use of such certification at a time when the decision on recalling of an entity of economic mobilization is in legal force, or
- e) failure to turn over or update selected data pursuant to [Section 15](#).

(2) For an administrative infraction, a fine is imposed in the amount of



- a) up to CZK 10,000,000 in case of an administrative infraction under [paragraph 1 \(a\)](#),
- b) up to CZK 5,000,000 in case of an administrative infraction under [paragraph 1 \(b\)](#),
- c) up to CZK 1,000,000 in case of an administrative infraction under [paragraph 1 \(c\)](#) or [\(d\)](#),
- d) up to CZK 100,000 in case of an administrative infraction under [paragraph 1 \(e\)](#).

(3) In cases when the state is under threat or a state of war, the upper limits of fines set forth in [paragraphs 2 \(b\) through \(d\)](#) are doubled.

## Section 26

### Common Provisions on Administrative Infractions

(1) A legal person is not responsible for an administrative infraction if it proves that it has made every effort that could be required to prevent default on a legal obligation.

(2) When determining the assessed fine for an administrative infraction, the seriousness of the administrative infraction is taken into account, and in particular the manner of its commission, its consequences, and the circumstances under which it was committed

(3) The responsibility of a legal person for an administrative infraction lapses if the administrative authority has not commenced proceedings concerning it within one year of the day when it learned of the infraction, but no later than within five years of the day when it was committed. Time during the period that the state is under threat or a state of war does not count towards the deadline.

(4) Provisions of law on the responsibility and prosecution of a legal person apply to responsibility for actions occurring during the business dealings of a natural person or in direct connection therewith.

(5) Cases of administrative infractions under [Section 25 \(1\)](#) and [Section 25a \(1\) \(a\) and \(b\)](#) are heard in the first instance by

- a) the municipal authority of a municipality with extended competency in its administrative territory in cases of regulatory measures decreed by the mayor of the municipality with extended competency,
- b) the regional authority in its administrative territory in cases of regulatory measures decreed by the regional governor,
- c) the Czech National Bank in cases of regulatory measures decreed by the governor of the Czech National Bank,
- d) the central administrative authority based on its jurisdiction in cases of government regulations.

(6) The State Material Reserves Administration hears cases of administrative infractions under [Section 25a \(1\) \(c\)](#) through (e) in the first instance.

(7) The imposing of a fine pursuant to [Section 25](#) and [25a](#) does not relieve the obligated party of the obligation of correcting the unlawful situation within the deadline established by the relevant administrative authority.

## CHAPTER VI

### COMMON, TEMPORARY, AND CONCLUDING PROVISIONS

## Section 27

(1) Every person provided with information under this Act shall ensure the protection of such information against misuse.<sup>22)</sup>

(2) Information protected by separate legislation is exempt from the duty to provide information.<sup>23)</sup>

## Section 27a

Jurisdiction designated for the regional governor, regional authority, mayor of a municipality with extended competency, or municipal office of a municipality with extended competency under this Act shall constitute the execution of transferred jurisdiction.

## Section 27b

During the preparation and adopting of measures under this Act, administrative authorities shall use information systems for the support of economic measures for crisis situations. Information systems for the support of economic measures for crisis situations must comply with rules analogous to information systems for crisis management pursuant to the Crisis Act.

## Section 27c

During a crisis situation, the Administrative Procedure Code does not apply to decision making and the imposing of duties under this Act, with the exception of the basic principles of activity of administrative authorities; this does not apply in

case of decision making and imposing of duties pursuant to [Section 16](#), [25](#), [25a](#) or [26](#) of this Act.

#### Section 28

For entities of economic mobilization established under previous legislation that shall not have been appointed by the procedure under this Act within one year of this Act taking effect, their standing as an entity of economic mobilization expires.

#### Section 29

The Administration of State Material Reserves shall issue decrees establishing:

- a) the selection criteria for entities of economic mobilization and the procedure for their appointment and recall,
- b) enumeration of selected data to be provided by the party ordering and the supplier of mobilization supplies to the relevant administrative authorities,
- c) the contents and method of preparation of plans for necessary supplies,
- d) the contents and procedure for preparing a plan for measures for economic mobilization, and the procedure of the provider of mobilization supplies when a request is made for material, organizational, or financial safeguards,
- e) the contents and procedure for preparing a plan for economic mobilization and the procedure of the party ordering mobilization supplies when taking a request arising from that plan to the Administration of State Material Reserves.

## PART TWO

### Amendment of the Act on the Jurisdiction of the Administration of State Material Reserves

#### Section 30

Act No. [97/1993](#) on the Jurisdiction of the Administration of State Material Reserves, as amended by Act No. [272/1996](#) and Act No. [189/1999](#), is amended as follows:

1. [Section 1 paragraph 1](#) reads:

"(1) The Administration of State Material Reserves (hereinafter the "Administration") is the central state administrative authority in the areas of economic measures for crisis situations and State Material Reserves."

2. [Section 3](#) including footnote no. 1) reads:

#### "Section 3

The Administration secures funding for economic measures for crisis situations, and the funding, replenishing, exchanging, lending, release, leasing, sale, storage, protection, and inspection of State Material Reserves, as well as their acquisition based on requirements of crisis plans. The Administration carries out other tasks as established by separate legislation.<sup>1)</sup> It shall secure these activities in cooperation with the other central authorities of state administration.

1) Act No. [189/1999](#) on Emergency Oil Stocks, Managing States of Oil Emergency, and the Amending of Certain Related Acts (the Act on Emergency Oil Stocks)."

3. [Section 4](#) including footnotes nos. 2), 2a), 2b) and 2c) reads:

#### "Section 4

(1) With respect to purpose, State Material Reserves are categorized as material reserves, mobilization reserves, emergency stocks, and stocks for humanitarian aid.

(2) Material reserves consist of selected basic raw materials, materials, semi-finished products, and products. They are intended for securing defense capability and the national defense, for alleviating the consequences of crisis situations, and for the protection of the state's vitally important economic interests.

(3) Mobilization reserves consist of selected basic raw materials, materials, semi-finished products, products, machines, and other assets intended for the securing of mobilization supplies.<sup>2)</sup>

(4) Emergency stocks consist of selected basic materials and products intended for securing necessary supplies<sup>2a)</sup> for support of the population, the activities of emergency rescue services and the fire rescue brigade after the declaration of a crisis situation,<sup>2b)</sup> in the system of emergency management,<sup>2c)</sup> which cannot be secured in the usual manner.

(5) Stocks for humanitarian aid consist of selected basic materials and products intended for provision free of charge, after the declaration of a crisis situation, to a natural person who is seriously materially afflicted.

- (6) The creation of State Material Reserves is a component of crisis plans.

2) [Section 2 \(1\) \(g\) of Act No. 241/2000](#) on Economic Measures for Crisis Situations and the Amending of Certain Related Acts.

2a) [Section 2 \(1\) \(a\) of Act No. 241/2000](#)

2b) [Section 1 \(1\) of Act No. 241/2000](#)

2c) [Section 10 through 12 of Act No. 241/2000](#)".

4. In [Section 7 \(1\)](#) the words "State Material Reserves and sites intended for their storage" are replaced with the words "property for which the Administration has the right of management"

## **PART THREE**

**repealed**

Section 31

**repealed**

## **PART FOUR**

**repealed**

Section 32

**repealed**

## **PART FIVE**

### **Amendment of the Act on Income Taxes**

Section 33

Act No. [586/1992](#) on Income Tax, as amended by Act No. [35/1993](#), Act No. [96/1993](#), Act No. [157/1993](#), Act No. [196/1993](#), Act No. [323/1993](#), Act No. [42/1994](#), Act No. [85/1994](#), Act No. [114/1994](#), Act No. [259/1994](#), Act No. [32/1995](#), Act No. [87/1995](#), Act No. [118/1995](#), Act No. [149/1995](#), Act No. [248/1995](#), Act No. [316/1996](#), Act No. [18/1997](#), Act No. [151/1997](#), Act No. [209/1997](#), Act No. [210/1997](#), Act No. [227/1997](#), Act No. [111/1998](#), Act No. [149/1998](#), Act No. [168/1998](#), Act No. [333/1998](#), Act No. [63/1999](#), Act No. [129/1999](#), Act No. [144/1999](#), Act No. [170/1999](#), Act No. [225/1999](#), Act No. [3/2000](#), Act No. [17/2000](#), Act No. [27/2000](#), Act No. [72/2000](#), Act No. [100/2000](#), Act No. [103/2000](#), Act No. [121/2000](#) and Act No. [132/2000](#) is amended as follows:

1. In [Section 24 \(2\)](#) at the end of item [zj](#)), the full stop is replaced with a comma, and item [zk](#)) is added, which reads:

"[zk](#)) expenses for civil defense expended in accordance with or on the instruction of the crisis management authority."

2. After [Section 39](#), a new Section 39a is added which, including footnote no. 36b), reads:

"Section 39a

After declaring a national emergency or a state of war, for the duration of the emergency or the state of war, to the extent necessary for securing an emergency budget or war budget, the government of the Czech Republic may order<sup>36b)</sup>

a) the adjusting of tax rates,

b) income tax exemption for revenue from the service of members of the armed forces, armed security brigades, and for the income of employees of fire rescue brigades and emergency services for their activity in those organizations,

c) income tax exemption for revenue of the legal persons of the armed forces, armed security brigades, and emergency services.

36b) [Sections 31](#) and [32 of Act No. 218/2000](#) on Budget Rules and the Amending of Certain Related Acts (Budget Rules)."

## **PART SIX**

### **Amendment of the Act on Administrative Fees**

Section 34

In [Section 12 of Act No. 368/1992](#) on Administrative Fees as amended by Act No. [273/1994](#), the existing text is marked as paragraph 1, and paragraph 2 is added which, including footnote no. 6), reads:

"(2) After declaring a national emergency or a state of war, for the duration of the emergency or the state of war, to

the extent necessary for securing an emergency budget or war budget, the government of the Czech Republic may order<sup>6)</sup>

- a) the altering of the subjects of fees and of the rates of fees set forth in the schedule of fees,
- b) the exemption of the armed forces, armed security brigades, fire rescue brigades, and rescue services from fees.  
6) [Section 31](#) and [32 of Act No. 218/2000](#) on Budget Rules and the Amending of Certain Related Acts (Budget Rules)."

## PART SEVEN

### Amendment of the Act on Court Fees

#### Section 35

In [Section of 16 Act No. 549/1991](#) on Court Fees, as amended by Act No. [36/1995](#), an addition is made to paragraph 3, which, including footnote no. 6) now reads:

"(3) After declaring a national emergency or a state of war, for the duration of the emergency or the state of war, to the extent necessary for securing an emergency budget or war budget, the government of the Czech Republic may order<sup>6)</sup>

- a) the altering of the subjects of fees and of the rates of fees set forth in the schedule of fees,
- b) the exemption of the armed forces, armed security brigades, fire rescue brigades, and rescue services from fees.  
6) [Section 31](#) and [32 of Act No. 218/2000](#) on Budget Rules and the Amending of Certain Related Acts (Budget Rules)."

## PART EIGHT

### Amendment of the Road Tax Act

#### Section 36

In [Section 17 of Act No. 16/1993](#) on the Road Tax, as amended by Act No. [302/1993](#), an addition is made to paragraph 3 which, including footnote no. 7a) now reads:

"(3) After declaring a national emergency or a state of war, for the duration of the emergency or the state of war, to the extent necessary for securing an emergency budget or war budget, the government of the Czech Republic may order<sup>7a)</sup>

- a) the adjustment of the tax rate,
- b) the total or partial exemption of vehicles from the tax if they are used for the performance of actions within the framework of the declared national emergency or state of war.  
7a) [Section 31](#) and [32 of Act No. 218/2000](#) on Budgetary Rules and the Amending of Certain Related Acts (Budget Rules)."

## PART NINE

### EFFECT

#### Section 37

This Act shall come into force on 1 January 2001.

#### Authorized signatures:

Klaus

Havel

Zeman

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1) [Section 3 of Act No. 240/2000](#) on Crisis Management and on the Amending of Certain Acts (the Crisis Act).

2) [Article 5](#) and [6 of Constitutional Act No. 110/1998](#) on the Security of the Czech Republic.

3) [Article 7 of Constitutional Act No. 110/1998](#)

4) [Article 43 of Constitutional Act No. 1/1993](#), Constitution of the Czech Republic.

5) [Section 29 of Act No. 240/2000](#)

6) [Section 21 \(2\) \(b\) of Act No. 240/2000](#)

7) [Section 2 \(2\) of the Commercial Code](#).

- 8) [Section 4](#) and [5 of Act No. 97/1993](#) on the Competency of the Administration of State Material Reserves, as later amended.
- 9) Act No. [2/1969](#) on the Establishment of Ministries and Other Central Authorities of State Administration of the Czech Republic, as later amended.
- 10) E.g. Act No. [2/1969](#), as later amended, Act No. [89/1995](#) on the National Statistics Service, as amended by Act No. [356/1999](#), Act No. [359/1992](#) on Surveyors and Cadastral Authorities, as later amended, Act No. [61/1988](#) on Mining, Explosives, and the State Mining Administration, as later amended, Act No. [97/1993](#), as later amended, a Act No. [18/1997](#) on the Peaceful Use of Nuclear Energy and Ionizing Radiation (the Atomic Act) and on the Amending and Supplementing of Certain Acts, as later amended.
- 11) [Section 7 \(1\) of Act No. 97/1993](#)
- 12) E.g. [Section 11 \(3\)](#), [Section 16 \(1\) \(b\) of Act No. 2/1969](#), as later amended, [Section 3 of Act No. 283/1991](#) on the Police of the Czech Republic, as later amended.
- 13) Act No. [412/2005](#) on the Protection of Classified Information and on Security Authorization.
- 15) [Section 19 of Act No. 222/1999](#) on Securing the Defense of the Czech Republic.
- 16) [Section 49 of Act No. 218/1999](#) on the Scope of Defense Obligations and on Military Administrative Authorities (the Defense Act).
- 17) [Section 4 through 6 of Act No. 97/1993](#)
- 18) [Section 5 \(1\) of Act No. 6/1993](#) on the Czech National Bank.
- 19) Act No. [21/1992](#) on banks, as later amended.
- 22) E.g. Act No. [101/2000](#) on the Protection of Personal Data and the Amending of Certain Acts.
- 23) Act No. [148/1998](#), as later amended.
- 24) Act No. [97/1993](#)
- 25) [Section 1 \(d\) of Act No. 219/1995](#), the Foreign Exchange Act, as later amended.