ACT
N. 320/2015 Coll.
of 11 November 2015
on the Fire Rescue Service of the Czech Republic and on amendment of certain acts
(Act on the Fire Rescue Service)

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

PART ONE
FIRE RESCUE SERVICE OF THE CZECH REPUBLIC

CHAPTER ONE
STATUS AND TASKS OF THE FIRE RESCUE SERVICE OF THE CZECH REPUBLIC

§ 1
Basic task
(1) The Fire Rescue Service of the Czech Republic (hereinafter referred to as "Fire Rescue Service") is unified Security Force, whose primary mission is to protect lives and health of inhabitants, environment, animals and property against fire and other emergencies\(^1\) and crisis situations\(^2\).

(2) The Fire Rescue Service participates in ensuring the security of the Czech Republic\(^3\) by completing and organizing tasks of Fire Protection, Population Protection, Civil Emergency Planning, Integrated Rescue System, Crisis Management and other tasks, to the extent and under the conditions specified by this Act and other legislation\(^4\).

§ 2
Humanitarian aid
The Fire Rescue Service organizes receiving of humanitarian aid provided from abroad to the Czech Republic in cooperation with the Ministry of Foreign Affairs.

§ 3
Exceptional task
(1) The Fire Rescue Service fulfils exceptional tasks of which the fulfilment is necessary to protect lives or health of inhabitants, nature, animals or property if
a) the fulfilling does not belong to any other public administration authority or the public administration authority is not able to fulfil the task under given conditions and requests of such a fulfilment,
b) it is eligible to fulfil such a task,
c) such a fulfilment does not threaten the activity of the Fire Rescue Service and
d) there is a risk of delay.

(2) For the purpose of fulfilling specific exceptional task the Government can allocate funds from the state Budget on the proposal of the Minister of Interior.

§ 4
The member of the Fire Rescue Service and the employee
(1) Tasks of the Fire Rescue Service are fulfilled by
a) professional member of Fire Rescue Service under the Act on Service of Members of Security Forces (hereinafter referred to as “the member”),
b) the employee of the Czech Republic ranked in the Fire Rescue Service in employment under the Labour Code (hereinafter referred to as “the employee”).

(2) The employee ranked in Directorate General of Fire Rescue Service (hereinafter referred to as “Directorate General”) during the work follows the regulations of the Ministry of Interior (hereinafter referred to as “Ministry”).
(3) For the purpose of this Act the systemization is understood as systemization of the Fire Rescue Service under the Act on Service of Members of Security Forces and determining the number of working positions of the employees.

(4) After negotiations with the Government and in accordance with the Act on Fire Protection the Fire Rescue Service may exceptionally exceed systemised number of working positions approved by the Government for the relevant calendar year assuming that the expenditures on salary at working positions set up exceptionally will be covered from extra-budgetary sources or from the incomes received in excess of the mandatory indicators of the state budget expenditures. Working position, which is set up exceptionally, is not included in the systemization under the § 3.

CHAPTER II
ORGANIZATION AND MANAGEMENT OF THE FIRE RESCUE SERVICE
§ 5
Organization of the Fire Rescue Service
The Fire Rescue Service consists of
a) Directorate General,
b) Regional Fire Rescue Services,
c) Emergency Unit,
d) School.

§ 6
Directorate General
(1) Directorate General is part of the Ministry.
(2) The head of the Directorate General is Director General of Fire Rescue Service (hereinafter referred to as „Director General“).
(3) The tasks of the Ministry in the field of Fire Protection, Population Protection, Civil Emergency Planning, Integrated Rescue System or in the field of Crisis Management, with the exception of public order and internal security, are executed by the Directorate General.
(4) The Directorate General is superior administrative body in matters decided by Regional Fire Rescue Service, Emergency Unit or the School.
(5) The Directorate General manages Regional Fire Rescue Services, Emergency Unit and the School.
(6) The Ministry establishes Operational and Information Centre, which fulfils the tasks of Operational and Information Centre of Integrated Rescue System and other tasks if other legislation states so; this Operational and Information Centre is an organisational part of the Fire Rescue Service.
(7) The Ministry establishes Fire Protection Unit of Prague Castle, which is an organizational part of the Fire Rescue Service and coordinates activity of the Fire Rescue Service and cooperation with other authorities of public administration or other persons in order to protect Prague Castle.
(8) To fulfil the tasks of the Fire Rescue Service the Ministry may establish and operate an educational, technical or other specialized institutions; these institutions are organizational part of the Fire Rescue Service.

§ 7
Regional Fire Rescue Service
(1) Regional Fire Rescue Service is state organizational component and accounting entity; its incomes and expenditures are included in the budget chapter of the Ministry.
(2) Territorial district of the Regional Fire Rescue Service is consistent with the territorial district of higher territorial self-government unit, in which the Regional Fire Rescue Service
has its headquarters. Names and headquarters of the Regional Fire Rescue Services are listed in the Annex to this Act.

(3) The head of the Regional Fire Rescue Service is the Director.

(4) Regional Fire Rescue Service
a) is an administrative office with sphere of authority in territorial district of competent higher territorial self-government unit for the execution of state administration in matters of
   1. Fire Protection,
   2. Population Protection,
   3. Civil Emergency Planning,
   4. Integrated Rescue System and
   5. Crisis Management, with the exception of public order and internal security, and
b) fulfils the tasks resulting from other legislation.

(5) The Regional Fire Rescue Service establishes Operational and Information Centre, which fulfils the tasks of Operational and Information Centre of Integrated Rescue System and other tasks if other legislation states so. Operational and Information Centre is workplace for receiving calls to the European emergency number (112) and national emergency call number stated in numbering plan under the Act on Electronic Communications.

(6) To fulfil the tasks of the Fire Rescue Service the Regional Fire Rescue Service may establish and operate an educational, technical or other specialized institutions; these institutions are an organizational part of the Regional Fire Rescue Service.

§ 8

Emergency Unit

(1) The Emergency Unit is state organizational component and accounting entity; its incomes and expenditures are included in the budget chapter of the Ministry.

(2) Name and headquarters of the Emergency Unit are listed in the Annex to this Act.

(3) The head of the Emergency Unit is the Unit Commander.

(4) Emergency Unit
a) fulfils the tasks of Fire Protection Unit within dealing with emergency or crisis situation,
b) fulfils the tasks within recovery of an area affected by an emergency or crisis situation, if it is resulted by the Directorate General,
c) fulfils the role of the educational institution,
d) conducts vocational training podle the Act on Fire Protection and education and training to obtain driving licence for the needs of the Integrated Rescue System components and to improve the professional competence of drivers who fulfil the tasks in the field of the Integrated Rescue System.

§ 9

School

(1) The School is state organizational component and accounting entity; its incomes and expenditures are included in the budget chapter of the Ministry.

(2) Name and headquarters of the School are listed in the Annex to this Act.

(3) The head of the School is the School Director.


§ 10

Civil Defence Team

(1) In case of state of peril or state of war the Directorate General, Regional Fire Rescue Service and Emergency Team are able to establish and organizationally, materially and personally prepare the Civil Defence Teams composed by Voluntary Firefighters Units of municipalities or its parts.
(2) The Civil Defence Teams fulfil the tasks of the Fire Rescue Service as its organizational part.

(3) For the fulfilling the tasks stated in article 2 the Fire Rescue Service may create the reserves of selected technology and material resources.

(4) On the proposal of the Minister of Interior the Government decides about the number of ranked persons, organizational structure and equipment of the Civil Defence Team. Fire Rescue Service ensures the education and training of the natural entities ranked into the Civil Defence Team.

(5) During the state of peril or the state of war the natural entity ranked into the Civil Defence Team is considered as the employee.

CHAPTER III
BASIC DUTIES OF THE MEMBERS AND THE EMPLOYEES

§ 11 Politeness

During fulfilling the tasks of the Fire Rescue Service the member and the employee are obligated to follow the rules of politeness and heed the honour, reverence and dignity of other persons as well as their own and behave in a manner not damaging good reputation of the Fire Rescue Service.

§ 12 Adequacy of procedure

During fulfilling the task of the Fire Rescue Service the members and the employees are obligated to ensure that any unreasonable harm will not be incurred to other person and the potential impact on the rights and freedoms shall not exceed what is necessary to achieve the purpose of the pursued by the task.

§ 13 Initiative

(1) At the time off-duty the member is also obligated to execute measures leading to an immediate rescue of life or human health or property.

(2) The obligation stated in article 1 shall not apply, if

a) the member’s abilities are limited due to his health condition or to the influence of a medicine or other substance so that proper execution or completion of the measures would be compromised,

b) the member is not professionally educated or trained or equipped with appropriate technical or protective tools for needed measures and nature of the measures requires such an education, training or technical or protective equipment or

c) the member is obviously not able to complete the measures successfully.

CHAPTER IV
SERVICE UNIFORM AND MEMBERSHIP PROOF

§ 14 Service uniform, civilian clothing and intervention clothing

(1) According to the nature of the task the member executes his duty in service uniform or civilian clothing. If it is required by the nature of the task the member executes his duty in intervention clothing using appropriate protective equipment.

(2) Only the member is allowed to wear the service uniform with affiliation mark.

§ 15 Wearing the service uniform by former member

(1) The member whose duty terminated (hereinafter referred to as “former member”) has the right for certification as former member, certifying that he is entitled to wear the service uniform
with affiliation mark and with differentiating indication at appropriate occasions, if he reached at least good results during his duty according to last duty evaluation, he requested Director General of Fire Rescue Service, Director of Regional Fire Rescue Service, Unit Commander or School Director for the permission of wearing the service uniform with differentiating indication in written form and

a) his duty terminated by the 31st of December of the calendar year in which he reached the age of 65 years and his duty at the Fire Rescue Service was at least 15 years long,
b) he was released from his duty at his own request and his duty at the Fire Rescue Service was at least 15 years long, or
c) he was released from his duty due to the loss health condition for the duty.

(2) The certification as former member is issued without a request to former member who was at the date of termination of duty appointed as Director General, the Director of Regional Fire Rescue Service, Unit Commander or School Director.

(3) In special cases the Director General may issue the certificate of former member to former member who does not fulfil the conditions as stated in the article 1 or whose duty terminated in accordance to legislation prior to the Act on Service of Members of Security Forces, if the former member requests so.

(4) Certification of the former member shall be issued within 60 days from the request. Certification of the former member shall be issued within 60 days from the date of termination of duty to former member who was at the date of termination of duty appointed as Director General, the Director of Regional Fire Rescue Service, Unit Commander or School Director.

(5) On the certificate of the former member is the name or names, surname, date of birth and highest achieved rank or rank of former member.

(6) Certificated former member is entitled to wear service uniform with affiliation mark and with differentiating indication in such a way that does not damage good reputation of the Fire Rescue Service.

§ 16

Membership of the Fire Rescue Service proof

(1) The member proves the membership of the Fire Rescue Service by his service uniform with affiliation mark or service card. In case of intervention under unified command the membership of the Fire Rescue Service is proved only by the Intervention Commander or Unit Commander.

(2) The employee proves the membership of the Fire Rescue Service by his employee card.

(3) If under the circumstances of the task it is not possible to prove the membership as stated in article 1, the member proves the membership by oral information “Fire Rescue Service”. Manner stated in article 1 is proceeded as soon as it is possible under the circumstances of the task.

§ 17

Authorization for an inspection proof

A card used to prove the authorization for an inspection is issued by the Fire Rescue Service. This card is submitted by the member during the inspection together with the service card.

§ 18

Authorizing provision

The Ministry determines by a Decree

a) types and patterns of service uniforms of the Fire Rescue Service and the manner of labelling the affiliation marks and differentiating indication and
b) pattern of service card, pattern of the employee card and manner of proving the membership by service card.
CHAPTER V
COOPERATION AND OTHER RELATIONSHIPS

§ 19
Cooperation
(1) During fulfilling the tasks the Fire Rescue Service cooperates with administrative offices, other state bodies, local self-government bodies and entities.
(2) Detailed conditions and manner of the cooperation may be regulated in an agreement between the Fire Rescue Service, Regional Fire Rescue Service or Emergency Unit and office, authority or person stated in article 1.

§ 20
Threat assessment and coordination
To ensure the Population Protection during the dealing with an emergency or crisis situation the Fire Rescue Service assesses the threat resulting from the occurrence or spread of chemical agents, mixture or substance and coordinates administrative offices when assessing data on occurrence and spread of such substances. During the state of peril declared in connection with the ensuring the defence of the Czech Republic against external attack or during the state of war the Fire Rescue Service conducts this activity in cooperation with the Armed Forces of the Czech Republic.

§ 21
Request for help
To the extent necessary to fulfil the task the member is authorized to request information, cooperation or other similar assistance from an office, authority or person stated in § 19 article 1. Office, authority or person are obligated to provide requested information, cooperation or other similar assistance; they are not obligated to do so if it is banned by legal or state-recognized confidentiality obligation or fulfilling other legal obligations. Natural entity is also not obligated to do so if the providing of assistance would jeopardize him/her or person close to him/her into a serious danger.

§ 22
International cooperation
(1) During fulfilling the tasks the Fire Rescue Service cooperates with international organizations, authorities of the foreign country or foreign entities.
(2) Detailed conditions and manner of cooperation may be regulated in the implementing documents in the field of international treaties. Cooperation may be also defined in written arrangements, which are not international treaties.

CHAPTER VI
MEASURES IN RELATION TO THINGS, PLACE OR A PERSON

§ 23
Using hazardous substances
(1) For the needs of fulfilling the tasks, education, training, examination or expertise activity or for other activities in the framework of fulfilled task the Fire Rescue Service may acquire, hold, store and use hazardous substances and things; for the purposes of this Act the dangerous substances and things mean explosives, pyrotechnic products, chemicals, radioactive substances, biological agents and toxins, unregistered medical substances or other similarly dangerous substances and things.
(2) During fulfilling the task the member is allowed to use explosives and pyrotechnic products,
a) if he was professionally prepared by the Fire Rescue Service and if the scale of blasting operations is small, or
b) if he has appropriate specialized competence under the Act on Mining activity, explosives and on the State Mining Administration.

(3) The Fire Rescue Service

a) takes measures to prevent unauthorized or accidental access to dangerous substances and things or their unauthorized use, destruction or loss and

b) compiles and keeps the register of hazardous substances and things.

§ 24

Removal and destruction of things

(1) The member is authorized to acquire or remove thing if there is reasonable suspicion that it poses an immediate serious threat to life or human health, the environment, animals or property, and this threat cannot be removed differently.

(2) The Fire Rescue Service forwards acquired thing without undue delay to the public administration authority under whose sphere of authority the matter belongs, if this thing cannot be forwarded to its owner in place, administrator or entitled user.

(3) The member is authorized to destroy a thing if the threat cannot be removed by manner stated in article 1.

§ 25

Transportation and other manipulation with hazardous substance

During transportation and other handling with hazardous substance used or arose during the intervention or the thing acquired or intended for destruction under § 24, the Fire Rescue Service pays extra attention and appropriately takes into account the alteration of conditions for handling the substance or thing under different legislation.

§ 26

Restrictions in relation to the place or in the connection with the intervention

The member is authorized to invite every person

a) not to enter the place designated by the member for necessary time or not to remain at such place if it is necessary for fulfilling the task,

b) to remain at place designated by the member for necessary time or to stand measures necessary protect life or health corresponding to the type of danger, if there is any serious threat to life or health, or

c) he submitted other necessary restrictions resulting from the intervention, if it is necessary for fulfilling the task.

§ 27

The obligation to obey the call or instruction

Every person is obligated to obey the call or instruction of the member exercised in connection with fulfilling the task without undue delay.

§ 28

Entry into the dwelling, other building or on the land

(1) The member is authorized to enter the dwelling if there is reasonable suspicion of threat to life or serious threat to human health or there is a danger of property damage that could exceed the amount of 50 000 CZK.

(2) The member is authorized to enter the building, which does not serve as a dwelling or to land for the time necessary to proper execution of the task if the pursued objective cannot be achieved differently.

(3) For the purpose of entering the place stated in article 1 or 2 the member is authorized to open this place or obtain the acces differently.

(4) If the circumstances do not prevent it, the member ensures presence of an impartial person while entering the dwelling. The member shall notify the entrance the dwelling to the Police of the Czech Republic without undue delay.
§ 29

**Measures in relation to energy, gas, heat water, steam or fuel lines and other devices**

The member is authorized to shut down or wean the supply of electricity, gas, heat, water or other devices to the extent necessary for the purpose of intervention, if the danger cannot be averted differently under the circumstances and caused impact will probably not be equally or even more serious than the impact that would come into effect.

**CHAPTER VII**

**WORKING WITH INFORMATION**

§ 30

**Making of records**

1. The Fire Rescue Service can make audio, video or other record of
   a) people and objects, which are located in publicly accessible places, for the purposes of fulfilling specific task,
   b) messages and connected operational and localization data, which are transmitted through networks and electronic communication services at operational and information center, or
   c) other specific task.

2. If the permanent automatic system for the making of records in accordance with article 1 is established, the Fire Rescue Service appropriately publishes the information on establishing such a system.

§ 31

**Obtaining information from registers**

1. To the extent necessary to fulfil a specific task the Fire Rescue Service can request for providing information from the register operated under other legislation from the administrator or operator of the register. The administrator or zpracovatel of the register provides the information free of charge and without undue delay.

2. To the extent necessary to fulfil a specific task the Fire Rescue Service can request for providing information from the inhabitants register information system, land register, basic register of inhabitants, basic register of legal entities, natural undertaking entities and authorities of public power, basic register of territorial identification, addresses and properties, basic register of agendas of public power authorities and certain rights and obligations, territorial identification information system, from the administrator or operator of the register, in a manner enabling remote and continuous access.

3. To the extent necessary to fulfil a specific task the Fire Rescue Service can request for providing information from the information systems stated in article 2 on technical data carriers from the administrator or operator of the register. The administrator or operator of the register provides the information free of charge and without undue delay, if it is technically possible.

4. The Fire Rescue Service requests for providing information in a manner that allows to store identification data about an organizational part of the Fire Rescue Service and identification data of the member who requested for providing the information, and data about the purpose of the request for providing the information. The Fire Rescue Service stores the identification data for at least five years.

5. To the extent necessary to fulfil a specific task the Fire Rescue Service can request for data on public infrastructure especially on water pipelines including the external fire hydrants, gaslines, sewerage systems, wire networks and pipelines and external electric lines, including switch-off units of low voltage, high voltage and very high voltage.

§ 32

**Relay of call records**

If the record of call to the emergency number is needed to fulfil a specific task, the Fire Rescue Service can forward it to the component of the Integrated Rescue System. The record of this call
may be also forwarded to public power authority at its written request and to the extent necessary for the execution of its sphere of authority.

§ 33

Identity proof

(1) Identity proof means proving of name or names, surname, date of birth, address of permanent residence, address of registered residence in the Czech Republic or in case of foreigner address of residence abroad and nationality. Extent and manner of identifying personal data must be adequate to the purpose of identification.

(2) The member is authorized to invite for identity proof a person, who
a) disobeyed his call or did not submit to the restrictions resulting from the intervention,
b) is suspected of violating regulations in the field of Fire Protection, Integrated rescue System, Crisis Management or Population Protection,
c) remains in the vicinity to the place of intervention,
d) is evacuated or in whose advantage are organized measures of the Population Protection, especially emergency survival, or
e) was decontaminated.

(3) If the person stated in article 2 refuses to prove his identity or if he is not able to prove his identity even after providing necessary adequate cooperation, the member is authorized to ask the member of Police of the Czech Republic to conduct operation leading to find out the identity in accordance to the Act on Police of the Czech Republic.

§ 34

Request for information connected with an emergency or crisis situation

In relation to dealing with emergency or crisis situation the Fire Rescue Service can request for information connected with the causes, course and consequences of the emergency or crisis situation.

Personal data

§ 35

During dealing with emergency or crisis situation the Fire Rescue Service can process sensitive data without the consent of the person, if they are needed to perform a specific task of the Fire Rescue Service. Sensitive data which are part of the record in accordance to § 30 article 1 letter b) can also be processed without the consent of the person.

§ 36

Personal data can be forwarded or made available to public power authority to the extent necessary for the execution of its sphere of authority.

§ 37

The Fire Rescue Service can adequately disclose personal data of evacuated people and people placed in facilities for emergency survival to the extent of name or names, surname, date of birth, address of permanent residence or in case of foreigner address of registered residence in the Czech Republic.

§ 38

(1) The Fire Rescue Service maintains a list of persons who use special method of emergency calls or during whose rescue is necessary to implement special rules and procedures (hereinafter referred to as “list of persons”).

(2) The inclusion into the list of persons can be requested by disabled person or his legal representative. The request contains consent to the processing of personal data of disabled person to the extent of name or names, surname, date of birth, address of permanent residence or in case of foreigner address of registered residence in the Czech Republic or the address of long-term stay and the type of the disability. The request includes phone number of applicant. Validity of the consent terminates by the exclusion from the list of persons.
(3) The Fire Rescue Service includes disabled person to the list of persons based on the request stated in article 2. Based on the request of disabled person or his legal representative the Fire Rescue Service excludes person from the list of persons without undue delay.

(4) The request for inclusion and request for exclusion from the list of persons can be issued in written form or personally to competent Regional Fire Rescue Service due to the place of permanent residence of disabled person.

(5) The Fire Rescue Service and other basic components of Integrated Rescue System can use the data from the list of persons during receiving emergency calls, conducting rescue and relief work or fulfilling tasks of Population Protection.

§ 39

The Fire Rescue Service does not destroy the personal data if they are still used during fulfilling the tasks or if the personal data is part of the file documentation.

CHAPTER VIII
SYMBOLS OF THE FIRE RESCUE SERVICE AND THEIR PROTECTION
AND THE FIRE RESCUE SERVICE NAME PROTECTION
§ 40

Symbols of the Fire Rescue Service and their protection

(1) The Fire Rescue Service uses symbols of the Fire Rescue Service by which are meant large emblem, small emblem and flag of the Fire Rescue Service. Use of symbol of the Fire Rescue Service by a person is possible only if it does not damage good reputation of the Fire Rescue Service.

(2) The Ministry sets by a decree the patterns of large and small sign and basic features characterizing the flag of the Fire Rescue Service.

§ 41

Protection of the Fire Rescue Service name

Words „Hasičský záchranný sbor” and these words in a different grammatical form or the abbreviation „HZS ČR“ may not be included in business name, name of legal entity, name of bory or organizational part of legal entity, in designation of an unregistered businessman or in the name of other subject; same shall apply for the use of these words or abbreviation in other way or for other combination of these words, if it would damage good reputation of the Fire Rescue Service.

CHAPTER IX
HANDLING WITH PROPERTY AND REIMBURSEMENT OF INTERVENTION COSTS
§ 42

Handling with property between state organizational components

(1) Handling with moveable things owned by the Czech Republic between state organizational components, which are organizational parts of the Fire Rescue Service or between the Ministry and these state organizational components, by abandonment of use or change of right to manage, may decide the Director General by measure 5).

(2) According to article 1 it is possible to decide
a) if the property owned by the Czech Republic, which is state organizational component competent to manage, is not sufficient to fulfil its task in connection with the preparation for an emergency or crisis situation or dealing with them, or
b) in connection with the supply or provision of services in the field of Humanitarian Aid under the Act on International Developing Cooperation and Humanitarian Aid to Foreign Countries.
§ 43

Handling with property during an emergency or crisis situation

(1) In accordance with the dealing with an emergency or crisis situation the state organizational component, which is organizational part of the Fire Rescue Service, may free of charge and in necessary extent convert moveable thing from ownership of the Czech Republic to the ownership of territorial self-government unit or other person.

(2) In accordance with the dealing with an emergency or crisis situation or removal of their consequences the state organizational component, which is organizational part of the Fire Rescue Service, may allow territorial self-government unit or other person to use moveable thing owned by the Czech Republic, free of charge and in necessary extent.

(3) The provisions of the Act on Property of the Czech Republic and its representation in legal relations regulating the decisions on unlessness, preffered handling with the property of the Czech Republic in favour of state organizational components and state organizations and the conditions of property transfers to other person free of charge and use of property owned by the Czech Republic by other persons free of charge, are not applied during handling with property under the article 1 or 2.

§ 44

Reimbursement of intervention costs

(1) To the Regional Fire Rescue Service, the Emergency Unit and founder of Voluntary Firefighters Unit, which is included in the list of units in regional regulation, which states the conditions to ensure the area coverage of the region by the Fire Protection Units and which interfered on the call of Regional Operational and Information centre, are covered the costs incurred by

a) intentional illegal conduct of a person, with the exception of the conduct of a person who is not fully sui juris, or a person who is with regard to mental illness not eligible to control own behaviour and assess its consequences, or

b) during an intervention in traffic accident.

(2) The costs, according to article 1, are covered for each started hour of the action by lump sum.

(3) For the purposes of reimbursement under the article 1, the competent authority, which has decided in the case, provides without undue delay to the competent Regional Fire Rescue Service or to Emergency Unit the final decision, necessary to exercise the right to reimbursement of costs under the article 1; this does not apply if the provision might jeopardize the purpose of the criminal proceedings. Obligation to provide the data necessary to exercise the right to reimbursement of the costs under the article 1, applies also to the Czech Insurers’ Bureau, if it is a case according to article 1 letter b). These data are provided free of charge.

(4) After receiving the decision under the article 3 the Regional Fire Rescue Service or Emergency Unit ask in written form a person, who behaved as stated in article 1 letter a), to reimburse the costs incurred by the intentional illegal conduct in the specified amount and to given bank account within the prescribed period. If these costs are not covered within the prescribed period, the Regional Fire Rescue Service or Emergency Unit will impose an obligation to person to cover such costs.

(5) In a case under the article 1 letter b) the Fire Rescue Service applies reimbursement directly against

a) the competent insurance company, which issued the insurance contract under the Act on the Compulsory Road Traffic Insurance, on the vehicle by which was the harm caused,

b) the Czech Insurers’ Bureau, if by the vehicle was caused the harm, which is the Bureau obligated to reimburse from the guarantee fund, or
c) the Ministry of Finance, if the harm was caused by home registered* vehicle, which is not obligated to issue the insurance contract under the Act on the Compulsory Road Traffic Insurance.

(6) If there was a dispute about who should pay the costs of intervention in a traffic accident, the Czech Insurers' Bureau will pay. If further investigation indicates that the reimbursement should have been fully or partially provided by the insurance company or the Ministry of Finance, the insurance company or the Ministry of Finance is obligated to cover the provided reimbursement of the costs to the Czech Insurers' Bureau. The reimbursement of the cost under article 1 letter b) is sent to a bank account of competent Regional Fire Rescue Service, Emergency Unit or founder of the municipality Voluntary Firefighters Unit; further information on these accounts are communicated to the Czech Insurers' Bureau, the Ministry of Finance or competent insurance company.

(7) Regional Fire Rescue Service applies the reimbursement of the costs according to article 1 also for a founder of municipality Voluntary Firefighters Unit.

(8) The Government states by a regulation the lump sum of the reimbursement for each started hour of an intervention in traffic accident.

CHAPTER X
ADMINISTRATIVE DELICTS
§ 45
Offences

(1) Natural entity commits an offence by

a) intentionally illegally wear service uniform with affiliation mark or such parts of the uniform that are interchangeable with full uniform.

b) contrary to § 27 disobey without undue delay call or instruction which the member applied in connection with fulfilment of a task,

c) uses the symbol of the Fire Rescue Service contrary to § 40 article 1, or

d) violates the obligation of confidentiality under § 48 article 1.

(2) Former member commits an oddence by illegal wearing of service uniform with differentiating indication or wears it in such way that that damages good reputation of the Fire Rescue Service.

(3) An offence under article 1 or 2 may be fined up to 10000 CZK and in block fine administration up to 5000 CZK.

§ 46
Administrative delicts of legal and natural undertaking entities

(1) Legal or natural undertaking entity commits an administrative delict by

a) contrary to § 27 disobeys without undue delay call or instruction which the member applied in connection with fulfilment of a task,

b) uses the symbol of the Fire Rescue Service contrary to § 40 article 1, or

c) uses the words “Hasičský záchranný sbor”, these words in ndifferent grammatical form, in different composition or the abbreviation “HZS ČR” contrary to § 41.

(2) An administrative delict under article 1 may be fined up to 20000 CZK.

§ 47
Common provisions on administrative delicts

(1) The legal entity is not responsible fot the administrative delict, if he/she proves that he/she made every effort that could be required to prevent the violation of a legal obligation.

(2) During assessing the fine to a legal entity is taken into account the seriousness of the administrative offense, especially the manner of its commission and its consequences and the circumstances under which was the administrative delict committed.
Responsibility of a legal entity for an administrative delict shall expire if an administrative authority does not initiate the proceedings within 1 year from the date on which the authority learned about the it and not later than 3 years after the date on which was the administrative delict committed.

The provisions of this Act on responsibility and sanctions of legal entity apply to responsibility for conduct which occurred in enterpreuership of a nature entity or in direct connection therewith.

Administrative delicts under this Act are discussed by Regional Fire Rescue Service, which is also competent to discuss administrative delicts in block fine administration.

Income from fines is the income of the state budget.

Fines are collected by the body, which imposed them.

CHAPTER XI
COMMON AND TRANSITIONAL PROVISIONS

§ 48
Confidentiality

(1) Everyone, who was asked by the Fire Rescue Service for an assistance, is obligated to keep the confidentiality about everything what he learned in connection with asked or provided help, if he was properly educated.

(2) The Director General or person authorized by him decides about the exemption of confidentiality and its extent under the article 1.

§ 49
Exemption from the obligation of confidentiality

Providing data to Police authority, prosecutor, court or other Security Force including Security Force of another EU Member State or administrative authority is not considered as violating the obligation of confidentiality imposed to the member or the employee under other legislation, as regards the information needed to fulfill their tasks under an act or an international treaty.

§ 50
Awards

(1) Medal, medal of honor or gift may be awarded for a) rendering assistance during liquidation of fire, dealing with other emergency or crisis situation or removal of their consequences, b) long-term activity in preventing fires, natural disasters, emergency or crisis situations, or c) support and cooperation in fulfilling the tasks of the Fire Rescue Service

(2) Gift can be moveable thing or sum of money.

(3) Medal or medal of honor is awarded by Minister of Interior or Director General.

(4) Gift is awarded by Minister of Interior, Director General, Director of Regional Fire Rescue Service, Unit Commander or School Director.

Transitional provisions

§ 51

(1) Fire Rescue Service established under the Act N. 238/2000 Coll., on the Fire Rescue Service of the Czech Republic and on amendments of certain acts is considered as Fire Rescue Service under this Act.

(2) Directorate General of Fire Rescue Service of the Czech Republic established under the Act N. 238/2000 Coll., on the Fire Rescue Service of the Czech Republic and on amendments of certain acts is considered as Directorate general under this Act.
(3) The Regional Fire Rescue Services established under the Act N. 238/2000 Coll., on the Fire Rescue Service of the Czech Republic and on amendments of certain acts are considered as Regional Fire Rescue Services under this Act.

(4) Emergency Unit established under the Act N. 238/2000 Coll., on the Fire Rescue Service of the Czech Republic and on amendments of certain acts is considered as Emergency Unit under this Act.

(5) Fire Service College in Frýdek-Místek established under the Act N. 238/2000 Coll., on the Fire Rescue Service of the Czech Republic and on amendments of certain acts is considered as School under this Act.

(6) To determine the amount of reimbursement of intervention is used the lump sum which was on 31st of December 2015 stated by legislation as lump sum amount of reimbursement of intervention, until the adoption of regulation under § 44 article 8.

§ 52
Anyone who does not fulfil the restrictions under § 41 is obligated to introduce his company and the name of its bodies and organizational parts to accordance with § 41 not later than 6 months after the day of effectiveness of this Act; this applies also to designation as entrepreneurs.

PART TWO
Amendment of the Act on Fire Protection

§ 53
1. In § 24 article 1 letter b) the wording „submits to the Ministry of Finance“ is replaced with „processes“.
2. In § 24 article 1 letter c) the wording „submits the proposal to the Ministry of Finance“ is replaced with „provides“.
3. In § 24 article 1 letter d) the wording „in cooperation with the Ministry of Finance“ is deleted, the word „technique“ is replaced with „and buildings used for the duty of municipality voluntary firefighters“ and at the end of the text of this letter the wording „or participates in the tasks of the municipality, which are fulfilled in delegated sphere of authority of state administration under this Act or special legislation“ is complemented.
4. Part two is replaced with part three, which reads including the title as follows:

PART THREE
CLEANING, CONTROL AND REVISION OF THE FLUE GAS PATHS

§ 43
Flue gas paths

(1) Operation of the flue gas paths is considered as acceptable in the field of people’s health, life or property protection, if the cleaning, control a revision of the flue gas paths is proceeded under this Act.

(2) For the purposes of this Act the flue gas paths are understood as cavity used to drain the flue gas to the open air. The flue gas path is not draining the flue gas from local radiators under windows with rated output up to 7 kW with an outlet through the facade.
(3) Provision of § 44 - 47 does not apply in case of flue gas path, which is not part of a building, or flue gas path, which is part of freestanding chimney with inner diameter of 800 mm and more or chimney with construction height of 60 m and more, or in case of fuel appliance with rated output more than 1 MW.

§ 44

Cleaning and control of the flue gas path

(1) Cleaning or control of the flue gas path is carried out by a person, who holds a trade license in the field of chimney sweeping (hereinafter referred to as „licensed person“).

(2) Cleaning of flue gas path used for draining the flue gas from solid fuel appliance with rated output up to 50 kW or flue gas path used for draining the flue gas from alternative sources of energy (diesel aggregates) can be carried out by self-help. In case of flue gas path for gas burning appliances, by which the draining of flue gases is by manual or technical conditions an integral part of the appliance, the cleaning or control of flue gas path under this Act is carried out according to the producer’s manual.

(3) Time limits and manner of the cleaning and control of the flue gas path is stated by implementing legislation.

§ 45

Revision of flue gas path

(1) Revision of the flue gas path is carried out by licensed person, who is also a revision technician of the flue gas path in terms of the Act on Recognition of Further Education (hereinafter referred to as “revision technician of the flue gas paths”).

(2) The reasons for carrying out the revision of the flue gas path and its manner is stated by implementing legislation.

§ 46

Procedure after identification of insufficiencies

If the licensed person during the cleaning or control of the flue gas path or revision technician of the flue gas paths or during the revision identifies an insufficiency, which is an immediate threat to human health, life or property and which cannot be removed on the spot, immediately, not later than 10 working days from the day of identification notifies this fact in written form to competent construction administration - in case of insufficiency caused by non-compliance of technical requirements, or to competent state fire supervision body - in case of insufficiency caused by non-compliance with fire safety requirements.

§ 47

Report on the cleaning or control of the flue gas path and report on the revision of the flue gas path

(1) Licensed person hands over the written report on the cleaning or control of the flue gas path to the ordering party without delay, not later than 10 working days from the day of cleaning or control. If the legal entity or natural undertaking entity carries out the cleaning of the flue gas path under § 44 article 2 by himself/herself, he or she makes a written record on the cleaning.

(2) Revision technician of the flue gas path hands overs the written report on the revision of the flue gas path without delay, not later than 10 working days from the day of revision of the flue gas path.

(3) The form of the written report about the cleaning or control of the flue gas path or revision of the flue gas path is stated by implementing legislation.

§ 76a

(1) Licensed person, who

a) does not carry out the cleaning or control of the flue gas path by stated manner, or
b) contrary to § 47 article 1 does not hand over the written report on the cleaning or control of the flue gas path or hands over it after expiration of the stated time limit, may be fined up to 50 000 CZK.

(2) Licensed person or revision technician of the flue gas paths, who contrary to § 46 does not notify identified insufficiencies to competent construction administration or to competent state fire supervision body or the insufficiencies are notified belatedly, may be fined up to 50 000 CZK.

(3) Revision technician of the flue gas paths, who
a) does not carry out the revision of the flue gas path by stated manner, or
b) contrary to § 47 article 1 does not hand over the written report on the revision of the flue gas path or hands over it after expiration of the stated time limit, may be fined up to 50 000 CZK.

§ 76b

Owner or operator of an object which is a legal entity or natural undertaking entity and who operates flue gas path contrary to this Act may be fined up to 100 000 CZK.

§ 76c

The fine under § 76a and 76 b is imposed by the Regional Fire Rescue Service. When determining the amount of the fine is the seriousness and duration of the infringement taken into account.

8. In § 77 article 2 reads:
   (2) The fine under § 76 collects the Regional Fire Rescue Service.

9. In § 78 article 1 the dot at the end of the letter z) is replaced with the word „or“ and the letter aa) is completed. The letter aa) reads:
   aa) who operates the flue gas path contrary to this Act.“.

10. In § 78 article 2 the wording „to d)“ is replaced with the wording „and aa)“.

11. § 79 article 2 reads:
   (2) Fine for an offence under § 78 is imposed and collected by the Regional Fire Rescue Service.

12. § 87 is replaced with new § 87a, which reads:

   ..§ 87a

   Fire Rescue Service and voluntary firefighters of a municipality may during the fulfilling its tasks use intervention fire equipment with a total weight exceeding 3500 kg, which is capable of long-term operation
   a) without aditive agents to a control system of nitrogen oxides,
   b) when using nonstandard fuel.“.

13. In § 97 the word „Units“ is replaced with wording „Fire Rescue Service and Units“.

14. In § 101 the wording „§ 31a,“ is replaced with wording „§ 44 article 3, § 45 article 2, § 47 article 3,“.

PART THREE

The amendment of the Act on Mining, Explosives and State Mining Administration

§ 54

In § 1 article 3 letter a) of the Act N. 61/1988 Coll. on Mining, Explosives and State Mining Authority, as amended by the Act N. 376/2007 Coll., Act N. 184/2011 Coll. and Act N. 18/2012 Coll., the wording “for duty” is deleted.
PART FOUR
The amendment of the Budgetary Rules

§ 55

PART FIVE
The amendment of the Act on Property of the Czech Republic and its Representation in Legal Relations

§ 56
In § 20 of the Act N. 219/2000 Coll., on Property of the Czech Republic and its Representation in Legal Relations, as amended by the Act N. 503/2012 Coll., article 2 reads: “(2) The measures under article 1 may be issued by founders of organizational parts during the exercise of the founder’s function under this Act and the competent authorities of the House of Deputies and Senate in connection with the deciding on jurisdiction (§ 9). The measures under the article 1 may be also issued by the director of Security Force, handles with the property under conditions stated by special legislation.”.

PART SIX
The amendment of the Crisis Act

§ 57
1. In § 10 at the end of article 2 the sentence “Furthermore, the Ministry of Interior participates in the tasks under the article 1 letter a) to c) and l)“ is complemented.
2. In § 10 article 3 the wording “Ministry of Interior” is replaced with “Minister of Interior”.
3. In § 10 the following article 4 is added: “(4) The tasks of Ministry of Interior specified in article 1 fulfils the Directorate General of the Fire Rescue Service.”.

PART SEVEN
The amendment of the Act on the Acquisition and Improvement of Professional Competence to Drive Motor Vehicles

§ 58
PART EIGHT
The amendment of the Military Service Act

§ 59

1. In § 17 article 2 letter a) after the wording “state enterprises” the wording “elements of critical infrastructure” is added.
2. In § 25 at the end of article 2 the following wording is added: “the same applies also to the employee of the Czech Republic rated to the Security Force”.

PART NINE
REPEALING PROVISIONS

§ 60

Deleted:

3. Part two of the Act N. 586/2004 Coll., through which some acts are amended in connection with the adoption of the Military Service Act and its ensuring (Military Service Act).
5. Part forty-one of the Act N. 189/2006 Coll., by which are amended certain acts in connection with adoption of the Act on Health Insurance.
9. Part thirty-eight of the Act N. 64/2014 Coll., by which certain acts are amended in connection with adoption of inspectional rules.
13. Decree N. 349/2013 Coll., by which is amended Decree N. 97/2008 Coll. on Uniforms Designs of the Members of the Fire Rescue Service of the Czech Republic, Their Use
and Manner of External Marking and Service Card Design (Decree on equipping and service card of the members of Fire Rescue Service of the Czech Republic)

PART TEN
EFFICIENCY

§ 61
This Act shall apply from the 1st of January 2016
on behalf Jermanová in own hand
Zeman in own hand
on behalf Bělobrádek in own hand
Annex to the Act N. 320/2015 Coll.

Names and headquarters of Regional Fire Rescue Services

<table>
<thead>
<tr>
<th>Name</th>
<th>Headquarters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Rescue Service of Capital of Prague</td>
<td>Prague</td>
</tr>
<tr>
<td>Fire Rescue Service of Central Bohemian Region</td>
<td>Kladno</td>
</tr>
<tr>
<td>Fire Rescue Service of South Bohemian Region</td>
<td>České Budějovice</td>
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<tr>
<td>Fire Rescue Service of Pilsen Region</td>
<td>Plzeň</td>
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<td>Fire Rescue Service of Karlovy Vary Region</td>
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<td>Fire Rescue Service of Ústí nad Labem Region</td>
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<td>Fire Rescue Service of Liberec Region</td>
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<td>Fire Rescue Service of Hradec Králové Region</td>
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<td>Fire Rescue Service of Pardubice Region</td>
<td>Pardubice</td>
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<tr>
<td>Fire Rescue Service of Vysočina region</td>
<td>Jihlava</td>
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<tr>
<td>Fire Rescue Service of South Moravia Region</td>
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<td>Fire Rescue Service of Olomouc Region</td>
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<tr>
<td>Fire Rescue Service of Olomouc-Silesian Region</td>
<td>Ostrava</td>
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<tr>
<td>Fire Rescue Service of Zlín Region</td>
<td>Zlín</td>
</tr>
</tbody>
</table>

Name a headquarters of Emergency Unit and School

<table>
<thead>
<tr>
<th>Name</th>
<th>Headquarters</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency Unit of Fire Rescue Service of the Czech Republic</td>
<td>Hlučín</td>
</tr>
<tr>
<td>Fire Service College in Frýdek-Místek</td>
<td>Frýdek - Místek</td>
</tr>
</tbody>
</table>

*Translator’s note:
For the purpose of this Act the home registered vehicle is understood under §2 letter b) of the Act N. 168/1999 Coll., on Compulsory Road Traffic Insurance as a vehicle which is subject to the registration of motor vehicles maintained under the Act on conditions for operating vehicles on roads or a vehicle that is not subject to the registration of vehicles owned by natural entities with a place of residence or business in the Czech Republic or legal entities with headquarters in the Czech Republic, or vehicle, which was sent to the Czech Republic from another Member State, if the Czech Republic the state of the target destination for 30 days starting from the day when the buyer person took the vehicle inspite of the fact that the vehicle was not registered in the Czech Republic.