

Pursuant to Article 153 of the Rules of Procedure of the National Assembly of the Republic of Slovenia, the National Assembly during its session on 3 May 2006 endorsed the officially revised text of the Act on the Protection against Natural and other Disasters, which includes the following acts:

- Act on the Protection against Natural and other Disasters (Official Gazette of the Republic of Slovenia No 64/94 dated 14 October 1994);
- Material Obligation Act (Official Gazette of the Republic of Slovenia No 87/01 dated 8 November 2001);
- Public Administration Act (Official Gazette of the Republic of Slovenia No 52/02 dated 14 June 2002);
- Environment Protection Act (Official Gazette of the Republic of Slovenia No 41/04 dated 22 April 2004);
- and
- Act amending the Act on the Protection against Natural and other Disasters (Official Gazette of the Republic of Slovenia No 28/06 dated 17 March 2006)

ACT ON THE PROTECTION AGAINST NATURAL AND OTHER DISASTERS

I. GENERAL PROVISIONS

Article 1 (Scope)

(1) This Act regulates the protection of people, animals, property, cultural heritage and environment against natural and other disasters (hereinafter referred to as protection against natural and other disasters).

(2) The aim of protection against natural and other disasters shall be to reduce the number of disasters and to forestall or reduce the number of casualties and other consequences of such disasters.

(3) The state, municipalities and other self-governed local communities (hereinafter referred to as local communities) shall be responsible for organizing protection against natural and other disasters as a unified and integral national system.

(4) The protection system referred to in paragraph 3 shall comprise programming, planning, organization, implementation, supervision, financing of measures and activities for the protection against natural and other disasters.

(5) With this Act the following Directives of the European Union shall be introduced into the legislation of the Republic of Slovenia:

- Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (Official Journal L 183 dated 29 June 1989);

- Council Directive 89/618/EURATOM of 27 November 1989 on informing the general public about health protection measures to be applied and steps to be taken in the event of a radiological emergency (Official Journal L 357 dated 7 December 1989);

- Council Directive 96/29/EURATOM of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation (Official Journal L 159 dated 29 June 1996);

- Council Directive 96/82/EC of 9 December 1996 on the control of major accident hazards involving dangerous substances (Official Journal L 10 dated 14 January 1997)

Article 2

(Basic tasks of the system)

(1) The basic tasks of the system of protection against natural and other disasters as provided for under this Act shall be:

- detection, monitoring and research of natural and other disaster hazards;
- prevention of natural and other disasters,
- notification, warning of and alerting to imminent danger and giving instructions on protection, rescue and relief;
- education and training for protection, rescue and relief duties;
- organization of Civil Protection and establishment and maintenance of other forms of preparedness for protection, rescue and relief;
- self-protection, self-help and mutual assistance (hereinafter referred to as personal and mutual protection);
- mobilisation and activation of protection, rescue and relief forces and resources;
- determination and implementation of protective measures;
- rescue and relief;
- recovery from natural and other disasters up to the provision of basic living conditions;
- assessment of damage caused by natural and other disasters;
- international co-operation relating to the implementation of protection against natural and other disasters;
- supervision of the implementation of regulations on the protection against natural and other disasters;
- providing assistance to other countries in the event of natural and other disasters

Article 3
(Civil Protection)

Civil Protection shall be organized as a special-purpose element of the system of protection against natural and other disasters. Civil Protection shall comprise management bodies, protection, rescue and relief units and services, protection and rescue equipment and facilities for protection, rescue and relief.

Article 4
(Notification of danger)

Any person shall be obliged to notify the closest emergency notification centre or police of any natural or other disaster hazard as soon as he notices it or becomes aware of it.

Article 5
(Provision of protection)

The protection against natural and other disasters shall be provided by:

- citizens and other residents of the Republic of Slovenia as individuals (hereinafter referred to as inhabitants);
- inhabitants organized voluntarily in clubs, professional associations and other non-governmental organizations (hereinafter referred to as associations and other non-governmental organizations) involved in activities relevant to the protection against natural and other disasters;
- public rescue services;
- commercial companies, institutions and other organizations;
- local communities and
- the state within its authority or rights and responsibilities respectively

Article 6
(Implementation of protection against natural and other disasters and international co-operation)

(1) The protection against natural and other disasters shall be implemented as a unified subsystem of the national security system orchestrated with and linked to other national security subsystems on the level of local and broader self-governed communities, regions and the state.

(2) In addition, the state shall implement protection against natural and other disasters by playing an active role in international organisations based on international treaties, in particular by mutual notification of hazards and consequences of natural and other disasters and mutual assistance in the event of such disasters.

(3) The state shall promote its international co-operation in the field of implementing protection against natural and other disasters also by signing international agreements, in particular with neighbouring countries, by notifying other countries of hazards and consequences of natural and other disasters and by offering assistance in the event of disasters.

Article 7 (Compliance with international law)

(1) Any form of protection against natural and other disasters shall be based and implemented in accordance with the principles of international humanitarian law and international law on the protection of people, animals, cultural heritage and environment against harmful effects of natural and other disasters and pursuant to the accepted international obligations.

(2) Civil Protection and other activities of protection against natural and other disasters shall be of humanitarian and non-military nature.

Article 8 (Definitions)

For the purposes of this Act:

1. Disaster means an event or a sequence of events caused by uncontrolled natural or other forces which affect or threaten the life or health of people, animals and property, cause damage of cultural heritage and environment in such an extent as to require that special measures be taken and special forces and resources be deployed because normal activities, forces and resources do not suffice to control and master them.

2. Natural disaster means earthquake, flood, landslide, avalanche, deep snow, strong wind, hail, sleet, frost, drought, wild fires, massive outbreak of an infectious disease affecting humans, animals or plants and other disasters caused by natural forces. Furthermore, natural disaster means unfavourable weather conditions as defined in regulations on agriculture and recovery due to damage caused by sleet, frost, drought, thunderstorms, hail or animal and plant diseases and plant pests.

3. Other disasters means accidents involving road, railway and air traffic, fire, mine disasters, dam collapse, accidents caused by activities on sea, nuclear accidents and other ecological and industrial accidents caused by activities and actions of man, as well as war or state of emergency, use of weapons or means of mass destruction, terrorist attacks with classical means and other forms of mass violence.

3.a Crisis means a situation in the regional or wider security environment that cannot be controlled with normal resources and measures in which fundamental social values are threatened due to military, economic, social and other reasons, and which can spill over the borders and present an immediate threat to other countries respectively, save as otherwise provided by law.

3.b Ecological accident also means an environmental accident as defined in regulations on the protection of the environment, caused by an uncontrollable or unpredictable event due to environmental intervention and can, in turn, threaten the life and health of people or the quality of the environment.

4. Industrial accident means an event which got out of control while carrying on activities or operating machinery and handling hazardous substances, oil and its derivatives and fuel gases in production, processing, use, storage, reloading, transport or disposal, where such an event results in threatening the life or health of people, animals, property, cultural heritage and environment.

4.a Industrial accident also means a large-scale accident as defined in regulations on the protection of the environment which involves major emissions, fires or explosions and one or more hazardous substances.

5. Hazardous substance means any substance in solid, gas or fluid state which in the event of an uncontrolled leakage into the environment poses imminent danger for life or health of people and animals or causes destruction or damage of property and harmfully influences the environment. Hazardous substances are in particular poisonous, carcinogenic, caustic, oxidant and irritant, radioactive, infectious, explosive, inflammable substances or substances causing ignition in contact with other substances.

6. Disaster hazard means the probability of a disaster occurring and harming or threatening the life or health of people and animals and causing destruction or damage of property, cultural heritage and environment.

7. Threat means real or perceived exposure of people, animals, property, cultural heritage and environment to natural or other disaster hazards.

8. Degree of threat means the expected scale of damage and other consequences of a natural or other disaster.

9. Damage caused by a natural or other disaster includes direct damage and costs of interventions and measures taken to mitigate harmful consequences of disasters.

10. Preventive measures means any measures taken to prevent a disaster from occurring or to mitigate harmful consequences of a disaster.

11. Environment means in particular living, working and natural environment directly influencing the people.

12. Cultural heritage means buildings and parts of buildings, devices, plots of land, settlements and their individual parts, vegetation and other natural formations created by man, cultural and historical landscape (immovable cultural heritage), movable items and collections of items of cultural value to the state (movable cultural heritage).

13. Mobilisation means procedures and activities for alerting Civil Protection and other protection, rescue and relief forces in order to be prepared for carrying out tasks in the state of war or other emergency.

14. Activation means procedures and activities for the call-up and organised deployment of protection, rescue and relief forces and resources in protection, rescue and relief operations.

14.a Warning means procedures and activities to warn the population, local communities, national authorities, commercial companies, institutions and other organisations by using audible signals that there is a threat of natural or other disasters or that the threat has ceased. In accordance with regulations, warning includes activation of certain units, services and operational structures for protection, rescue and relief.

15. Protection, rescue and relief forces means available resources of commercial companies, institutions or other organisations, local communities and the state designated for protection, rescue and relief in the event of natural or other disasters.

15.a Operational structure means an organized group of rescuers who are trained and equipped to carry out the same or different tasks under unified command. Operational structures may be organized as standing organizations or temporary structures organized, manned and trained only for specific protection, rescue and relief operations.

16. Protection, rescue and relief resources means protection and rescue equipment and tools, shelters and other protective facilities, facilities and equipment for training, warehouses, means of transport, telecommunication and alert devices and material intended for use or used in protection, rescue and relief.

17. Protection and rescue equipment and tools manufactured in accordance with applicable standards and normally typified include means for personal and collective protection, equipment, vehicles and technical and other means needed by experts, rescue units, services and rescuers in protection, rescue and relief operations.

18. Means of relief means food, potable water, clothing, footwear, medication and other items or means intended for distribution free of charge to the threatened or affected population as assistance to mitigate the consequences of natural and other disasters.

19. Threat assessment means the qualitative and quantitative analysis of natural and other circumstances related to the occurrence of a natural or other disaster, including an assessment of the possible course and consequences of the disaster, proposed degree of protection against the hazards and a proposal of preventive and other measures for protection, rescue and relief.

20. Emergency response plan means the conception of protection, rescue and relief in case of a particular natural or other disaster elaborated on the basis of threat assessment and expert findings.

21. Responsible person for disaster means any natural or legal person who causes a disaster through inadequate handling or omission or who is accountable for a disaster.

21.a Unknown person responsible for disaster means any natural or legal person who causes a disaster and whose identity is not known to the responsible authority at the time when protection, rescue and relief operations are being carried out.

22. Injured and sick means any injured, wounded or sick civilian or military person irrespective of sex, age and nationality.

23. Protection includes organisational, technical and other measures as well as the use of technical and other means for immediate personal and collective protection of people, animals, property, cultural heritage and environment against consequences of natural and other disasters.

24. Rescue includes measures and procedures for rescuing people the life or health of which is at risk, rescuing animals, property and cultural heritage from consequences of natural and other disasters.

25. Relief includes measures and services of specialists, rescue units and services, use of protection and rescue equipment and means of relief.

26. First aid means initial treatment of injured and sick persons whose life or health is at risk in consequence of a natural or other disaster applied on the spot and outside health institutions in the course of rescue operations.

27. Basic living conditions in the event of a natural or other disaster means emergency medical care of people and animals, provision of accommodation, potable water, food, medication and other necessities of life to the affected population, supply of electricity, provision of necessary traffic communications and maintenance of communal infrastructure, provision and protection of essential fodder for animals and protection of cultural heritage.

28. Region means a geographic, urban or otherwise integrated area comprising two or more local communities which, for the purposes of protection against natural and other disasters, represents a whole.

29. Civil servant in the field of protection, rescue and relief means a civil servant who is professionally involved in protection, rescue and relief work in local communities, broader self-governed communities or national authorities, and a civil servant who is employed in the inspectorate responsible for the protection against natural and other disasters.

30. Shelter means part of an installation or an installation which is constructed and equipped with filter and ventilation devices and with essential household effects that normally permit accommodation and protection against the effects of combat assets and radiological, chemical and biological protection for several days.

31. Cover usually means a room or a temporary installation rearranged and constructed as a covered underground shelter that provides protection against direct effects of combat assets.

Article 9
(Principle of right to protection)

- (1) Any person shall have the right to protection against natural and other disasters.
- (2) In the event of natural or other disasters the protection and rescue of human lives shall have priority over any other protection and rescue activities.

Article 10
(Principle of assistance)

In the event of natural and other disasters any person shall be obliged to give assistance to the best of his ability.

Article 11
(Principle of publicity)

- (1) Information on hazards and activities of national authorities, local communities and others responsible for protection against natural and other disasters shall be public.
- (2) The state and the local community shall ensure that the population of an area which might be affected by a natural or other disaster is notified of danger.

Article 12
(Principle of prevention)

In providing protection against natural and other disasters, the state and the local community shall, within their competence, give priority to the organization of preventive measures.

Article 13
(Principle of responsibility)

Pursuant to the law, any natural and legal person shall be responsible for the implementation of measures for protection against natural and other disasters.

Article 14
(Principle of step-by-step deployment of forces and resources)

- (1) Where protection, rescue and relief is required in the event of a natural or other disaster, the local community shall initially deploy its own forces and resources.
- (2) Where the scale of a disaster or threat overwhelms the available forces and resources of the local community or they cannot be provided by neighbouring local communities, the state shall ensure that forces and resources from a wider area are called in.
- (3) Where the available forces and resources are insufficient in order to carry out the necessary rescue and relief operations, armed forces and defence resources may be deployed, provided that such armed forces are not indispensable for defence operations.

II. CITIZEN RIGHTS AND OBLIGATIONS

Article 15
(Responsibilities of citizens)

- For the purposes of protection against natural and other disasters the citizens shall be obliged to:
- participate in the Civil Protection;
 - provide material means (hereinafter referred to as material obligation);
 - be trained and prepared for personal and mutual protection and implementation of required protective measures.

Article 16
(Help in life-threatening situations)

- (1) Any person shall be obliged to help any other person whose life or health is at risk, provided that he does not risk his own life or health.
- (2) Where an individual is not able to provide necessary help, he shall, without delay, inform the appropriate rescue service or emergency notification centre or in any other way see to that such help be provided.

Article 17
(Participation in Civil Protection)

- (1) Pursuant to the conditions provided by law, any citizen of the Republic of Slovenia shall be obliged to participate in the Civil Protection, provided that he is not assigned to engage in military or professional duties.
- 2) The obligation to participate in the Civil Protection shall start at the age of 18 years and end with the age of 63 years (men) or 55 years (women) respectively.

Article 18
(Voluntary participation)

- (1) Voluntary participation in the Civil Protection shall be open to:
 - men and women of at least 15 years of age;
 - mothers and single parents with a child under the age of 15 years;
 - men and women the obligation of which referred to in Article 17 has expired.
- (2) Any person participating in the Civil Protection on voluntary basis shall have the same rights and obligations as provided for other members of the Civil Protection.

Article 19
(Assignment)

- (1) A citizen shall be assigned to the Civil Protection by an administrative body responsible for protection against natural and other disasters (hereinafter referred to as administrative body).
- (2) A citizen assigned to the Civil Protection (hereinafter referred to as member of the Civil Protection) shall be issued a Civil Protection identity card.

(3) Members of the Civil Protection, and citizens who have been given the status of a member of the Civil Protection under this Act, shall identify themselves by wearing the badges of the Civil Protection of the Republic of Slovenia, uniforms of the Civil Protection of the Republic of Slovenia and Civil Protection identity cards. Citizens who participate in protection, rescue and relief operations voluntarily and non-professionally in units, services and other operational structures of associations and non-governmental organisations and have, under this Act, the same rights and obligations as members of the Civil Protection shall identify themselves during the performance of protection, rescue and relief operations in other countries as well as in states of emergency and war with an identity card of the member of the Civil Protection and by wearing the badges of the Civil Protection of the Republic of Slovenia. Identity cards of members of the Civil Protection shall also be used by civil servants in the field of protection and rescue during the performance of protection, rescue and relief operations.

Article 19a
(Contract on Service in the Civil Protection)

(1) Members of the Civil Protection who are assigned to units which are required to maintain constant readiness or have been designated for highly specialised subject-matter duties, duties that involve a particularly high level of risk or assistance in the performance of protection, rescue and relief duties in regions, in the country or outside the country to offer assistance to other countries or comply with international obligations of the state, shall have the possibility to sign a contract on service in the Civil Protection. This contract can also be signed for the performance of certain duties in management bodies and other Civil Protection units and services. Contracts on service in the Civil Protection shall be signed directly or based on a preliminary public tender by an authority responsible for the organisation of a specific management body, unit or service of the Civil Protection. Normally, contracts on service in the Civil Protection shall not be signed with police officers and servicemembers of the Slovenian Armed Forces.

(2) Contracts on service in the Civil Protection shall be signed as temporary service contracts or for the period for which a member of the Civil Protection is assigned to a certain body, unit or service, but usually for a minimum of five years. Contracts on service in the Civil Protection shall also be signed with citizens who meet the prescribed criteria that apply to participation in the Civil Protection, assistance in the event of natural and other disasters in foreign countries or implementation of international obligations of the state.

(3) The existing employment relationship of a member of the Civil Protection who signed a contract on service in the Civil Protection and is called up or deployed to perform protection, rescue and relief duties shall be dormant during the performance of these duties. After expiration of contracts on service in the Civil Protection or after the completion of protection, rescue and relief operations, employers shall be obliged to take members of the Civil Protection back to work. Any member of the Civil Protection shall return to his workplace not later than five days after his contract on service in the Civil Protection has expired or after the completion of protection, rescue and relief duties. A contract on service in the Civil Protection shall be a special manner of assignment for the fulfilment of citizen's obligations in the field of protection and rescue.

(4) Contracts on service in the Civil Protection shall lay out obligations of members of the Civil Protection related to stand-by duty, training, performance of protection, rescue and relief duties, payments during the performance of these duties or during training, payments for stand-by duty, earnings and other rights and obligations of members in an amount and under conditions prescribed by the Government of the Republic of Slovenia (hereinafter referred to as the Government).

(5) A member of the Civil Protection who unilaterally cancels a contract on service in the Civil Protection before expiration of the period for which it was signed for other than medical reason shall be obliged to return the payments received for stand-by duty and training costs for the last 12 months. A responsible authority shall have the right to cancel a contract on service in the Civil Protection before expiration of the period for which it was signed if a unit, service or operational structure to which it referred was discharged, if protection, rescue and relief duties were completed earlier than planned or if a member of the Civil Protection no longer meets the criteria for service in the Civil Protection.

(6) A cancellation of a contract on service in the Civil Protection by a member of the Civil Protection for other than medical reason during a natural or other disaster, state of emergency or war or during the performance of protection, rescue and relief duties in a foreign country, shall enter into force the day on which the basic living conditions are restored or the day when state of emergency or war terminates or on the day of return from a foreign country after completion of protection, rescue and relief duties. If a member of the Civil Protection ceases to perform protection, rescue and relief duties before expiration of the contract on service in the Civil Protection without valid excuse, he shall be obliged to return the received payments and costs referred to in paragraph 5. He shall be entitled to one third of the payment agreed upon in the contract on service in the Civil Protection for the period of actual performance of protection, rescue and relief duties.

(7) The payment of a member of the Civil Protection during the performance of relief in the event of natural and other disaster in other countries or during the performance of other international obligations of the state shall be determined in the sense of regulations that apply to the payment of servicemembers of the Slovenian Armed Forces during deployment in peace support operations.

(8) The provisions of this Article relating to payments, employment relationships and other rights shall apply accordingly also to members of the Civil Protection called-up to active duty.

Article 19b
(Status of civil servants in the field of protection and rescue)

(1) Under this Act, the status of a member of the Civil Protection shall also be given to civil servants in the field of protection and rescue in local community bodies, broader self-governed or national authorities during training and performance of protection, rescue and relief duties as well as in state of emergency or war.

(2) Civil servants in the field of protection and rescue referred to in paragraph 1 shall not be assigned to defence duties and shall continue their work during state of emergency or war. In addition to rights and obligations of members of the Civil Protection, they shall also have rights of citizens assigned to the working duty provided they do not conflict with rights and obligations of members of the Civil Protection provided under this Act.

(3) Under this Act the status of a member of the Civil Protection shall be given also to employees who are professionally involved in fire-fighting or other rescue service operational duties and have not been granted any other form of international legal protection during training and performance of protection, rescue and relief duties in other countries or during the implementation of international obligations of the state as well as in state of emergency and war.

Article 20
(Terms of assignment)

(1) Any citizen who has the ability to work may be assigned to the Civil Protection. Psycho-physical and medical condition shall be established prior to the assignment only for specific, especially dangerous protection, rescue and relief duties as provided under this Act and on request of a citizen who is being assigned to the Civil Protection respectively.

(2) The following persons cannot be assigned to the Civil Protection:

- citizens whose psycho-physical and health condition makes them unfit for protection, rescue and relief operations;
- pregnant women, mothers and single parents with a child under the age of 15 years.

(3) The criteria and procedure to be applied in order to establish the psycho-physical and medical condition for participants in the Civil Protection shall be prescribed by the minister responsible for protection against natural and other disasters (hereinafter referred to as the Minister) in agreement with the minister responsible for health. The Minister shall also determine protection, rescue and relief duties which are considered especially dangerous and demand that psycho-physical and medical condition of participants be established prior to assignment.

Article 21
(Rights of volunteers)

(1) Citizens who are voluntarily and unprofessionally involved in protection, rescue and relief operations and organized in units, services and other operational structures within associations and other non-governmental organizations (fire brigades, Red Cross organisations, Mountain Rescue Service, speleologists clubs, diving clubs, canine clubs, scout organizations, radio-amateurs clubs and other organizations) based on emergency response plans shall not be assigned to defence duties or Civil Protection operations, where, taking into account the prescribed conditions and proficiency requirements, the services they provide within such units, services and other operational structures cannot be provided by other members.

(2) Save as otherwise provided, citizens referred to in paragraph 1 shall have the same rights and obligations as provided for members of the Civil Protection.

(3) Citizens referred to in paragraph 1 must fulfil the conditions set out under this Act for the participation in the Civil Protection.

(4) In the state of war, the units, services and other operational structures referred to in paragraph 1 shall, together with the Civil Protection, engage in protection, rescue and relief operations governed by the Geneva Conventions.

Article 22
(Training obligation)

Any member of the Civil Protection shall be obliged to engage in training in order to be fit for his duties as provided by the law.

Article 23
(Call-up)

A member of the Civil Protection may be called up:

- to attend an assembly for the purpose of assignment;
- to attend introductory, basic and advanced training;
- to attend exercises and other forms of practical training;
- to perform duties in protection, rescue and relief as well as recovery in the event of a natural or other disaster.

Article 23a
(Activation of members of the Civil Protection during working time)

(1) Members of the Civil Protection or citizens who voluntarily participate in protection, rescue and relief operations under this Act may be called up to perform protection, rescue and relief operations through technical means or with a public warning siren by the responsible emergency notification centre or in a call-up letter by the local community or national authority responsible for protection against natural and other disasters. If the call-up was carried out with technical means, the local community or national authority responsible for the call-up of members of the Civil Protection or citizens in order to perform protection, rescue and relief operations, shall issue a written confirmation on the absence from work of a member of the Civil Protection or citizen who volunteered to participate in protection, rescue and relief operations under this Act. Based on this confirmation they will be granted leave of absence by the employer.

(2) The employer shall be obliged to grant leave of absence in accordance with general regulations on employer-employee relations to members of the Civil Protection and citizens who voluntarily participate in protection, rescue and relief operations as provided under this Act if they have been called up during working time to perform protection, rescue and relief operations as referred to in paragraph 1 in accordance with emergency response plans or protection, rescue and relief forces mobilisation and activation plans, if applicable.

(3) The provisions referred to in paragraph 2 shall also apply for absence from work of a member of the Civil Protection or a citizen who voluntarily participates in protection, rescue and relief operations who has been called-up by a local community authority or national authority responsible for the protection against natural and other disasters to attend an exercise or training under this Act.

Article 24
(Active service)

(1) In the state of war or emergency a member of the Civil Protection may be called up for active service.

(2) A member of the Civil Protection may perform duties within his active service in Civil Protection headquarters, units and services, public services and commercial companies, institutions and other organizations engaged in activities relevant to protection, rescue and relief.

(3) A member of the Civil Protection referred to in paragraph 1 shall, while performing active service in the Civil Protection, have the same rights and obligations as provided for citizens assigned to perform professional duties.

Article 25
(Material obligation)

(1) Any citizen shall fulfil his material obligation by making vehicles, machines, equipment and other material means, premises, buildings, devices and energy sources required for protection, rescue and relief in the event of a natural or other disaster available for use by the Civil Protection.

(2) Material obligation may also be imposed on legal persons, except where it relates to means and equipment assigned for defence or security purposes intended for medical care or protection, rescue and relief as provided under this Act.

(3) Material obligation for protection, rescue and relief requirements in the event of natural and other disasters is regulated by a special act.

Article 26
(Obligation to appear)

(1) Any citizen subject to participation in the Civil Protection or to material obligation shall, upon call-up by the responsible authority, be obliged to appear at a certain time and place or to hand over material means.

(2) Where the called up person fails to appear upon being summoned and provides no excuse for his absence, the administrative body issuing the call-up order may issue an order for the person to be brought in.

Article 27
(Compensation)

(1) While performing duties in the Civil Protection, attending training and fulfilling the material obligation upon call-up by the responsible authority, members of the Civil Protection shall be entitled to compensation for salary or loss of income for the time of absence from work due to performing the said duties in an amount and under conditions determined by the Government. The Government shall set the criteria for signing contracts on service in the Civil Protection and regulate other payments, earnings and reimbursements related to the performance of protection, rescue and relief duties. The entitlement to compensation for salary or loss of income, earnings and reimbursements under this Article shall also apply to citizens who voluntarily and non-professionally perform protection, rescue and relief duties in units, services and other operational structures of associations and non-governmental organisations as provided under this Act.

(2) The compensation referred to in paragraph 1 shall be paid by the employer chargeable to the state or local community dependant on where the citizen is assigned to the Civil Protection. Where the citizen is assigned to perform duties for the Civil Protection at the place of employment the cost of compensation shall be chargeable to the employer.

(3) Where the time of performance of tasks or duties in the Civil Protection exceeds four hours, the member shall be entitled to free rations chargeable to the person by whom he was called up.

(4) The employer shall be prohibited from discharging, redeploying or in any other way damaging the member of the Civil Protection or the citizen who participates in performing protection, rescue and relief duties pursuant to this Act by reason of his participation in performing the said duties.

Article 28

(Protection during performance of duties)

- (1) An injury or illness occurring during the performance of duties, during training or while fulfilling material obligation in the Civil Protection shall be deemed to be an industrial injury or occupational disease against which the citizen is insured pursuant to regulations governing health, pension and disability insurance.
- (2) An injury the citizen suffered on the way from home or work to the meeting point, or back home or to work using the usual route, shall also be deemed to be an injury within the meaning of paragraph 1.
- (3) The place and time of injury shall be determined by the authority issuing the call-up order or by the responsible Civil Protection commander or leader of the intervention in which the citizen was injured.
- (4) Family members of a citizen who lost his life in the course of performing tasks or other duties in the Civil Protection shall be entitled to a pension and reimbursement of transport and funeral costs pursuant to regulations governing health, pension and disability insurance.
- (5) Where this is more favourable to the citizen, the basis for the assessment of rights pursuant to this Article shall be the monthly payment of an employee of the state in the last month preceding the month of injury.
- (6) Where the citizen has no other insurance, the costs of health, disability and pension insurance and the rights referred to in this Article shall be covered by the state or local community.

Article 29

(Right to non-recurring financial aid)

- (1) Where, in the course of performing duties or fulfilling other obligations in the Civil Protection, a citizen suffers injuries the responsibility for which is not attributable to him and which result in a handicap of at least 20% pursuant to regulations governing war-invalids, he shall be entitled to a non-recurring financial aid.
- (2) The entitlement to financial aid referred to in paragraph 1 shall also apply to citizens, who suffer from a handicap of at least 20% as a result of an illness the occurrence or deterioration of which is directly attributable to the performance of duties or other obligations in the Civil Protection.
- (3) The entitlement to financial aid referred to in paragraph 1 shall also apply to family members of a citizen who lost his life in the course of performing duties or fulfilling other obligations in the Civil Protection.
- (4) The amount of the non-recurring financial aid which must not be lower than 12 average salaries of employees in the state in the last six months, the amount of reimbursement and the procedure of asserting the rights referred to in the preceding and in this Article shall be determined by the Government.

Article 30

(Indemnification)

- (1) Where a citizen suffers damage in the course of performing duties or fulfilling other obligations in the Civil Protection, he shall be entitled to indemnities pursuant to general regulations.
- (2) A citizen and a legal person subject to material obligation shall be entitled to compensation for the use of means provided for the purpose of protection, rescue and relief and to indemnity in case of damage or destruction of the said means in the course of such use.
- (3) The type of material means for which material obligation may be imposed by the administrative body, the amount of compensation for use and the procedure for the assessment and payment of damages shall be determined by the Government.

Article 31

(Liability for damage)

(1) The state and the local community shall be liable for damage inflicted on third persons deliberately or due to criminal negligence in the pursuance of protection, rescue and relief activities, training and other official activities in connection with the protection against natural and other disasters.

(2) Any citizens who deliberately or due to criminal negligence cause damage in the pursuance of activities referred to in paragraph 1 shall be made liable in accordance with regulations governing the liability of civil servants.

Article 32
(Collection and protection of personal data)

(1) The following personal data shall be collected, processed, used and kept by the administrative body:

- in the case of members of the Civil Protection, civil servants in the field of protection and relief and citizens who voluntarily participate in the performance of protection, rescue and relief duties - name and surname, date and place of birth, permanent and temporary residence address, date of birth of children, data on knowledge and skills relevant to protection, rescue and relief, education, employment, telephone number and mobile phone number; and in case of members of the Civil protection additional data on the date of medical check-up of health and psycho-physical condition, responsibility within the Civil Protection for the purpose of ensuring up-to-date preparations, mobilisation and activation and provision of rights and obligations of the Civil Protection members and other protection, rescue and relief forces;

- type, capacity and condition of means of transport and other means subject to material obligation as well as name, surname, home or business address of owners and users of such means, premises and buildings, for the purpose of completing headquarters, units and services

(2) The administrative body shall keep personal data bases on members of the Civil Protection, civil servants in the area of protection and rescue, citizens who voluntarily participate in protection, rescue and relief and persons subject to material obligation.

(3) The administrative body shall be responsible for the protection of personal data referred to in paragraph 1 in accordance with the law.

Article 33
(Communication of personal data)

(1) The administrative body may communicate personal data referred to in Article 32:

- to the responsible national or local authority at request;
- to relevant commercial companies, institutions and other organizations, on members of the Civil Protection assigned to them.

(2) Authorities, commercial companies, institutions and other organizations referred to in paragraph 1 may use such personal data only for the purpose of organizing protection against natural and other disasters and shall be responsible for the protection of personal data as provided by law.

Article 34
(Sources of data)

(1) The administrative body shall obtain personal data referred to in Articles 32 and 33 from existing data bases. Authorities and services collecting such data shall be required to communicate the relevant data to the administrative body at request.

(2) Only where personal data provided for under this Act cannot be obtained from existing data bases, the administrative body may obtain such data directly from members of the Civil Protection or citizens who voluntarily participate in protection, rescue and relief.

(3) Personal data referred to in Article 32 shall be destroyed upon expiry of the period or purpose for which they have been collected.

- (4) Any person shall be entitled to view personal data kept on him by the administrative body pursuant to this Act.
- (5) The administrative body shall be required to inform any person about personal data kept on him within eight days from lodging a written request.
- (6) Specific provisions governing the keeping of records on members of the Civil Protection, assignment, call-up and format and content of the Civil Protection identity card shall be determined by the Minister.

Article 35
(Communication of changes of personal data)

Members of the Civil Protection, citizens and legal persons subject to material obligation shall be required to communicate to the administrative body any changes of personal and other data referred to in Article 32 within 15 days from the date of change.

III. RESPONSIBILITIES

Article 36
(National responsibility)

The state shall be responsible for:

- management of the system of protection against natural and other disasters;
- development project planning and research activities for protection against natural and other disasters;
- preparation and implementation of the national strategy and programme for protection against natural and other disasters;
- elaboration of threat assessment and national emergency response plans;
- organization and equipment of national protection, rescue and relief forces;
- management of protection, rescue and relief forces in the event of natural and other disasters affecting two or more local communities;
- organization and implementation of monitoring, notification and warning on national and regional level and organization and maintenance of a unified public warning system;
- establishment and maintenance of electronic communications for protection, rescue and relief purposes up to local communities and determination of a unified electronic communication system;
- assessment of damage caused by natural and other disasters;
- organization and maintenance of the information and communication system for protection, rescue and relief requirements which involves municipalities and management bodies, units, services and other protection, rescue and relief operational structures;
- assistance in reconstruction and recovery from natural and other disasters in order to protect the life and health of people, property, cultural heritage and the environment, prevent further damage and provide basic living conditions;
- elaboration of educational and training programmes in the area of protection against natural and other disasters and implementation of programmes of national importance.
- inspection of the implementation of protection against natural and other disasters provisions and measures;
- organization of bilateral and other international co-operation in the area of protection against natural and other disasters.

Article 37
(Local responsibility)

- (1) The local community shall be responsible for the implementation of protection against natural and other disasters on its territory.
- (2) The local community shall be responsible for:
- management of the protection, rescue and relief system in the local community as provided under this Act;
 - monitoring of hazards, notification and warning of the population on threats;
 - provision of electronic communications for the needs of protection, rescue and relief and in accordance with a unified information and communication system;
 - planning and implementation of protective measures;

- elaboration of threat assessments and emergency response plans;
- organization, development and management of personal and mutual protection;
- organization, management and implementation of protection, rescue and relief on local level;
- determination, organization and equipment of municipal units and services of the Civil Protection and other protection, rescue and relief forces;
- provision of necessary resources for emergency accommodation in the event of natural and other disasters;
- elaboration and implementation of training programmes of local importance;
- co-ordination of emergency response plans and other preparations for protection, rescue and relief with neighbouring communities;
- provision of basic conditions of living and reconstruction and recovery from natural and other disasters;
- identification of organizations of special importance for protection, rescue and relief in the community;
- international co-operation in the field of protection, rescue and relief as provided under this Act

(3) The local communities shall co-operate with each other in the pursuance of duties relating to the protection against natural and other disasters and may join their resources and establish joint services for the handling of common affairs in this area.

Article 38

(Responsibilities of commercial companies, institutions and other organizations)

(1) Commercial companies, institutions and other organizations shall provide the necessary conditions and facilities for the implementation of personal and mutual protection of employees and implement the prescribed protective measures.

(2) Commercial companies, institutions and other organizations which, in the pursuance of their activities, use, produce, transport or store hazardous substances, oil and its derivatives and carry on activities or handle means of production representing a disaster hazard shall be required to elaborate a threat assessment and emergency response plans.

(3) Commercial companies, institutions and other organizations referred to in paragraph 2 shall, at their own expense, establish and maintain preparedness for action, organize necessary rescue and relief forces, ensure notification and warning of employees and the surrounding population of danger and co-finance preparatory activities of the local community proportional to the extent and degree of threat constituted by their activity. The type and the proportional scope of preparations shall be determined by the local community in emergency response plans based on threat assessments.

4) In addition to commercial companies, institutions and other organizations referred to in paragraph 2 of this Article, organizations which carry out educational, social, medical and other activities involving care or protection of a large number of persons, shall be required to elaborate emergency response plans or implement protective measures.

(5) The activities and means referred to in paragraph 2 of this Article and commercial companies, institutions and other organizations referred to in paragraph 4 shall be determined by the Government.

Article 39

(Responsibilities of owners and users)

(1) Owners and users of residential and other buildings shall be responsible for the implementation of prescribed protective measures and provision of necessary means of protection, rescue and relief.

(2) Owners and users of cultural heritage shall be responsible for the implementation of prescribed protective measures. In the pursuance of this they may request assistance from the responsible service for the protection of cultural heritage.

(3) Owners and users referred to in paragraph 1 shall communicate data on residential and other buildings and consolidated data on tenants and other users of such buildings to the responsible Civil Protection commissioner.

IV. PROGRAMMING AND PLANNING

1. Research

Article 40 (Development and research projects)

(1) Development and research projects relating to protection against natural and other disasters shall constitute a statutory part of the national research programme.

(2) The Ministry responsible for the protection against natural and other disasters (hereinafter referred to as Ministry) shall participate in the decision-making about research and development projects to be included in the national research programme by proposing research and development projects relating to protection against natural and other disasters and by giving opinions on research and development projects relevant to the protection against natural and other disasters.

(3) The Ministry may, after co-ordination with the Ministry responsible for research, finance research and development projects relating to protection against natural and other disasters independently.

2. Programming

Article 41 (National programme)

(1) The purpose of the national programme of protection against natural and other disasters (hereinafter referred to as national programme) shall be to set out the aims, policy and strategy of protection against natural and other disasters in the country for a minimum period of five years.

(2) The National Programme shall comprise:

- the state of protection against natural and other disasters;
- main goals of protection against natural and other disasters for the period covered by the national programme;
- development of monitoring, information, communication, logistic and other systems for the needs of protection, rescue and relief;

- development of preventive activities;
- development of protection, rescue and relief forces and capabilities;
- guidelines on education and training;
- guidelines on research and development projects;
- provision of financial and other means

Article 42 (Annual plan)

(1) The tasks set out in the national programme shall be subdivided in annual plans of protection against natural and other disasters.

Article 43
(Local programmes and plans)

Local communities shall adopt their own programmes and plans of protection against natural and other disasters which must not be in contradiction with the national programme.

3. Planning

Article 44
(Threat assessment)

- (1) The planning of protection, rescue and relief activities in the event of natural or other disasters and in the state of war shall be based on threat assessment and other technical facts.
- (2) Threat assessment for the whole or a part of the country related to specific natural and other disasters or the state of war shall be elaborated by the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief in co-operation with other ministries.
- (3) Threat assessment for local communities shall be elaborated by the responsible local authority.
- (4) The methodology of threat assessment shall be prescribed by the Minister.

Article 45
(Emergency response plans)

- (1) Protection, rescue and relief in the event of natural and other disasters and in the state of war shall be planned by means of emergency response plans.
- (2) The purpose of emergency response plans shall be to ensure that organized and co-ordinated action be taken to prevent disasters or mitigate their consequences and that, in the event of a disaster, basic living conditions be provided as soon as possible.

Article 46
(Planning authorities)

- (1) National emergency response plans shall be elaborated by the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief in co-operation with other ministries. Within national emergency response plans measures and tasks shall be planned for different ministries, activities and other actors responsible for elaboration of emergency response plans in order to systematically ensure a higher level of readiness and co-ordinated implementation of protection, rescue and relief in accordance with decisions and commitments made within the frame of international organizations and international treaties, in particular relating to the response of the state to crisis situations normally outside the country either alone or in co-operation with other countries.
- (2) Local emergency response plans shall be elaborated by local authorities.
- (3) The mayor may in addition request from commercial companies, institutions and organizations other than those referred to in Article 38 to elaborate emergency response plans.
- (4) Authorities responsible for emergency response planning shall be required to present the adopted plans to the public.
- (5) Specific provisions on the content and the procedure of elaborating emergency response plans shall be adopted by the Government.

Article 47
(Updating of plans)

Emergency response plans shall be updated in the event of any change relating to hazards or the availability of protection, rescue and relief forces and resources taking into account new findings and experience gained in disaster management.

V. MONITORING, NOTIFICATION AND WARNING

Article 48

(Monitoring, notification and warning system)

(1) For the purposes of detection and monitoring of natural and other disaster hazards, notification and warning as well as management and implementation of protection, rescue and relief the Ministry shall organize a unified monitoring, notification and warning system.

(2) The basic aims of the system referred to in paragraph 1 shall be:

- collection, processing and communication of data relevant to protection, rescue and relief and to the performance of other duties related to protection against natural and other disasters;
- notification and warning of the population of imminent danger and giving instructions for personal and mutual protection;
- notification and activation of persons performing protection, rescue and relief duties of danger and communication of decisions adopted by the responsible authorities relating to the implementation of protection, rescue and relief.

Article 49

(Organizational scheme of the system)

(1) The monitoring, notification and warning system shall comprise:

- the monitoring network;
- emergency notification centres;
- warning

(2) Specific provisions governing the organization and operation of the monitoring, notification and warning system shall be adopted by the Government.

1. Monitoring network

Article 50

(Monitoring network)

(1) Monitoring, notification and warning shall be based on:

- communications from individuals and organizations;
- observations made and communicated by fire-fighters, mountain rescuers, speleologists, divers, foresters, hunters, fishermen, automobile clubs, nautical clubs, aeronautical clubs, railway, road and other commercial companies, institutions and organizations;
- communications from monitoring and surveillance services established for the purpose of monitoring meteorological, hydrological, seismological, radiological, ecological and other conditions;
- observations made by airspace control authorities;
- international exchange of information and data.

(2) Services and authorities referred to in paragraph 1 shall communicate information relevant to the protection against natural and other disasters to the responsible emergency notification centre free of charge.

Article 51

(Use of national statistical data and public records)

(1) For the purposes of threat assessment, planning and implementation of protection, rescue and relief national authorities and local community authorities shall be authorized to use, in accordance with their subject-matter and local jurisdiction, data on resources, natural and other disasters hazards, the inhabitants in endangered areas, residential and other buildings, public services, associations and other non-governmental organisations, commercial companies, institutions and other organisations the activities of which are important for protection,

rescue and relief, collected and recorded with statistical research programmes or contained in other statistical data bases, managed and provided by the national statistical agency and other authorised agencies, responsible for the implementation of mid-term and annual statistical research programmes.

(2) For the purposes of threat assessment, planning and implementation of protection, rescue and relief as well as for the assessment of damage caused by disasters, national authorities and local community authorities shall be authorized to use, as referred to in paragraph 1, personal data on inhabitants under risk, such as the standard citizen registration number, name and surname, date of birth, address of permanent or temporary residence and employment details. For damage assessment purposes such data may also include details on real estate and movable property that was damaged as a consequence of a disaster.

(3) In order to be able to perform tasks from paragraph 1 and paragraph 2 of this Article, the appropriate national and local community authorities shall retrieve specific data from the central citizen register, the Business Register of Slovenia, all registers and records kept by the surveying and mapping agency, municipal housing registers and data related to housings, the register of agricultural holdings and related records, however only to the extent and for the purposes under their subject-matter and local jurisdiction.

(4) To be able to conduct protection, rescue and relief in the immediate threat of a disaster or in the event of a disaster and in order to perform recovery and reconstruction after a disaster national authorities and local community authorities shall be authorised to use the retrieved data on the location, quantity and quality of services provided by public companies for individual housing numbers, relating to the supplies of water, sewage system, electricity, heating, gas, lines of communication, municipal and other waste disposal and other data important for the implementation of protection, rescue and relief.

(5) In addition to the responsible national and local community authorities the data under this Article may be also used by management bodies, commanders and heads of services, units and other operational structures as well as incident commanders in accordance with their subject-matter and local jurisdiction for the implementation of protection, rescue and relief operations in the immediate threat of a disaster or in the event of a disaster in the extent required to protect and rescue people, property, animals, cultural heritage and the environment.

(6) The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief shall collect and manage data referred to in Article 50 and this Article in integrated central data bases which shall serve as a basis for the planning and notification of hazards and implementation of protection, rescue and relief in the event of disasters throughout the state or in specific parts of the state and shall permit, normally free of charge, access to these data bases to the relevant national and local community authorities as well as protection, rescue and relief actors referred to in paragraph 5. Upon request such data shall be submitted by the managers of data bases which are financed from public funds or based on national authority concessions and public authorization to the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief free of charge and normally in electronic version.

(7) When planning and implementing protection, rescue and relief, national and local authorities, management bodies, commanders and heads of services, units and other operational structures and incident commanders shall be obliged to ensure protection of personal data in accordance with applicable regulations.

Article 52 (Data bases)

(1) For the purposes of dealing with administrative and technical matters the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief shall collect, process, communicate and use data on:

- natural and other phenomena relevant to the protection against natural and other disasters;
- sources of natural and other disaster hazards;
- natural and other disasters and the damage caused by such disasters;
- protection, rescue and relief forces and resources;
- interventions by protection, rescue and relief forces;
- costs of protection against natural and other disasters.

(2) National authorities, local communities and commercial companies, institutions and other organizations, management bodies and incident commanders shall be required to communicate data referred to in paragraph 1 in the prescribed form and free of charge to the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief, where they shall be integrated into the central data base, processed and made accessible to relevant actors. This data shall be used also for the elaboration of programmes for the recovery and reconstruction after natural and other disasters.

(3) The methodology of collection, processing, keeping, communication and use of data and the conditions for the provision and exchange of data with foreign countries and international organizations shall be prescribed by the Minister.

Article 53
(Use of electronic communications)

(1) The use of electronic communications for the purpose of keeping and transferring data within the monitoring, notification and warning system shall have priority over any other type of communications.

(2) For the purposes of managing and implementing protection, rescue and relief and other operational duties within the scope of protection against natural and other disasters the Ministry shall establish an autonomous electronic communication system.

2. Emergency notification centres

Article 54
(Organization and operation)

(1) For the purposes of performing operational and communicational tasks related to monitoring, notification and warning the Ministry shall establish emergency notification centres.

(2) Emergency notification centres shall comprise:
- the Emergency Notification Centre of the Republic of Slovenia;
- regional and local emergency notification centres.

(3) Local centres shall be only activated and operated in the event of a natural and other disaster or war.

(4) The decision on the activation of local emergency notification centres shall be made by the Minister or the Civil Protection Commander of the Republic of Slovenia.

Article 55
(Work of emergency notification centres and publication of emergency news)

1) The Emergency Notification Centre of the Republic of Slovenia and regional emergency notification centres shall operate continuously.

(2) Regional emergency notification centres shall, above all, receive, process and transfer 112 emergency number calls requesting assistance of fire-fighters, emergency medical services and assistance of other rescue services and activate protection, rescue and relief forces in accordance with emergency response plans, activation plans and decisions of authorities. Emergency notification centres shall provide information and communication support to the management and implementation of protection, rescue and relief. In accordance with emergency response plans and regulations, emergency notification centres shall also inform of disasters inspection services responsible for protection of health, animals and plants, food, environment and space.

(3) Through emergency notification centres or directly requests, appeals, announcements, explanations and instructions in the event of warnings as well as other urgent communications relating to the danger of natural and other disasters shall be communicated at the request of the Government, Mayor, responsible Civil Protection Commander, national or local authority responsible for protection against natural and other disasters that need to

be published without delay and free of charge under the mass media act. The publication of urgent appeals, announcements and other messages shall have priority in any mass media.

3. Warning

Article 56 (Warning system)

(1) Warning shall be organized as a unified public warning system that can be managed on national, regional and local level.

(2) Warning in the event of danger of natural and other disasters shall be implemented by emergency notification centres and relevant services of commercial companies, institutions and other organizations in accordance with regulations on the bases of verified information or on request of Civil Protection commanders and other management bodies.

(3) The type, number and use of alarm signals, which shall uniformly apply to the whole territory of the country, shall be determined by the Government.

(4) Commercial companies, institutions and other organizations referred to Article 38 paragraph 2 of this Article shall be required at their own costs to build, maintain and ensure functioning of warning devices that allow warning of the local population in the event of a disaster and integrate these devices into the public warning system referred to paragraph 1 of this Article.

(5) The Ministry shall be responsible for the organization, maintenance and operation of the unified warning system at the national level.

Article 57
(deleted)

Article 58
(deleted)

VI. PROTECTIVE MEASURES

Article 59 (Protective measures)

Protective measures shall comprise:

- spatial, urban, construction and other technical measures;
- evacuation;
- accommodation and care for people at risk;
- radiological, chemical and biological protection;
- provision of shelter;
- protection of cultural heritage

Article 60 (Spatial, urban, construction and other technical measures)

(1) Spatial, urban, construction and other technical measures shall be implemented in the course of spatial and urban planning and construction in order to prevent or mitigate harmful effects of natural and other disasters and to facilitate protection, rescue and relief.

(2) Projects for the construction of facilities intended for the supply of people, public transport and storage, production or use of hazardous substances, oil and its derivatives and fuel gases shall include a natural and other disaster safety study.

(3) Specific provisions relating to the type of facilities referred to in paragraph 2 as well as to spatial, urban, construction and other technical measures of protection against natural and other disasters shall be determined by the Government.

Article 61
(Evacuation)

(1) Where no other measure can ensure safety of the threatened or affected inhabitants they shall be evacuated.

(2) Evacuation may be ordered by the Government, the mayor or in case of emergency by the responsible Civil Protection commander.

(3) Inhabitants of an area under evacuation shall be moved to a certain place in a way and within a time limit set out in emergency response plans or determined in the decision of the responsible authority.

(4) The removal of inhabitants to another local community must not result in a deterioration of their legal status.

(5) The local community to which the inhabitants were removed shall bear the costs of their accommodation and care as well as education. However, it shall be compensated by the state or the local community from which they have been removed to an amount corresponding to the amount of costs covered had the evacuation not taken place.

Article 62
(Accommodation and care for people at risk)

(1) Pursuant to this Act, the state and the local communities shall be required to provide shelter and essential care for inhabitants who, in the event of a natural or other disaster, lost their home and means of living and cannot return to their normal dwelling due to danger.

(2) In exceptional cases, where no other accommodation can be provided, owners or users of dwelling houses may be required by the mayor to lodge the evacuated inhabitants and people at risk referred to in paragraph 1.

Article 63
(Radiological, chemical and biological protection)

(1) Radiological, chemical and biological protection shall comprise measures and means of direct protection against effects of nuclear, chemical and biological weapons, other weapons of mass destruction and against consequences of accidents involving hazardous substances.

(2) Owners and users of buildings and facilities intended for the public supply of water, production, traffic and storage of food, medication and animal fodder, public health service and child care and education shall be required to provide means of protection and implement prescribed measures for radiological, chemical and biological protection.

(3) Specific provisions governing the organization of radiological, chemical and biological protection, means of protection and measures referred to in paragraph 2 shall be determined by the Government.

Article 64
(Provision of shelter)

(1) Shelters and covers shall be constructed for the purpose of protecting people in the event of war or other dangers.

(2) In terms of resistance shelters shall be divided into basic and supplementary protection shelters.

(3) Basic protection shelters shall be built in cities and other threatened settlements inside of new buildings intended for public health service, child care and education, protection of cultural heritage, public telecommunications, national television and radio, railway, sea and air traffic administration as well as in important energy supply and industrial buildings intended to be used in times of war to carry out activities of special importance to defence and protection.

(4) In other new buildings in settlements referred to in paragraph 3 the first slab must be reinforced as far as to resist rubble collapsing onto it.

(5) In general shelters shall be built as double-purpose buildings in so far as their protective function is not jeopardized.

(6) Covers shall in general be constructed in the state of war to provide shelter from rubble.

Article 65
(Public shelters)

(1) For the purpose of providing shelter for people in public places public shelters shall be used or suitable buildings adjusted for that purpose.

(2) Public shelters shall fall within the competence of local communities.

Article 66
(Protective functions of shelters)

(1) Basic protection shelters must ensure protection against overpressure, rubble, radioactive precipitation, fire and effects of chemical weapons. They must be equipped as to allow longer dwelling.

(2) Supplementary protection shelters must ensure protection against rubble.

Article 67
(Maintenance and use of shelters)

(1) The owner and the user shall be required to maintain the shelter in a condition corresponding to its purpose. In case of emergency access to and use by persons the shelter is intended for must be provided.

(2) In case of emergency the shelter must be made ready for use within 24 hours.

(3) In general shelter alterations diminishing its protective function shall not be permitted.

Article 68
(Shelter construction financing)

(1) Investors shall be required to construct shelters at their own expense.

(2) In case of public shelters investors shall be local communities.

(3) The state may provide security or grant subsidies in order to promote shelter construction.

(4) Areas and facilities to be used for the construction of shelters as well as the terms of construction and maintenance of shelters shall be determined by the Government.

(5) Decisions on requests for the provision of security or granting of subsidies shall be taken by the Minister.

(6) Technical standards for shelters and covers and the adjustment of buildings for the purpose of giving shelter shall be prescribed by the Minister.

Article 69
(Protection of cultural heritage)

- (1) The protection of cultural heritage shall comprise preparations and taking measures to decrease hazards as well as to prevent and mitigate harmful effects of natural and other disasters on cultural heritage.
- (2) Preparations and measures referred to in paragraph 1 shall be implemented by owners and users of cultural heritage, the service for the protection of cultural heritage, local communities and the state. In the event of natural and other disasters responsible Civil Protection units and services, fire brigades and other protection, rescue and relief forces shall participate, in so far as required, in the protection of cultural heritage.
- (3) Specific provisions governing the protection of cultural heritage in the event of natural or other disasters shall be determined by the Government.

VII. PERSONAL AND MUTUAL PROTECTION

Article 70 (Scope and responsibility)

- (1) Personal and mutual protection shall comprise measures taken by inhabitants in order to prevent and mitigate the consequences of natural and other disasters for their health, life and property.
- (2) The organization, development and directing of personal and mutual protection shall be in the competence of local communities which may establish counselling services for this purpose.
- (3) The means and equipment for personal and collective protection in the event of natural and other disasters which must be provided by inhabitants, owners and users of buildings, commercial companies, institutions and other organizations and public authorities shall be prescribed by the Government.

VIII. PROTECTION, RESCUE AND RELIEF FORCES

1. Tasks and organization

Article 71 (Protection, rescue and relief duties)

- (1) Protection, rescue and relief in the event of natural and other disasters shall comprise:
 - first medical aid and urgent medical aid;
 - assistance to threatened and affected inhabitants;
 - first veterinary aid;
 - putting out fires and rescue from fire;
 - rescue from rubble, landslides and avalanches;
 - rescue in the event of flood or other rigours of the weather, environmental and other accidents on sea, rivers and lakes;
 - rescue in the event of major traffic accidents;
 - rescue in the event of mining accidents;
 - mountain rescue;
 - rescue from caves;
 - rescue on water and under water;
 - protection against unexploded ordnance
 - protection against avalanches;
 - radiological, chemical and biological protection against nuclear, chemical or biological weapons, other means of mass destruction, and in the event of accidents involving hazardous substances;
 - searching of missing persons in the event of natural and other disasters;
 - rescue in the event of war, terrorist attacks and other forms of mass violence;
 - provision of basic living conditions

Article 72 (Performing of duties)

The tasks referred to in Article 71 shall be performed by:

- units, services and other operational structures of associations and other non-governmental organizations;
- commercial companies, institutions and other organizations;
- Civil Protection units and services;
- the police;
- the Slovenian Armed Forces in accordance with the law

Article 73

(Associations and other non-governmental organizations)

(1) Units, services and other operational structures of associations and other non-governmental organizations shall perform protection, rescue and relief duties or public service based on a decision of the local authority or national authority, provided that they fulfil the prescribed conditions.

(2) In the case referred to in paragraph 1 the responsible authority shall determine in particular:

- the content, scope and way of performing duties or public service;
- the start of performing duties or public service;
- financial means provided by the local community or the state for the purpose of performing duties or public service;
- financial means for the payment of contributions for benefits in case of occupational injury or disease pursuant to this Act.
- supervision of the performance duties or public service.

(3) The scope and way of performing duties or public service shall be determined in accordance with standards applicable to the organization and equipment of protection, rescue and relief units, services and other operational structures as determined by the Government.

(4) Where it is established that units, services and other operational structures of an association or other non-governmental organization fail to perform duties or public service in accordance with legal provisions and the decision of the responsible authority, the said authority shall set a time limit within which the association or organization in question must regulate the situation. Where the association or organization fails to regulate the situation within the prescribed period, it shall be dismissed from performing duties or public service.

(5) Without prejudice to the provisions of this Article, other associations and non-governmental organizations may voluntarily participate in protection, rescue and relief, provided that they can provide the required personnel and equipment.

Article 74

(Public protection, rescue and relief services)

Public protection, rescue and relief services shall comprise:

- fire-fighting service provided by fire-fighting units in accordance with fire-fighting legislation;
- mountain rescue service provided by Mountain Rescue stations organized in accordance with standards for the organization and equipment of units, services and other protection, rescue and relief operational structures;
- cave rescue service provided by speleologists-rescuers organized in caving clubs in accordance with the decision of the responsible national authority;
- underwater rescue services provided by Underwater Rescue stations in accordance with standards for the organization and equipment of units, services and other protection, rescue and relief operational structures;
- service for the protection and rescue in the event of environmental and other accidents on sea organized by local communities and the state.

2) The Unified Investigation Service to collect, communicate and record data on the affected inhabitants in the event of natural and other disasters, to include the state of emergency and war, shall be organized and carried out by the Red Cross of the Republic of Slovenia. The Red Cross of the Republic of Slovenia shall carry out first aid training courses and implement other public powers in the field of protection against natural and other disasters in accordance with the law. In addition it shall implement duties in accordance with standards for the organization and equipment of units, services and other operational structures for protection, rescue and relief.

Article 75

(Commercial companies, institutions and other organizations)

- (1) For the purposes of performing specific operational protection, rescue and relief duties the responsible national or local authority may appoint commercial companies, institutions and other organizations, provided that they can provide personnel and equipment required for that purpose.
- (2) Commercial companies, institutions and other organizations shall set up their own organization for the purpose of performing duties referred to in paragraph 1, provide training for their employees and prepare themselves for action in the event of natural and other disasters.
- (3) The responsible local or national authority shall compensate commercial companies, institutions and other organizations appointed to perform protection, rescue and relief duties for the effective costs arising from the participation in the performance of duties and from preparations which go beyond their normal activity.
- (4) In reference to paragraph 1 the Government shall include in its standards for the organization and equipment of units, services and other protection, rescue and relief operational structures also standards for the appointment of commercial companies, institutions and other organizations which have specific equipment or other capabilities or are involved in activities important for the performance of protection, rescue and relief. In each region a commercial company shall be appointed with appropriate construction and other capabilities for the performance of technical rescue operations and other specific operational protection and rescue duties. The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief or other appropriate national or local authority shall sign contracts with these commercial companies, institutions and other organizations in which they shall determine their participation and obligations under the conditions referred to in paragraph 3 relating to their participation in the performance of protection, rescue and relief duties and mutual obligations.
- (5) In accordance with standards applicable to organization, equipment and training of units, services and other operational structures of associations and non-governmental organizations the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief and a relevant local authority shall sign a contract referred to in paragraph 4 also with associations and non-governmental organizations which organize such units, services and other operational structures. The said contracts shall outline in particular the type and size of units, services and other operational structures, the performance of public service under this Act, responsibility for the provision and maintenance of readiness and other mutual obligations relating to their participation in protection, rescue and relief.
- (6) For the purposes of maintaining the required readiness for the performance of protection, rescue and relief duties, commercial companies, institutions and other organizations, associations and non-governmental organizations may be provided, based on contracts referred to in paragraphs 4 and 5 of this Article, protective and rescue equipment and tools free of charge, which they shall be required to maintain. Such equipment and tools may only be disposed of to be replaced with new equipment.

Article 76

(Civil Protection units and services)

- (1) For the purposes of protection, rescue and relief operations, Civil Protection units and services shall be organized when protection, rescue and relief duties cannot be provided by actors of professional rescue services, actors referred to in Articles 73 and 75 of this Act or when their capabilities are overwhelmed, as follows:
 - technical rescue units;
 - first aid veterinary units;
 - radiological, chemical and biological protection units and services;
 - protection against unexploded ordnance units;
 - shelter use services;
 - logistic and information centres;
 - support services;

- other units and services based on threat assessment

(2) Without prejudice to paragraph 1, permanent or temporary expert groups, committees for damage assessment on buildings and other expert duties may be organized in accordance with emergency response plans and threat assessments for the performance of certain protection, rescue and relief duties. National or local authorities responsible for protection against natural and other disasters may sign a contract on mutual obligations with members of expert groups and committees.

(3) Units and services referred to in paragraph 1 shall be organized by the state, local communities, commercial companies, institutions and other organizations in accordance with standards applicable to the organization, equipment and training of the Civil Protection as determined by the Government. These standards shall also determine criteria for the appointment of Civil Protection commissioners, the main responsibility of which shall be personal and mutual protection.

Article 77
(Avalanche trigger-off)

(1) Avalanches may be triggered off by persons authorized for that purpose and under conditions prescribed by the Minister.

(2) Specific provisions governing the protection against avalanches shall be determined by the Minister.

Article 78
(Protection against unexploded ordnance)

(1) The protection against unexploded ordnance shall comprise detection, securing, removal, transport and destruction of unexploded ordnance.

(2) Members of protection against unexploded ordnance units shall be authorized by the Minister to perform tasks referred to in paragraph 1.

(3) Specific provisions governing the protection against unexploded ordnance shall be determined by the Minister.

Article 79
(Keeping public peace and order)

In the event of natural and other disasters the police shall be responsible to ensure public peace and order in the threatened and affected areas.

2. Mobilization and activation

Article 80
(Mobilization and activation)

(1) The decision on the mobilization of the Civil Protection and other protection, rescue and relief forces shall be taken by the Government.

(2) The decision on the activation of the Civil Protection and other protection, rescue and relief forces in the event of natural and other disasters shall be taken by the responsible Civil Protection commander and other authorities responsible for the management, in accordance with emergency response plans.

3. Management of forces

Article 81
(Management of protection, rescue and relief forces)

- (1) Operational and technical management of the Civil Protection and other protection, rescue and relief forces shall be organized and implemented as a unified system.
- (2) The management referred to in paragraph 1 shall be performed by Civil Protection commanders, Civil Protection headquarters, Civil Protection commissioners and commanders or leaders of protection, rescue and relief units, services and other operational structures.
- (3) The management shall be based on the compulsory execution of decisions taken by authorities responsible for the management of the Civil Protection and other protection, rescue and relief forces.
- (4) Any commander or leader shall appoint a deputy. In absence of the deputy he shall appoint another person to replace him.
- (5) Any commander or leader must know his superiors and subordinates.
- (6) No person shall be required or permitted to execute a decision, where it is evident that in doing so he would commit a crime or act in contravention with the international humanitarian law.

Article 82

(Management of units, services and other operational structures)

- (1) Units, services and other operational structures organized within associations and other non-governmental organizations or commercial companies, institutions and other organizations participating in protection, rescue and relief shall be managed independently by their leaders in accordance with technical and legal provisions.
- (2) Where protection, rescue and relief is performed by more than one unit, service or other operational structure, or where the Civil Protection has been activated, they all shall act in accordance with the directions given by the responsible Civil Protection commander or incident commander.

Article 83

(Participation of armed and police forces)

- (1) Where armed forces participate in protection, rescue and relief they shall be managed by military commanders in accordance with the directions given by the responsible Civil Protection commander or incident commander.
- (2) The police shall organize and perform their duties in protection, rescue and relief in accordance with regulations and the directions given by the responsible Civil Protection commander or incident commander.

Article 84

(Duties of Civil Protection commanders)

- (1) The Civil Protection commander shall:
 - check the preparedness of protection, rescue and relief forces and resources for intervention;
 - manage and direct protection, rescue and relief in the event of natural and other disasters;
 - provide for liaison and co-ordinated action of all protection, rescue and relief forces;
 - give opinions and make proposals as to the preparation and activity of protection, rescue and relief forces and give opinions and make proposals relating to the recovery from natural and other disasters;
 - propose the appointment of Civil Protection headquarters.
- (2) The Civil Protection commander may appoint an incident commander to manage individual protection, rescue and relief interventions.

Article 85

(Special powers)

(1) In the course of protection, rescue and relief the Civil Protection commander or incident commander shall have the right and duty to deny unauthorized persons access to and passing by the affected area and to order that:

- people, animals and property be removed from buildings and areas;
- access to dwellings be allowed;
- specific means of communication be used or set up;
- obstacles preventing successful intervention be removed;
- private means of transport be made available and used for the transportation of injured persons or required means of protection, rescue and relief;
- citizens participate in rescue activities according to their skills and resources suitable for rescue;
- private premises be used for the purposes of protection, rescue and relief;
- premises be used as a temporary storage site for debris, soil and other material produced during the performance of protection, rescue and relief duties aimed at provision of basic living conditions;
- buildings be demolished or trees be cut

(2) Measures referred to in paragraph 1 may only be ordered, where no other measures can ensure the protection of people and property and the performance of protection, rescue and relief, and shall apply no longer than absolutely necessary.

(3) The removal of people referred to in paragraph 1 of this Article shall be ordered if the lives of these people are exposed to immediate threat due to fire, explosion or other hazard for the duration of this hazard. The police shall help with the removal.

(4) In the course of protection, rescue and relief a Civil Protection commander or incident commander shall have the right under conditions referred to in paragraph 3 to order urgent construction, technical and other works to commercial companies, institutions or other organizations with which the national or local authority has signed a contract on the performance of specific operational protection and rescue duties under this Act. In the absence of such commercial companies, institutions or other organizations and if these duties need to be performed in order to protect and rescue people, property, animals or the environment or to deter immediate threat, Civil Protection commander or incident commander shall have the right to order that these duties be performed by natural or legal persons who have adequate equipment or capabilities. The order shall be issued in writing, or if the circumstances do not allow, in exceptional circumstances, orally. In this case a written order shall be issued as soon as possible. The order shall determine the type and scope of work that needs to be done.

(5) Normally, records shall be kept of decisions made by a Civil Protection commander or incident commander. For decisions with bigger financial implications, written orders shall be issued. Circumstances permitting, the written order shall be issued as soon as possible. In urgent cases Civil Protection commander or incident commander shall have the right to order owners or users of residential and other accommodation facilities that they provide temporary shelter and care for threatened persons until a decision has been made by the Mayor.

(6) Urgent works in course of protection, rescue and relief means duties necessary for the performance of protection, rescue and relief operations in the event of a disaster and works referred to in paragraph 4 of this Article. If protection and rescue operations are led by responsible regional or national authorities, the decision on the provision of funds to cover the cost of urgent works relating to the performance of protection, rescue and relief in the event of natural and other disasters managed by local community authorities shall be made by the Mayor or the Government.

Article 86 (Assistance)

(1) Where, in the event of a natural or other disaster, assistance of a neighbouring local community is required in terms of forces and resources for protection, rescue and relief, the local Civil Protection commander or incident commander may request such assistance. Save as otherwise provided by the bilateral agreement, the commander or incident commander may also request assistance of an adjacent local community in a neighbouring country.

(2) Save as otherwise provided by bilateral agreements, the request for assistance of other countries in terms of forces and resources in the event of major natural and other disasters shall be made by the Government or the Civil Protection Commander of the Republic of Slovenia.

(3) Local communities may offer assistance in the event of natural and other disaster to a local community in another country save as otherwise provided by an inter-government agreement.

Article 86 a

(Performance of protection, rescue and relief in other countries)

(1) Assistance to other countries in the performance of protection and rescue in the event of natural and other disasters and implementation of international obligations of the state shall be carried out by designated units, services and operational structures for protection, rescue and relief, normally organized at the national or regional level under this Act. A separate operational structure may be organized for the performance of protection, rescue and relief in other countries. The decision to assist other countries shall be made by the Government on the proposal of the Civil Protection Commander of the Republic of Slovenia or the Minister, if it relates to international obligations of the state. If required, the Government may decide that units, services and operational structures deployed to offer assistance to other countries perform protection, rescue and relief operations they do not perform in the Republic of Slovenia. However, they must not perform duties that do not correspond to the international and legal status of the Civil Protection.

(2) The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief may assign certain units, services and operational structures referred to in paragraph 1, given their level of equipment, training and readiness, to the pool of protection, rescue and relief forces managed by international organizations of which the Republic of Slovenia is a member for assistance in other countries. Members of such units, services and operational structures must be informed of the possibility that they might be deployed to other countries to perform their duties. Under this Act this normally a contract on service in the Civil Protection shall be signed with members of such units, services and operational structures.

(3) Units, services or operational structures deployed to perform protection and rescue operations in other countries in order to implement other international obligations of the state shall be led by their commanders or leaders as provided under this Act and in accordance with decisions made by national authorities or authorities of international organizations in which the operations are performed. In case of doubt, the commander or the leader shall decide in accordance with guidelines provided by an authority in the Republic of Slovenia or as provided under this Act.

(4) Internal relations and damage and criminal liability cases during operation of units, services and operational structures in other countries shall be regulated in accordance with provisions of this Act. If no provisions for specific issues are provided under this Act, corresponding regulations on deployment of staff to international civil missions and international organizations shall apply. If a member of a unit, service or operational structure has seriously violated discipline or if there is substantiated suspicion that he has committed a criminal offence, he shall be sent back to his country by his commander or leader.

(5) All members of units, services and operational structures deployed to training or exercises outside the country or deployed to offer assistance in the event of a disaster or to implement international obligations of the state shall be obliged to have insurance for cases of death, permanent loss of general ability to work and temporary inability to work.

(6) Based on a decision made by relevant authorities and in accordance with emergency response plans, any unit, service or operational structure in border regions can be deployed to offer assistance in border areas of another country, save as otherwise provided by international treaty or other international non-contractual legal act.

Article 87

(Civil Protection headquarters)

(1) Civil Protection headquarters shall be established for the purposes of providing technical assistance in management and performing other operational and technical duties relating to protection, rescue and relief.

(2) Civil Protection headquarters shall comprise:

- the Civil Protection Headquarters of the Republic of Slovenia;
- regional headquarters;
- communal or municipal headquarters;
- sector or local headquarters;
- Civil Protection headquarters of commercial companies, institutions and other organizations.

(3) The headquarters shall be managed by the Civil Protection commander and in his absence by the deputy commander. The headquarters shall be composed of a certain number of members appointed from the ranks of experts and representatives of authorities, organizations and services participating in protection, rescue and relief as provided for in emergency response plans. Regional Civil Protection headquarters and the Civil Protection Headquarters of the Republic of Slovenia shall be composed also of representatives of the police and the Slovenian Armed Forces.

Article 88

(Civil Protection commissioners)

(1) Civil protection commissioners shall be appointed in larger dwelling houses, commercial companies, institutions and other organizations and, according to the hazards, in residential areas.

(2) Civil protection commissioners shall direct the implementation of personal and mutual protection of inhabitants and organize and co-ordinate the performance of protection, rescue and relief duties within their area.

4. Badges of the Civil Protection

Article 89

(Types of badges)

(1) The following badges shall be used in the Civil Protection of the Republic of Slovenia:

- badges indicating membership in the Civil Protection of the Republic of Slovenia;
- badges indicating rank;
- badges indicating specialities of units and services.

(2) Any reproduction or unauthorized use of badges and uniforms of the Civil Protection of the Republic of Slovenia and any reproduction and traffic use of vehicles with a graphical design equal to that of vehicles and other means of transport of the Civil Protection shall be prohibited.

(3) Badges of the Civil Protection of the Republic of Slovenia shall be prescribed by the Government.

(4) The kind, shape, cut and wearing of the uniform of the Civil Protection of the Republic of Slovenia shall be prescribed by the Minister.

Article 90

(deleted)

5. Awards and decorations

Article 91
(Awards and decorations)

- (1) Certificates, decorations and bonuses in the field of protection against natural and other disasters shall be awarded for:
- contributions in the prevention of danger;
 - contributions in the performance of protection, rescue and relief duties;
 - heroic deeds;
 - inventions and innovations;
 - achievements in development and research;
 - achievements in education and training;
 - life-work in the field of protection against natural and other disasters.
- (2) Appreciation referred to in paragraph 1 shall be prescribed by the Government.

IX. MANAGEMENT

Article 92
(National Assembly)

The National Assembly shall:

- determine general directions for the organization and implementation of protection against natural and other disasters;
- adopt the national programme for the of protection against natural and other disasters upon proposal of the Government;
- supervise the implementation of the national program and the performance of protection against natural and other disasters;
- take decisions relating to the provision of resources and other issues of recovery from major natural disasters upon proposal of the Government.

Article 93
(Government)

The Government shall:

- direct and co-ordinate the organization, preparation and implementation of protection against natural and other disasters in the country;
- adopt the annual plan for the protection against natural and other disasters;
- adopt national emergency response plans;
- manage protection, rescue and relief and recovery from major natural and other disasters;
- arrange international assistance in the event of natural and other disasters.

Article 94
(deleted)

Article 95
(Commander and headquarters of the Civil Protection of the Republic of Slovenia)

- (1) For the purposes of operational and technical management of the Civil Protection and other protection, rescue and relief forces on national level the Government shall appoint a Commander of the Civil Protection of the Republic of Slovenia.
- (2) For the purposes of providing technical assistance in management and performance of operational and duties relating to protection, rescue and relief the Government shall appoint the Headquarters of the Civil Protection of the Republic of Slovenia.
- (3) The Commander of the Civil Protection of the Republic of Slovenia shall be accountable to the Government.

Article 96
(Regional Civil Protection commander and headquarters)

- (1) For the purposes of operational and technical management of protection, rescue and relief forces on regional level the Government shall appoint regional Civil Protection commanders and headquarters and determine the area of their responsibility.
- (2) Regional Civil Protection commanders shall be accountable to the Commander of the Civil Protection of the Republic of Slovenia.

Article 97
(Damage assessment committees)

- (1) For the purposes of damage assessment in the event of natural and other disasters and preparation of proposals for the recovery from such disasters the Government shall appoint the national and regional damage assessment committees.
- (2) Members of committees referred to in paragraph 1 shall be appointed by the Government from the ranks of experts and representatives of the public administration, local communities, public services, commercial companies and insurance companies.
- (3) The injured parties shall be required to gather evidence relating to the damage inflicted on them in the event of a natural or other disaster at their own expense and produce it to the responsible committee for evaluation and approval.
- (4) The methodology for the assessment of material damage and other consequences of natural and other disasters by the committees shall be determined by the Government.

Article 97a
(Damage assessment in local communities and damage to property owned by the state)

- (1) Damage assessment in the event of natural and other disasters based on methodology referred to in Article 97 (hereinafter referred to as prescribed methodology) in local communities shall be carried out also by committees appointed by Mayors from the ranks of subject-matter experts.
- (2) Damage occurred in the event of natural and other disasters to public economic infrastructure installations of national importance or damage to other property owned by the state shall be assessed based on the prescribed methodology referred to in Article 97, by responsible ministries or commercial companies, institutions and other organizations which hold a concession or other public authority to manage the said property.
- (3) The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief shall keep a list of members of committees referred to in Article 97 and paragraph 1 of this Article. It shall be responsible for their training for damage assessment duties based on the prescribed methodology and for issuing of appropriate certificates. The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief shall cover direct cost for the work of damage assessment committees under this Act if damage is assessed in accordance with decisions and guidelines provided by the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief. This cost shall be calculated based on the criteria determined by the Minister. The Minister shall also prescribe training programmes for the committees.
- (4) The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief may sign contracts for specific fields and activities with an adequate number of damage appraisers who shall conduct damage assessments in the event of natural and other disasters based on the prescribed methodology.

Article 97b
(Damage assessment procedure)

(1) Damage assessment procedure in the event of natural and other disasters shall start based on a decision of the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief which shall appoint the area, the committees, appraisers and deadlines for damage assessment and other issues important for comprehensive assessment of direct damage based on the prescribed methodology. The initiative for damage assessment may also be launched to the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief by local communities, commercial companies, institutions or other organizations and ministries responsible for the activity affected by damage.

(2) Assessment of damage to property owned by the state elaborated by damage assessment committees in local communities, responsible ministries, commercial companies, institutions and other organizations or submitted directly by the affected party must be approved by regional damage assessment committees in regions or in locations of damage as well as by the national damage assessment committee.

(3) Regional and national damage assessment committees shall have the right to verify directly the damage assessment procedure, request additional evidence or appraisals or, in individual cases, to perform the appraisals themselves or through authorized appraisers. Regional and national damage assessment committees shall have the right to decrease or increase the amount of assessed damage, if shortfalls are established relating to the damage assessment procedure or the use of the prescribed methodology for damage assessment in the event of natural and other disasters.

(4) Damage assessment resources in the event of natural and other disasters shall be provided by the Government, normally during the processing of consequences of damage of a specific natural or other disaster, however only for damage assessment following the procedure referred to under this Act.

(5) The national damage assessment committee in the event of natural and other disasters shall confirm the damage after a specific natural or other disaster and propose measures for the recovery based on regulations on the recovery and reconstruction after natural and other disasters.

Article 98 (Mayor)

(1) The mayor shall:

- provide for the implementation of preparations for the protection against natural and other disasters;
- adopt emergency response plans;
- determine the type and size of protection, rescue and relief forces referred to in Articles 73, 75 and 76 of this Act;
- provide for the implementation of measures for the prevention and mitigation of consequences of natural and other disasters;
- manage protection, rescue and relief and recovery from natural and other disasters;
- provide for the notification of inhabitants of danger, state of protection and protective measures taken.

(2) For the purposes of operational and technical management of protection, rescue and relief the mayor shall appoint a communal or municipal Civil Protection commander and sector and local commanders and headquarters.

(3) Civil Protection commissioners and commanders referred to in paragraph 2 shall be accountable for their work to their superior Civil Protection commanders. The municipal Civil Protection commander shall be accountable to the mayor and the regional Civil Protection commander, in particular for the implementation of guidelines or decisions for the performance of protection, rescue and relief duties assigned to the regional Civil Protection commander or his superior commander in accordance with his authorities.

Article 99 (Management)

(1) The management of commercial companies, institutions and other organizations shall:

- provide for the implementation of preparations for the protection against natural and other disasters;
- manage protection rescue and relief in the event of natural and other disasters.

(2) For the purposes of operational and technical management of protection, rescue and relief the management shall appoint a Civil Protection commander and headquarters or a Civil Protection commissioner and adopt emergency response plans.

(3) Civil Protection commanders and Civil Protection headquarters referred to in paragraph 2 shall be appointed by commercial companies, institutions and other organizations referred to in Article 38 paragraph 2 of this Act and by institutions that offer medical treatment of regional importance referred to Article 38 paragraph 4 of this Act. Civil Protection commissioners shall also be appointed by other commercial companies, institutions and other organizations under this Act.

X. ADMINISTRATION

Article 100 (Duties of Ministries)

- (1) The Government shall direct and co-ordinate the activities of Ministries in the area of protection against natural and other disasters.
- (2) The Ministries shall be responsible for the implementation of measures for the prevention of natural and other disasters or prevention of consequences of such disasters in areas within their competence.
- (3) The Ministries shall be responsible for the state of preparedness for carrying out activities within their competence in the event of natural and other disasters.
- (4) The duties of the Government, ministries and governmental protection, rescue and relief services shall be set out in national emergency response plans.

Article 101 (Organization and responsibilities)

Save as otherwise provided, administrative and technical duties relating to protection, rescue and relief and other duties within the protection against natural and other disasters shall be performed by the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief and regional organizational units.

Article 102 (Duties of the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief)

The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief shall perform administrative and technical duties of protection against natural and other disasters in particular:

- elaboration of proposals of research and development projects relating to the protection against natural and other disasters;
- elaboration of the proposal of the national programme and plan of protection against natural and other disasters;
- providing for the organization and operation of the monitoring, notification and warning system;
- planning, setting-up, functioning and maintaining of a unified information and communication system in the area of protection against natural and other disasters and determining other technical conditions for the integration of other systems;
- elaboration of threat assessments and other technical documents for the planning of protection, rescue and relief and directing and co-ordinating of measures for the prevention and mitigation of consequences of natural and other disasters;
- monitoring and announcing of danger of natural and other disasters and giving instructions for handling;
- elaboration of national emergency response plans in co-operation with ministries and governmental services;

- organization, equipment and training of national Civil Protection units and services and other protection, rescue and relief forces and provision of conditions for the work of the commander, the Headquarters of the Civil Protection of the Republic of Slovenia and the national and regional damage assessment committee.
- monitoring and co-ordination of the organization of the Civil Protection and other protection, rescue and relief forces;
- elaboration of programmes as well as organization and delivery of education and training for protection, rescue and relief;
- typisation of protection, rescue and relief resources;
- creation and maintenance of national material reserves for the case of natural and other disasters;

(2) The Administration of the Republic of Slovenia for Civil Protection and Disaster Relief shall be responsible for well-coordinated development of protection, rescue and relief forces in the country in accordance with threat assessments and emergency response plans and standards determined by the Minister. In the course of protection, rescue and relief the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief shall have the right based on a decision made by the Government, the Civil Protection Commander of the Republic of Slovenia or based on a proposal of incident commander to provide the affected population relief resources or specific protection and rescue equipment and tools necessary for operation of protection, rescue and relief forces. Based on mutual agreements, selected protection and rescue equipment and tools may be reassigned free of charge to units, services and operational structures provided they are not disposed of by the receiving party except to be replaced by new resources. The assistance in protection equipment and resources and tools may be gratuitous and based on an appropriate agreement. Exceptionally, such assistance may be provided to assure appropriate level of readiness for the performance of certain protection, rescue and relief duties in accordance with standards prescribed by the Minister.

XI. SUPERVISION

Article 103 (Responsibilities of the inspection)

(1) The supervision of compliance with this Act, Fire Protection Act, Protection against Drowning Act, Fire Service Act and other acts and regulations governing the protection against natural and other disasters shall be performed by the Inspectorate of the Republic of Slovenia for the Protection against Natural and other Disasters.

(2) In the course of inspections inspectors shall examine in particular:

- the implementation of measures for the prevention and mitigation of consequences of natural and other disasters;
- the state of plans and other preparations for protection, rescue and relief;
- the performance of duties relating to monitoring, notification and warning;
- the proficiency, equipment and preparedness of headquarters, units and services of the Civil Protection and other protection, rescue and relief forces;
- the delivery of training for protection, rescue and relief;
- the handling of administrative and technical matters in the area of protection against natural and other disasters

(3) In order for the inspection to serve its purpose as described in paragraph 2, the Inspector General may also order a practical test or exercise.

(4) The Inspectorate of the Republic of Slovenia for the Protection against Natural and other Disasters shall have the authority to decide on offences as provided under this Act and other regulations referred to in paragraph 1 of this Article in accordance with the Minor Offences Act.

Article 104 (deleted)

XII. PROFESSIONAL OCCUPATION AND HEALTH AND SAFETY AT WORK

Article 105 (Special working conditions)

(1) Save as otherwise provided under this Act for specific cases, regulations governing employer-employee relations and salaries of civil servants shall apply to employer-employee relations and salaries of civil servants in the field of protection and rescue.

(2) In accordance with general regulations, civil servants in the field of protection and rescue on certain duties prescribed in post systemization shall be obliged to work due to service requirements in special working conditions to include work at night, on Sundays and free days, regular or temporary duty, work in field conditions or work according to a less favourable schedule.

(3) Due to service requirements, civil servants in the field of protection and rescue shall be obliged to work based on a decision of their superior in special working conditions according to a less favourable schedule and under less favourable working conditions, including hazards and special work load.

(4) Overtime, duty or home stand-by duty or work on another specific location shall be ordered, except in cases, determined in general regulations, also due to the following service requirements:

- immediate threat of natural or other disasters or announced increased wildfire threat;
- the event of natural or other disasters that require reinforcements of management bodies, services, units and operational structures performing protection, rescue and relief operations or when such operations need to be continued;
- circumstances in which assistance is offered in the event of natural or other disasters to other communities, countries or within international organizations based on a decision of authorities;
- the time elapsed from the occurrence of a natural or other disaster to the provision of basic conditions of living in the affected area, including assessment of damage caused by a disaster as provided under this Act;
- an increased threat of attack on the country, immediate war threat, state of emergency, increased level of readiness due to crisis situations or if the altered security situation presents a threat to people, property, animals, cultural heritage or the environment on a larger scale;
- continuation of work in the absence or loss of other workers to ensure uninterrupted operation of emergency notification centres and duty services in the minimum scope necessary for the performance of protection, rescue and relief and support of the said services.

(5) Overtime referred to in paragraph 4 shall be ordered in written form. If this is not possible due to the urgency of protection and rescue it shall be ordered orally. In this case a written order shall be submitted to a civil servant not later than by the end of the week following the week in which it was given. Overtime may last up to six hours per day, 20 hours per week, 80 hours per month and up to 180 hours per year. The limits shall be determined based on a six-month average.

(6) Civil servants in the field of protection and rescue shall be entitled to special bonuses for work in special conditions referred to paragraph 4 of this Article in accordance with special regulations.

(7) Civil servants in the field of protection and rescue appointed by their superior and those who perform operational duties shall be obliged to carry with them technical devices so they can be informed of dangers or

occurrence of disasters. Carrying of technical devices shall not be considered a special working condition and shall be obligatory for such civil servants, except during annual leave or when they are out of the country.

(8) Civil servants in the field of protection and rescue assigned to operational protection, rescue and relief duties or to operational duties in the Civil Protection shall be obliged to have insurance for cases of death, permanent loss of general ability to work and temporary inability to work, occurring in the event of natural and other disaster during the performance of protection, rescue and relief, other operational protection, rescue and relief duties or during exercises, education or training. In accordance with this paragraph members of the Civil Protection and citizens who voluntarily participate in protection, rescue and relief duties as provided under this Act shall also be required to have special insurance.

(9) Civil servants in the field of protection and rescue assigned to operational protection, rescue and relief duties shall have the right to extended insurance periods or to a compulsory pension insurance in accordance with general regulations.

Article 106

(Appreciation of working under special conditions)

(1) Civil servants in the field of protection against natural and other disasters shall be entitled to special-working-conditions and responsibility bonuses such as:

- up to 20% where they perform organisational, managerial, inspection or operational duties;
- up to 15% where they perform professional and technical duties relating to detection, securing, removal and destruction of explosive ordnance;
- up to 10% where they perform technical, analytical, supervisory and other operational duties;
- up to 5% where they perform auxiliary technical and handling duties.

(2) The percentage of bonus referred to in paragraph 1 shall be determined according to the scope, type and nature of the work performed under special conditions and of the responsibility.

Article 106a

(Working in split shifts and change of working hours)

(1) Daily work-load of a civil servant in the field of protection and rescue shall not exceed 12 hours during a successive 24 hour period. The average daily work-load of employees shall be calculated as average work-load in a period which must not exceed six months.

(2) Work in split shifts means work performed alternately in the morning, in the afternoon or at night. Work in split shifts shall also include working in rotations where employees work according to the schedule for 12 hours followed by 24 or 48 hours of rest and working according to a special schedule in the morning, in the afternoon or at night, however not in regular sequences. If work is performed in split shifts or in rotations a periodic change of shifts shall be provided.

(3) Civil servants in the field of protection and rescue who work in split shifts shall be granted the prescribed minimal daily and weekly rest in the period which must not exceed six months.

(4) If a civil servant in the field of protection and rescue is required to work on a free day due to service requirements, he shall be granted weekly rest in the current month or at the latest, the following month.

(5) Work in split shifts can be also ordered based on a decision of the superior due to service requirements referred to in Article 105 paragraph 4 as a temporary measure to provide the basic conditions of living in the affected area as provided under this Act or until it is no longer necessary to work in split shifts.

(6) Civil servants in the field of protection and rescue who work in split shifts or in rotations shall be entitled to the reimbursement of subsistence in accordance with regulations that apply to civil servants if it is impossible to provide meals for them during regular work time. The subsistence reimbursement for night work shall be 50 % higher.

Article 106b
(Working over prescribed work-load)

If the work-load performed by a civil servant in the field of protection and rescue exceeds the prescribed monthly or weekly work-load, the difference shall be considered overtime which must not exceed 20 hours per week or 80 hours per month, if it is not possible to change the working schedule as provided under this Act.

Article 106c
(Duty service and other special working conditions)

(1) Civil servants in the field of protection and rescue shall perform duty service as a regular or special type of work at workplace or on some other pre-determined location.

(2) Home stand-by duty shall not be calculated into weekly or monthly work-load obligations. If civil servants in the field of protection and rescue do perform work during stand-by periods, these hours shall be calculated into weekly or monthly work-load or as overtime.

(3) Based on a decision of the superior which is made autonomously or on request of a responsible Civil Protection commander or incident commander, civil servants in the field of protection and rescue shall continue working if a natural or other disaster occurred during regular working time and the protection, rescue and relief operations did not finish within the regular working time. This work shall be regarded as overtime.

(4) Due to service requirements civil servants in the field of protection and rescue may have to break off their annual leave under provisions of Article 105 paragraph 4 of this Act. Civil servants who are unable to take annual leave due to service requirements in the current calendar year shall have the right to take annual leave until 30 June in the following calendar year.

Article 106 d
(Working in less favourable conditions)

(1) Civil servants in the field of protection and rescue shall be required to work in less favourable working conditions to include noise, vibration, contaminated areas, aerosols, gases, hazardous chemical substances and other hazardous substances if they are trained for the performance of duties in such conditions and equipped with required personal protection gear. If a civil servant does not have the required personal protection gear, he shall have the right to refuse such work and immediately inform the next higher superior.

(2) Civil servants in the field of protection and rescue shall be required to work also with explosive devices and explosives as well as hazardous substances as provided in paragraph 1.

(3) Civil servants in the field of protection and rescue assigned to operational rescue, relief and protection duties or to such duties in the Civil Protection and have been sent or called up during working time to perform protection, rescue and relief duties in another location shall be entitled to calculate the time needed to arrive at and return from a location of protection, rescue and relief duties as actual working hours.

(4) Civil servants in the field of protection and rescue shall be entitled to extra bonuses for work under this Article in accordance with general regulations.

(5) Civil servants in the field of protection and rescue who have been disabled due to consequences of injuries suffered at work or occupational diseases or the performance of protection, rescue and relief as provided under this Act, shall be reassigned to a different workplace in the Ministry or other national authority according to the

rest of their ability to work or shall be entitled to occupational rehabilitation. The right of reassignment to a duty in local community authorities or occupational rehabilitation shall apply also to civil servants in the field of protection and rescue in local communities. If reassignment is not possible or if occupational rehabilitation is not deemed suitable, corresponding regulations governing reassignments of servicemembers of the Slovenian Armed Forces who have been disabled due to injuries or occupational disease during military service shall apply accordingly.

Article 106 e
(Extra days of leave and length-of-service bonus)

(1) For the purpose of maintaining psycho-physical fitness of civil servants in the field of protection and rescue assigned to operational duties of divers or protection against unexploded ordnance shall be granted extra 15 days of leave in addition to the regular annual leave. The Minister shall determine the conditions and manner in which this leave is to be used. Extra days of leave under this Article shall be granted also to divers and explosive ordnance experts who work as professional fire-fighters.

(2) Civil servants in the field of protection and rescue who are assigned in accordance with post systemisation to operational protection, rescue and relief duties or have been assigned to such duties in the Civil Protection for more than ten years shall be entitled, for each consecutive year of service, to a length-of-service bonus in the amount of .5 % of the basic salary.

Article 106 e
(Legal assistance)

(1) Civil servants in the field of protection and rescue subject to damage or penal liability due to their actions in the performance of protection, rescue and relief duties shall be entitled to free legal assistance provided by a national or local community authority.

(2) Legal assistance referred to in paragraph 1 shall be provided to civil servants by an authority, if estimated that they acted in accordance with professional regulations and standards that apply to the performance of protection, rescue and relief. The right to free legal assistance under this Article shall apply also to members of the Civil Protection or citizens who have been recognized status of a member of the Civil Protection under this Act as well as professional fire-fighters.

Article 107
(Health and safety at work)

(1) Save as otherwise provided, for the performance of duties in the area of protection against natural and other disasters, general provisions governing health and safety at work shall apply.

(2) In the case of duties relating to protection, rescue and relief in the event of natural and other disasters to which general provisions referred to in paragraph 1 do not apply, the measures and procedures for ensuring health and safety of employees, Civil Protection members and members of units, services and other operational systems within associations and other non-governmental organizations shall be prescribed by the Minister.

Article 108
(Strike)

(1) In the course of a strike, persons professionally engaged in the protection against natural and other disasters shall be required to ensure:

- continuity of operation of the monitoring, notification and warning system and the electronic communications system;
- continuity of performance of operational and technical duties in order to ensure operation of Civil Protection commanders and headquarters or other protection, rescue and relief management authorities.

(2) In the course of a natural or other disaster or where increased risk of occurrence of a natural or other disaster is proclaimed or in other cases outlined in Article 105 paragraph 4 of this Act, persons referred to in paragraph 1 shall be denied the right to go on strike.

(3) It shall be prohibited to use alarm signals and protection, rescue and relief equipment and means for the purposes of a strike.

XIII. EDUCATION AND TRAINING

Article 109 (School education)

(1) Elementary education shall provide basic knowledge on hazards of natural and other disasters and the protection against such disasters.

(2) Secondary and university education shall provide knowledge on the protection against natural and other disasters corresponding to the line of education.

Article 110 (Personal and mutual protection training)

(1) The training of inhabitants for personal and mutual protection and for the performance of protective measures shall be provided by the state and local communities as optional training.

Article 111 (Training of Civil Protection members)

(1) The training of Civil Protection members for the performance of duties in the Civil Protection shall comprise introductory, basic and advanced training.

(2) Introductory and basic training of Civil Protection members shall not exceed 15 days in total and advanced training shall not exceed 5 days per year.

(3) By way of exception the Minister may decide that the period provided for basic training of Civil Protection members under paragraph 2 be extended.

(4) As a rule advanced training shall be organized and delivered on days off.

(5) Civil Protection members shall be summoned to training by means of a call-up order. As a rule the said order shall be served on them 30 days before the start of training.

Article 112 (Suspension of training)

(1) At the request of the Civil Protection member concerned he shall be granted suspension of training:

- where he is unable to attend training due to illness or injury;
- where, at the time of the call-up for training, he is attending school or where, in the time of the training concerned, he is scheduled to do an exam, test or attend compulsory practicals;
- where he is nursing a seriously ill member of his household;
- where, after being served the call-up order, a case of death occurred in his family or household or, where by attending the training he would get into a difficult situation for other personal reasons.

(2) Training may also be suspended for reasons of indispensability at work and agricultural activities.

(3) The request for suspension of training shall be lodged with the administrative body responsible for keeping records on the member lodging the request within eight days from the date of service of the call-up order or from the date of occurrence of the reason for suspension, respectively.

Article 113
(Training Centre)

- (1) For the purposes of education and training in the area of protection against natural and other disasters the Training Centre for Civil Protection and Disaster Relief of the Republic of Slovenia (hereinafter referred to as Training Centre) pertaining to the Administration of the Republic of Slovenia for Civil Protection and Disaster Relief shall be established.
- (2) The Training Centre referred to in paragraph 1 shall be responsible for the implementation of certain training programmes for Civil Protection members, members of units, services and other operational systems of associations and other non-governmental organizations, commercial companies, institutions and other organizations.
- (3) Where the appropriate conditions are fulfilled, the Training Centre may engage in testing of protection and rescue equipment.

Article 114
(Training programmes)

- (1) Education and training in the area of protection against natural and other disasters shall be organized by ministries and local communities.
- (2) The programmes for introductory, basic and advanced training of Civil Protection members shall be determined by the Minister. The training programmes for members of units, services and other operational systems of associations and other non-governmental organizations, commercial companies, institutions and other organizations shall be determined by the Minister in co-operation with such organizations.
- 3) The programmes referred to in paragraph 2 may also determine training programmes up to three months. The participation in such programmes shall be calculated against years of pensionable service in accordance with law. For participation in such programmes, participants shall be granted other rights determined by the Government.
- (4) The Minister may determine or approve the implementation of training programmes adopted based on obligations of the state in the field of protection against natural and other disasters in international organizations in accordance with international treaties.
- (5) The conditions to be fulfilled by educational organizations providing training in the area of protection against natural and other disasters shall be laid down by the Minister.

XIV. FUNDING

Article 115
(Sources of funding)

Protection against natural and other disasters shall be financed by:

- the budget of the Republic of Slovenia;
- budgets of local communities;
- insurance premium;
- voluntary contributions;
- international aid;
- financial resources of commercial companies, institutions and other organizations;
- other sources.

Article 116
(General expenses)

- (1) Administrative, technical, supervisory and other activities relating to the protection against natural and other disasters within the competence of the state shall be financed by the national budget.
- (2) Local communities shall provide for the funding of activities relating protection against natural and other disasters within their competence and of other items of public expenditure.
- (3) The state and the local communities shall, in accordance with their responsibilities, provide financial resources to cover the costs of protection, rescue and relief activities indispensable for the protection of the health and life of people, animals, property and environment.
- (4) Commercial companies, institutions and other organizations which are required under this Act to organize the Civil Protection and execute other measures and duties relating to the protection against natural and other disasters shall provide funds for compensations appertaining to their employees for the loss of income during training as well as financial resources to cover the costs of preparations and other expenses relating to protection.
- (5) The costs of protection, rescue and relief operations in the event of an accident caused by an unknown person shall be covered as a subsidiary by a local community where such an accident occurred or by the state if protection, rescue and relief duties are under the responsibility of the state.

Article 117
(Funding of recovery and reconstruction)

- (1) Financial resources for the provision of assistance in reconstruction and recovery referred to in the eleventh indent of Article 36 shall be provided by the national budget.

Article 118
(Defrayal of costs)

- (1) Any natural or legal person who deliberately or due to criminal negligence causes a threat resulting in costs of emergency intervention or causes an accident shall be obliged to defray the costs of:
 - protection and rescue interventions;
 - recovery and restoration;
 - damages paid to natural and legal persons;
- (2) Where the threat or accident referred to in paragraph 1 is caused by more than one person and it is not possible to determine the individual's share of involvement, they shall be jointly and severally liable for the costs.
- (3) Without prejudice to paragraph 1 of this Article, any natural or legal person who caused due to negligence, lack of training or inadequate equipment a threat, or an accident or a state that resulted in costs of emergency intervention, shall be obliged to defray the proportional part of costs of intervention determined by the Government.
- (4) The Government shall determine activities for which the participants shall be obliged to defray a proportional part of costs regardless of the cause and responsibility for an accident and for which the participants need accident insurance. The proportional part of the intervention costs shall be covered by an insurance company or participants themselves if they are not insured.
- (5) The funds obtained due to defrayal of costs of emergency intervention or proportional part of interventions shall be regarded as dedicated funds of a rescue service or operational structures which carried out the intervention and may only be used for their activity as provided under this Act.

XV. PENALTY PROVISIONS

Article 119

(1) A fine of 300, 000 to 3,000,000 SIT for offence shall be imposed on a legal person or an individual involved in an independent activity who:

1. fails to notify the closest emergency notification centre, police or fire-fighting unit of a natural or other disaster hazard as soon as he notices it or becomes aware of it (Article 4);

1.a refuses as an employer of a citizen who has signed a contract on service in the Civil Protection to take this citizen back to work after the expiration of said contract or after termination of protection, rescue and relief duties for which the citizen has been called up or deployed (Article 19a paragraph 3);

1.b fails as an employer to excuse or allow absence of leave to a member of the Civil Protection or a citizen who voluntarily participates in the performance of protection, rescue and relief duties as provided under this Act and has been called-up to perform these duties during working hours via technical devices, a public warning siren or a call-up letter (Article 23a paragraphs 1 and 2);

1.c fails as an employer to excuse or allow leave of absence to a member of the Civil Protection or a citizen who voluntarily participates in the performance of protection, rescue and relief duties as provided under this Act, to attend exercises or training based on a call-up letter (Article 23a paragraph 3);

1.d as an employer fires or reassigns to a different duty a member of the Civil Protection or a citizen who voluntarily participates in the performance of protection, rescue and relief duties as provided under this Act, or causes any other damage relating to his performance of said duties (Article 27 paragraph 4);

2. fails to fulfil or in any other way evades the fulfilment of a material obligation (Article 25);

3. fails to communicate changes of data referred to in Article 32 to the administrative body within 15 days (Article 35);

4. fails to provide necessary conditions and facilities for the implementation of personal and mutual protection of employees and fails to implement the prescribed protective measures (Article 38 paragraph 1);

5. uses, produces, transports or stores hazardous substances, oil and its derivatives and carries on activities or handles means of production representing a disaster hazard and fails to elaborate a threat assessment and a emergency response plan (Article 38 paragraph 2);

6. in view of the extend and degree of threat fails to establish and maintain preparedness for action at his own expense or, fails to organize the necessary rescue and relief forces or fails to ensure notification and warning of employees and the surrounding population of danger or fails to co-finance the preparatory activities of adjacent commercial companies, institutions and other organizations or local community proportional to the threat constituted by his activity (Article 38 paragraph 3);

6.a fails to elaborate emergency response plans or fails to plan the implementation of protective measures and certain protection, rescue and relief duties in the event of natural and other disasters (Article 38 paragraph 4);

7. in his capacity as owner or user of a residential or other building fails to implement the prescribed protective measures and to provide the necessary means of protection, rescue and relief (Article 39 paragraph 1) or fails to implement the prescribed measures for the protection of cultural heritage (Article 39 paragraph 2);

8. in his capacity as owner or user of a residential or other building fails to facilitate the work of the responsible Civil Protection commissioner or fails to communicate to the said commissioner data on the residential or other building concerned or consolidated data on tenants and other users of the said building (Article 39 paragraph 3);

9. fails to elaborate emergency response plans at the request of the mayor (Article 46 paragraph 3);
10. in his capacity as owner or user of buildings and facilities intended for the public supply of water, production, traffic or storage of food, medication or animal fodder, public health service or child care and education fails to provide means of protection or fails to implement the prescribed measures for radiological, chemical and biological protection (Article 46 paragraph 3);
11. in his capacity as owner or user of a shelter fails to maintain the shelter in a condition corresponding to its purpose or in case of emergency fails to provide access to or use by persons the shelter is intended for (Article 67);
12. in his capacity as investor fails to provide for the construction of the shelter in accordance with the provisions of Article 64, paragraphs 3 and 4 (Article 68 paragraph 1);
13. fails to set up his own organization for the performance of duties or fails to provide for the training of his employees or fails to make other preparations for response in the event of natural and other disasters (Article 75 paragraph 2);
- 13.a prevents the performance of measures or fails to act in accordance with measures prescribed during the management of protection and rescue by the Civil Protection commander of incident commander (Article 85 paragraphs 1, 3 and 4);
14. reproduces or unjustifiably uses badges and uniforms of the Civil Protection of the Republic of Slovenia or reproduces and uses in traffic vehicles with a graphical design equal to that of vehicles and other means of transport of the Civil Protection (Article 89 paragraph 2);
15. acts in contravention of a decision imposed by the inspector for the protection against natural and other disasters (Article 104 paragraph 1);

(2) A minimum fine of 100,000 SIT shall also be imposed on the responsible person of the legal person or the responsible person of the self-employed person who commits an offence pursuant to paragraph 1.

Article 119a

A fine of 300, 000 to 3,000,000 SIT for offence shall be imposed on a commercial company, institution or other organization involved in activities referred to in Article 38 paragraph 2 if they failed to build, maintain and ensure the functioning of warning devices to warn the local population or if they fail to integrate such devices into the public alarm system (Article 56 paragraph 4).

Article 120

A minimum fine of 200,000 SIT for offence shall be imposed on the responsible person of a national or local authority where:

1. the local authority fails to elaborate threat assessments for the territory of the local community (Article 44 paragraph 3);
2. the local authority fails to elaborate local emergency response plans (Article 46 paragraph 2);
3. the responsible person commits an offence pursuant to Article 119 paragraph 1 items 1.a, 1.b, 1.c, 1.d, 7., 8., 10., 11., 12., 13. and 13.a.

Article 121

(1) A minimum fine of 100,000 SIT for offence shall be imposed for offence on an individual who:

1. fails to perform or unjustifiably evades the obligation to participate in the Civil Protection (Article 17);

2. in his capacity as member of the Civil Protection fails to be trained for the performance of duties in accordance with regulations (Article 22);
3. fails to fulfil his material obligation by making vehicles, machines, equipment and other material means, premises, buildings, devices and energy sources required for protection, rescue and relief in the event of a natural or other disaster available for use by the Civil Protection (Article 25 paragraph 1);
4. no longer valid after entry into force of the Material Obligation Act
5. unjustifiably fails to appear at a certain time or place or fails to hand over material means upon call-up by the responsible (Article 26, paragraph 1);
6. in his capacity as owner or user of a dwelling house denies lodging to evacuated inhabitants and people at risk at the request of the mayor (Article 62 paragraph 2);
7. commits an offence pursuant to Article 119 paragraph 1 items 1, 3, 7, 8, 11, 12 and 15;

(2) A minimum fine of 200,000 to 300,000 SIT shall be imposed for offence on an individual who prevents the performance of measures or fails to act in accordance with measures ordered by the Civil Protection Commander or incident commander during the management of protection and rescue (Article 85 paragraphs 1,3 and 4).

The Act on the protection against natural and other disasters (Official Gazette of the Republic of Slovenia No 64/94) contains the following transitory and final provisions:

XVI. TRANSITORY AND FINAL PROVISIONS

Article 122 (Protection Against Natural and Other Disasters Council)

The Protection Against Natural and Other Disasters Council shall also assume responsibilities which pursuant to the Fire Protection Act (Official Gazette of RS, No 71/93) pertain to the Fire Protection Council.

Article 123 (Inspectorate)

With the entry into force of this Act the Fire Protection Inspectorate of the Republic of Slovenia shall assume additional responsibilities provided for under this Act for the inspection in the area of protection against natural and other disasters and carry on his activity as the Protection against Natural and Other Disasters Inspectorate of the Republic of Slovenia.

Article 124 (Relief from duty for equipment)

Until the adoption of the new customs and other relevant legislation, provisions applicable to customs and other duties payable in respect of protection and rescue equipment, items and equipment intended for education and training in the area of protection against natural and other disasters, items and equipment intended for communications, information systems and disaster relief reserves within the system of protection against natural and other disasters at the time entry into force of this Act shall apply.

Article 125 (Additional insurance and addition of insurance period by increase)

Until the adoption of rules on additional insurance or provisions regulating uniform addition of insurance period by increase, provisions applicable to persons professionally engaged in the protection against natural and other disasters at the time of entry into force of this Act shall apply.

Article 126
(Harmonization of regulations and preparations)

- (1) Authorities provided for under this Act shall harmonize or issue rules for the implementation of this Act within one year from the time of its entry into force.
- (2) The organization and preparations in respect of protection, rescue and relief shall be harmonized with this Act within two years from the time of its entry into force.

Article 127
(Recovery and reconstruction funds)

- (1) From 1 January 1995 recovery and reconstruction funds shall be provided by the national budget pursuant to Article 117.
- (2) The Act Providing Solidarity Funds for Reconstruction and Recovery from Natural Disasters (OJ of SRS, No 3/75, 8/78, 33/80 and 16/84) shall be repealed by 31 December 1994.
- (3) From 1 January 1995 liabilities incurred to the debit of solidarity funds pursuant to the Act Providing Part of the Funds Required for Gradual Closure of the Mezica Lead and Zinc Mine (OJ of SRS, No 5/88), the Act on the Mitigation of Damage due to Mining in the Mercury Mine Idrija (OJ of SRS, No 37/87) and the Act on the Taking Up of a Loan for the Recovery from the Flood Disaster in Central Slovenia in 1990 (OJ of RS, No 26/91) shall be provided by the national budget.

Article 128
(Repeals)

- (1) With the day of entry into force of this Act the following provisions of the Defence and Protection Act (OJ RS, No 15/91) governing the disaster relief system shall be repealed:

- provisions of Articles 3, 9 to 12, 83 to 125, 137, Article 142 paragraph 1 items 4 and 13 to 18, Article 149 to 150 on the whole;

- provisions of Articles 5 to 7, 13 to 20, Article 22 paragraph 2, Articles 24 and 25, 27, 31 and 32, 36 to 38, 76, 128 to 131, Article 143 paragraph 1 item 1 and Article 146 paragraph 1 items 1 to 3 and 7 to 9 is so far as they relate to the disaster relief system.

- (2) With the day of entry into force of regulations referred to in Articles 124 and 125 the provisions of Articles 136 and 141 of the Defence and Protection Act shall be repealed in the part governing the disaster relief.

Article 129
(Entry into force)

This Act shall enter into force on the fifteenth day following that of its publication in the Official Gazette of the Republic of Slovenia.