

Civil Protection Act

No. 82, 12 June 2008

SECTION I

General provisions.

Article 1

The aim of civil protection.

This Act covers coordinated civil protection measures intended to tackle the consequences of emergency situations that may threaten the life and health of the general public, the environment and/or property.

The aim of civil protection is to prepare, organise and implement measures aimed at preventing and, to the extent possible, limiting physical injury or damage to the health of the public and damage to the environment and property, whether this results from natural catastrophes or from human actions, epidemics, military action or other causes, and to provide emergency relief and assistance due to any injury or damage that may occur or has occurred.

Article 2

Supervision of civil protection.

The state shall be responsible for civil protection throughout Iceland, on land, in the air and at sea. The local authorities shall be responsible for civil protection at the local level in conjunction with central government in accordance with the provisions of this Act.

SECTION II

Policy on civil protection and security.

Article 3

Role of the Civil Protection and Security Council.

Government policy on civil protection and security shall be drawn up by the Civil Protection and Security Council for periods of three years at a time. The Government's policy on civil protection and security shall present an account of the current situation and prospects in civil protection and security in Iceland, discuss points of emphasis in the structure of civil protection and security matters, preventive action, necessary coordination of the contents of response plans and the functions of public bodies in that context (*cf.* Section VI of this Act), stock levels necessary to ensure the survival of the nation in times of peril, reconstruction following catastrophes and other measures the council considers necessary to achieve the aim of this Act.

The administration of the Civil Protection and Security Council, and the preparation of its meetings, shall be in the hands of the Minister of Justice.

Article 4

Appointment of the Civil Protection and Security Council.

The following shall have seats on the Civil Protection and Security Council: the Prime Minister, who shall also be chairman of the council, the Minister of Justice and Ecclesiastical Affairs, the Minister of Transport and Telecommunications, the Minister for the Environment, the Minister of Health, the Minister for Foreign Affairs and the Minister of Industry. In addition, the Prime Minister may co-opt up to two ministers to sit on the council at any time in connection with specific matters.

The following shall also have seats on the Civil Protection and Security Council:

1. The Permanent Secretary at the Office of the Prime Minister.
2. The Permanent Secretary at the Ministry of Justice and Ecclesiastical Affairs, the National Commissioner of Police and the Director of the Icelandic Coast Guard.
3. The Permanent Secretary of the Ministry of Transport and Telecommunications, the Director of the Icelandic Civil Aviation Administration, the Director of the Post and Telecommunications Administration and the Director of the National Roads Administration.
4. The Permanent Secretary at the Ministry for the Environment, the Director of the Icelandic Meteorological Office, the Director of the Iceland Fire Authority and the Director of the Environmental Agency.
5. The Permanent Secretary at the Ministry of Health, the Director-General of Public Health, the Epidemiological Officer and the Director of the National Radiological Protection Authority.
6. The Permanent Secretary of State at the Ministry for Foreign Affairs.
7. The Permanent Secretary at the Ministry of Industry, the Director of the National Energy Authority and the Director of Landsnet.
8. A representative of ICE-SAR (Slysavarnafélagið Landsbjörg).
9. A representative of the Icelandic Red Cross.
10. A representative of the coordinated emergency telephone answering system.

In addition, the Prime Minister shall appoint two representatives to the council in accordance with nominations by the Union of Local Authorities in Iceland.

SECTION III

Civil protection structure at the national level.

Article 5

Supreme authority.

The Minister of Justice is the supreme authority in the field of civil protection in Iceland. He shall issue regulations on civil protection alert levels, after receiving proposals from the National Commissioner of Police and following consultation with the Civil Protection and Security Council.

The National Commissioner of Police shall handle civil protection issues on behalf of the Minister of Justice. The National Commissioner of Police shall take decisions regarding civil protection alert levels at any given time, in consultation with the relevant regional police commissioner, if possible, and inform the Minister of Justice of these decisions. A state of emergency may be declared if an emergency is likely to occur, is imminent, or has occurred, or if comparable circumstances obtain.

A coordination and command centre shall be maintained at the Office of the National Commissioner of Police in Reykjavík under a special committee (*cf.* Section V of this Act).

Article 6

Temporary relocation of the command of civil protection measures.

The Minister of Justice may move the command of civil protection measures from Reykjavík when it is overwhelmingly likely that it will not be possible to direct civil defence measures at a national level from there.

Article 7

Civil protection responsibilities of the National Commissioner of Police.

The National Commissioner of Police shall monitor to ensure that measures are taken in accordance with the Government's civil protection and security policy.

The National Commissioner of Police shall supervise the structure of civil protection measures at the national level and civil protection measures taken by the local authorities. He shall supervise the preparation of risk assessments in consultation with the civil protection committees. He shall participate in the preparation and production of national and local government response plans (*cf.* Section VI of this Act), and supervise their review and coordination. In addition, the National Commissioner of Police shall supervise the production of response plans by private parties. He shall supervise coordination between response bodies and other parties (*cf.* Article 8) and the direction of measures both before and after danger situations have arisen.

The National Commissioner of Police shall organise preventive measures and educational and awareness-raising measures for the public in the sphere of civil protection, and educational measures for private parties, government authorities and the public regarding the structure of the civil protection system as is considered necessary. In addition, the National Commissioner of Police shall attend to training and education in the sphere of civil protection.

The National Commissioner of Police shall participate in international collaboration between government authorities in the field of civil protection.

Article 8

Contracts with third parties.

The National Commissioner of Police may enter into contracts with private institutions, non-governmental organisations or other parties under which these shall attend to the implementation of specific aspects of civil protection measures.

Contracts providing for implementation of civil protection measures by third parties under this Article shall be subject to the approval of the Minister of Justice.

SECTION IV

Civil protection structure at the regional level.

Article 9

Civil protection committees.

In each local government area there shall be a civil protection committee appointed by the local authority; the local authority shall determine the number of committee members. The civil protection committee shall consist of the district commissioner of the administrative area in which the local government area lies, representatives of the local authority and those representatives of the local authorities who, in the course of their work, attend to tasks in the service of the safety of the ordinary citizen. In the metropolitan area and in the Suðurnes region, the police commissioners of the relevant administrative areas, and not the district commissioners, shall sit on the civil protection committees.

Each civil protection committee shall elect its own chairman and vice-chairman. The local authorities shall engage the employees of the civil protection committees and pay the expenses resulting from their work.

Local authorities may collaborate on the preparation of response plans, enter into agreements on mutual assistance or set up joint civil protection committees. The merger of civil protection committees, or collaboration between them, shall be subject

to the approval of the Minister of Justice. Where more than one district commissioner's administrative region comes under a civil protection committee, the minister shall determine which district commissioner is to sit on the committee. If there is one civil protection committee in a police commissioner's region, the police commissioner shall sit on the committee.

Article 10

Role of the civil protection committees.

Civil protection committees shall formulate their policy and arrange their civil protection activities at the regional level in accordance with this Act.

Civil protection committees shall work on the preparation of risk assessments and response plans in their respective administrative areas in collaboration with the National Commissioner of Police (*cf.* Article 16).

Civil protection committees shall review their risk assessments and carry out tests of their response plans in collaboration with the National Commissioner of Police.

Article 11

Operational and site management at the regional level.

Site management at the regional level during a state of emergency shall be in the hands of the police commissioner in the relevant police administrative area. He shall sit on the operations committee together with a representative of the civil protection committee, a representative of ICE-SAR, a representative of the Icelandic Red Cross, the appropriate response bodies as provided for in the response plan and other relevant parties who are connected with the measures taken at any given time. The operations committee shall work in collaboration with the coordination and command centre. Operational management shall involve, amongst other things, the organisation of rescue, salvage and assistance work related to actual or imminent hazard situations and damage and the direction of emergency measures in collaboration with the coordination and command centre (*cf.* Article 12).

Police commissioners shall nominate site managers who shall be in charge of on-site direction and coordination.

SECTION V

Coordination and command centre.

Article 12

Role of the coordination and command centre.

Coordination and overall control of civil protection measures shall be carried out in the coordination and command centre in accordance with the relevant alert level and civil protection response plan. This may also be the venue for coordination of measures of all types in connection with search and rescue operations on land, at sea and in the air, or of measures to deal with hazard situations, even if no state of emergency has been declared (*cf.* Article 13).

In a state of emergency, representatives of the civil protection response bodies shall work in the coordination and command centre, and shall be obliged to act in accordance with instructions given by the party directing the coordination of measures from the coordination and command centre in accordance with the response plan. In the event of a dispute as to what instructions are to be given, the question shall be resolved by the National Commissioner of Police. Decisions by the National

Commissioner of Police under this provision may not be referred to the Minister of Justice.

The coordination and command centre shall have access to a reliable telecommunications system that is independent of, and separate from, public telecommunications systems for purposes of communication with civil protection response bodies.

The coordination and command centre shall be under the direction of an eleven-man committee appointed by the Minister of Justice. The chairman of the committee shall be appointed by the minister without nomination. The National Commissioner of Police, the Icelandic Coast Guard, the Director-General of Public Health, the executive committee of the Metropolitan District Fire Brigade, the executive committee of the coordinated emergency telephone answering system, the Icelandic Red Cross, ISAVIA (Flugstöðir) and ICE-SAR shall each nominate a representative to the committee; these representatives shall be chosen from among those who play an active part in the work of the coordination and command centre. In addition, the Minister of Transport and Telecommunications and the committee of the Union of Local Authorities in Iceland shall each nominate a representative.

The committee shall discuss and take decisions concerning the internal structure and operation of, and collaboration between, the response bodies. The committee shall use its influence to have measures taken to ensure the smooth implementation of response plans. The coordination or implementation of measures does not constitute part of the committee's responsibilities.

The committee may determine that civil protection response bodies which do not have representatives on the committee of the coordination and command centre are to nominate representatives to a coordination and command centre council, which shall act in an advisory capacity to the committee regarding its decisions.

The National Commissioner of Police shall engage a supervisor of the coordination and command centre after receiving the proposals of the centre's committee. The operational costs of the coordination and command centre shall be paid by the state Treasury.

Article 13

Tasks of the coordination and command centre.

The coordination and command centre shall be activated when necessity so demands, as assessed by those who are involved in the direction of search, rescue and salvage operations or measures in response to hazard situations.

A civil protection committee or a civil protection response body may request that the coordination and command centre undertake the direction of measures in response to a specific hazard. If there is a dispute within a civil protection committee, or between response bodies, as to whether the assistance of the coordination and command centre is to be sought, either party may request the National Commissioner of Police to have the coordination and command centre take over direction of the measures. Before taking a decision on the matter, the National Commissioner of Police shall examine the position on the request adopted by the relevant police commissioner.

Article 14

Temporary establishment and operation of service centres.

Concomitant with the operation of the coordination and command centre, the National Commissioner of Police may, when a hazard arises or has already struck, establish a service centre in connection with a specific hazard or hazard situation.

The functions of service centres shall include providing information to the public and services to persons who have suffered injury or damage or been influenced directly in other ways by the specific hazard. In addition, the service centre shall, in collaboration with the relevant civil protection committees, handle relations with the media regarding the measures taken at any given time.

Government ministries and local authorities, including their subordinate bodies, shall provide temporary service centres with assistance in providing information and services. The relevant local authorities shall be consulted regarding the activities of service centres under this Article.

SECTION VI

Preparation of response plans.

Article 15

Central government's obligation to prepare response plans.

The individual government ministries and their subordinate bodies shall, in collaboration with the National Commissioner of Police, examine the disaster survival capacity of the sections of the Icelandic community falling under their range of operations. Furthermore, the individual government ministries and the bodies they administer shall, in collaboration with the National Commissioner of Police and in conformity with the legislation applying to their spheres of activity, organise their intended responses and measures to be taken according to a response plan, addressing, amongst other things, the following points.

1. Organisation of measures.
2. Preparedness on the part of response bodies, including their manpower resources, manpower training, equipment and administrative preparations.
3. Transport and telecommunications.
4. Implementation of measures in times of peril.
5. Coordination and command of measures taken by response bodies and other bodies.
6. Trauma relief and assistance to victims.
7. Economic defensive measures, stock levels and emergency transport to and from Iceland.

The National Commissioner of Police shall draw up response plans covering those sections of the Icelandic community that do not fall under the range of operations of each specific government ministry.

Response plans shall be signed and approved by the correct authorities.

Article 16

The local authorities' obligation to prepare response plans.

The local authorities and bodies under their administration shall, in collaboration with the National Commissioner of Police, examine the disaster survival capacity in their administrative areas. Furthermore, the civil protection committees shall, in collaboration with the National Commissioner of Police, draw up response plans in accordance with the risk assessment in their administrative districts. Article 15 shall apply regarding the points covered in the response plans.

Civil protection committees may collaborate on the preparation of response plans. Where civil protection committees have been merged, they shall prepare joint response plans.

The National Commissioner of Police shall supervise collaboration between individual local authorities in connection with hazards they face in common and also when the civil protection committees of two or more local government areas prepare joint response plans.

Article 17

Submission of response plans; rehearsal and review.

The government ministries and their subordinate bodies and the local authorities shall approve their response plans and submit them to the National Commissioner of Police.

When a response plan has been approved and submitted to the National Commissioner of Police, it shall be rehearsed to the extent possible. The National Commissioner of Police, the civil protection committees, the civil protection response bodies, central and local government bodies and private parties which play a role in the structure of civil protection under contracts shall, free of charge, participate in rehearsals to the extent considered necessary. Disputes regarding the obligation to participate in rehearsals may be referred to the Minister of Justice. Response plans shall be reviewed as often as necessary.

Article 18

Obligation of public and private parties to provide information and participate in actions.

Public and private parties shall be obliged to provide the information necessary to prepare national or regional response plans. In the event of a dispute as to what is considered necessary information for the purpose of this paragraph, a court ruling may be sought to resolve the issue.

Each government minister may, in collaboration with the National Commissioner of Police, determine that public or private parties are to provide help or assistance, or apply individual parts of this Act in further detail.

Each government minister may, in collaboration with the National Commissioner of Police, determine that public or private bodies are to take preventive measures regarding the sale of goods, the provision of services and manufacturing in their business operations if this is necessary in order to achieve the aims of this Act.

Before decisions are taken under the second and third paragraphs of this Article, attempts shall be made to reach agreement on the obligations of the enterprises or institutions to which the decision applies and the effect that it will have on their operations.

If the authorisation of the second and third paragraphs is exercised, the state shall compensate for the damage sustained by the relevant parties in accordance with ordinary rules.

SECTION VII

Civic duties in times of peril.

Article 19

General civic duty.

It is the civic duty of persons aged 18-65 to perform, in times of peril, without recompense, work in the service civil protection in the administrative areas in which

they reside, in accordance with instructions given by a police commissioner after receiving the proposals of the civil protection committee or the National Commissioner of Police. Decisions taken by police commissioners may be referred to the Minister of Justice.

Persons aged 16-18, or over 65, may be called out for work as described in the first paragraph of this Article if they themselves so request.

Those who are called out for work under the first paragraph of this Article shall be obliged to report for medical examinations if this is considered necessary.

No person may in any way hinder anyone from doing work that he has been called out to do in the service of civil protection.

Article 20

Call-outs to assist with civil protection.

If danger is imminent, police commissioners or district commissioners may call out all available adult men to give immediate assistance with work in the service of civil protection. Decisions to call out adult men to give immediate assistance with work in the service of civil protection may not be referred to a higher authority.

The National Commissioner of Police has the power to decide on the transfer of those men who are called out to give immediate assistance with work in the service of civil protection. If a large number of persons, or an auxiliary body, is transferred between administrative areas, the police commissioner or civil protection committee shall be consulted.

Article 21

Obligation to participate in courses and rehearsals.

The National Commissioner of Police shall summon those who have been called out to assist with work in the service of civil protection under Article 19 to attend courses and rehearsals. All those concerned shall be obliged to act in accordance with these instructions and other rules regarding the work. It shall be forbidden to leave this work without permission.

During times of peril, workers may not leave the administrative jurisdiction without the permission of the commissioner of police or a person designated by the commissioner of police.

If a person who has been called out to assist with work in the service of civil protection is injured or sustains damage during a course or a rehearsal, he shall be entitled to compensation.

Article 22

Rules on working obligations.

The Minister of Justice may set rules on working obligations under the provisions of this Section. The aim shall be that the obligatory onus of work on each citizen shall be as fair as possible. The minister shall determine a maximum period of duration for obligatory course attendance and rehearsals in the service of civil protection.

SECTION VIII

Authorisations in times of peril.

Article 23

General instructions in times of peril.

In times of peril, police commissioners may decide to take over the control of traffic, prohibit persons from staying in, or travelling in, particular areas, e.g. by cordoning them off or obstructing the movement of persons in them (this may apply to specific real-estate units), take hazardous items into their keeping and order people away or remove them.

All persons shall be obliged to obey these instructions.

Article 24

Evacuation of danger areas.

The National Commissioner of Police shall give instructions on the evacuation of danger areas.

If instructions are issued under the first paragraph of this Article, all persons shall be obliged to leave at the time, in the manner and to the reception point decided. No one may leave the reception point without special permission.

Article 25

Authorisation for expropriation under rental.

When hazard strikes, the Minister of Justice may expropriate, under rental, real-estate structures or chattels owned by private persons in the service of civil protection, providing that compensation is paid according to agreement or on the basis of an assessment under the Expropriation Act. Central and local government institutions shall be obliged, in times of peril, to lend real-estate structures or chattels for civil protection, where this is possible, without special recompense.

It shall also follow from the authorisation of the first paragraph of this Article that any alteration may be made to the real-estate structures or chattels in question in order for them to be used in the way intended for civil protection.

Article 26

Obligations of the owners of, or persons using, housing.

The National Commissioner of Police may, in cases of urgent need, instruct the owners of, or persons using, housing to receive persons who have been evacuated from danger areas, to give them shelter and other services as circumstances demand.

The local authority in the area from which people are evacuated shall pay the cost of accommodation and food provided under this Article, but shall have the right to have the cost reimbursed by those who have received the services.

Article 27

Instructions on the sale and distribution of essentials.

The Government may, if the public interest so demands in view of the danger of natural catastrophes, epidemics, military action, terrorist acts or other hazards, issue instructions on the sale and distribution of the essentials that exist in the country, or expropriate food, fuel, spare parts, medicines and other essentials which are likely to be exhausted rapidly.

SECTION IX
Civil Protection Investigation Committee.

Article 28

Duties of the Investigation Committee.

The Civil Protection Investigation Committee shall operate independently and free of all influence by the Government and other investigation bodies, prosecution authorities and the courts.

When hazard situations have passed, the Civil Protection Investigation Committee shall examine the response plans that were used and the measures taken by the response bodies, including those of the duty office of the coordinated emergency answering service, the coordination and command centre, the police, the fire brigade, the Coast Guard and the civil protection committees.

Article 29

Reporting by the Investigation Committee.

When an examination under the second paragraph of Article 28 is complete, the Civil Protection Investigation Committee shall compile a report and submit it to the Minister of Justice, the National Commissioner of Police and the General Committee of the Althingi, presenting its conclusions, proposals and other matters that the committee regards as being of significance.

The report shall be presented to the relevant civil protection committee and local authorities, and published openly, taking account of Article 31 and of the Information Act.

Reports by the Civil Protection Investigation Committee may not be used as evidence in criminal cases.

Article 30

Appointment of the Civil Protection Investigation Committee

The Althingi shall elect three persons and three alternates by proportional representation to serve on the Civil Protection Investigation Committee for terms of five years. The committee shall elect its own chairman. A person who meets the requirements for being a district court judge shall work with the committee.

The Civil Protection Investigation Committee shall observe confidentiality concerning the matters of which it, or its employees, become aware in the course of their work for the committee. This shall apply to information of all types regarding individuals' private affairs and other information which should be kept secret due to lawful interests, private and public. This obligation of confidentiality shall remain in force even after the members stop work in the service of the committee.

Article 31

Authorisations of the Investigation Committee.

The Civil Protection Investigation Committee shall have unhindered access to civil protection response bodies' materials, and those bodies shall be obliged to provide the committee with all information that it may require.

The Investigation Committee may not grant access to confidential materials that it acquires in connection with the investigation of individual cases. 'Confidential materials' include statements that have been obtained in connection with the investigation of a case and reports by witnesses and other parties.

As regards matters not covered by the provisions of this Section, the committee shall comply in its work with the provisions of the Traffic Accidents Investigation Committee, as appropriate.

SECTION X

Division of the costs of civil protection.

Article 32

Division of costs between central and local government, etc.

Costs resulting from central government's obligations under Sections II, III, VI and IX of this Act shall be met by the state Treasury. Cost of the operations of the local authorities under Sections IV and VI of this Act shall be paid by the local authorities.

If local authorities collaborate on their responsibilities under this Act, they shall divide the costs between them in proportion to the number of inhabitants in each.

SECTION XI

Punitive provisions.

Article 33

Any person found guilty of giving, on purpose or through gross negligence, a false notification to the coordination and command centre as provided for in Section V of this Act, or to the civil protection response bodies, or of abusing the civil protection services of these parties in other manners, shall be punished under Articles 120 and 120 *a* of the General Penal Code.

SECTION XII

Regulations and commencement.

Article 34

The Minister of Justice shall issue regulations containing further provisions on the classification of civil protection alert levels, their contents and the responses involved, and the further organisation of the coordination and command centre and the service centres provided for in Section V (following consultation with the Union of Local Authorities), on the security requirements made regarding the emergency telecommunications system of the coordination and command centre (following consultation with the Minister of Transport and Telecommunications), on the work of the coordination and command centre and the coordination and command centre council and on the parties that are to be regarded as civil protection response parties.

Furthermore, the Minister of Justice shall, after receiving the proposals of the National Commissioner of Police, issue regulations on the contents and composition of response plans under Articles 15 and 16. The minister may also make further provisions in regulations on the joint preparation and compilation of individual response plans, the number of rehearsals and their connection with the civil protection alert levels.

The Minister of Justice shall issue regulations containing further provisions on the activities of the Civil Protection Investigation Committee, including who is to call for investigations by the committee if it does not take the initiative on investigations, and on the processing of personal data by the committee to the extent that this is not covered by the Data Protection Act.

The Prime Minister shall issue regulations on the working procedures of the Civil Protection and Security Council in collaboration with the Minister of Justice.

Article 35

This Act shall take effect on 1 June 2008. When this Act takes effect, the Civil Protection Act, No. 94 of 29 December 1962, with subsequent amendments, shall stand repealed. At the same time, when this Act takes effect, the following amendments shall be made.

1. The following provisions shall be made to the Avalanche and Landslide Protection Act, No. 49 of 23 May 1997:
 - a. The first paragraph of Article 5 of the Act shall read as follows:

Civil protection committees shall prepare response plans and be responsible for instructions and educational and awareness-raising programmes for the public on the danger of avalanches and landslides in collaboration with the National Commissioner of Police and the Icelandic Meteorological Office.
 - b. The words “civil protection council” in the final sentence of the first paragraph of Article 6 of the Act shall be deleted.
2. The words “civil protection council” in the third paragraph of Article 2 of the Rescue Teams and Rescue Team Members Act, No. 43 of 24 March 2003, shall be replaced by : “the Civil Protection and Security Council”.
3. Item J of the first paragraph of Article 5 of the Police Act, No. 90 of 13 June 1996, shall read as follows: “to attend to civil protection issues on behalf of the Minister of Justice.”
4. The words “following consultation with the Civil Protection Council” in the second paragraph of Article 72 of the Telecommunications Act, No. 81 of 26 March 2003, shall be deleted.

Regulations and other instructions by government authorities issued under older legislation shall remain in force to the extent that they do not conflict with this Act. Contracts made during periods covered by older legislation shall remain in force until they are reviewed by the contractual parties.

Interim provision.

Regulations provided for in the first paragraph of Article 5 shall be issued not later than the end of 2009. Until that time, rules set by the Minister of Justice, following proposals from the National Commissioner of Police, shall be in force.

Passed by the Althingi on 30 May 2008.