

# **Law on Civil Protection**

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Translated from Lithuanian

## **REPUBLIC OF LITHUANIA**

### **LAW on Civil Protection**

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## **CHAPTER I GENERAL PROVISIONS**

### **Article 1. Purpose of the Law**

1. The Law of the Republic of Lithuania on Civil Protection shall establish the legal and organisational framework for the organisation and functioning of the civil protection system, the competence of state and municipal institutions and agencies, the rights and duties of other agencies, economic entities and residents in the sphere of civil protection.
2. This Law shall not apply to the organisation, co-ordination and conducting of the operations of search for and rescue of residents carried out in compliance with the Law of the Republic of Lithuania on Maritime Safety and operations of response to pollution incidents carried out in compliance with the Law of the Republic of Lithuania on Protection of the Marine Environment.
3. This Law shall implement the provisions of the EU legal act indicated in the Annex to this Law.

## **Article 2. Definitions**

1. Civil protection shall mean the activities comprising the preparedness of state and municipal institutions and agencies, other agencies, economic entities and residents for an emergency, actions in the event of an imminent threat or occurrence thereof and emergency response and mitigation of its consequences.
2. Preparedness of the civil protection system shall mean the state of readiness of entities of the civil protection system to respond to an actual emergency.
3. Civil protection exercise shall mean the training of state and municipal institutions and agencies, other agencies and economic entities and testing of preparedness of the civil protection system having the purpose, under the simulated emergency conditions, of checking the actions and procedures provided for in emergency management plans, improving management skills, and learning to organise in practice the protection of residents and property against the effects of emergencies, carry out rescue, search operations and urgent works, respond to an incident, emergency event or emergency and mitigate their consequences.
4. Major industrial accident shall mean a sudden occurrence (an explosion, fire or major emission of dangerous substances) resulting from uncontrolled developments in the course of the operation of a hazardous establishment and leading to serious danger to human health and/or the environment, immediate or delayed, inside or outside the hazardous establishment, and involving one or more dangerous substances.

5. Emergency shall mean a situation resulting from an emergency event and posing a sudden and grave hazard to the life or health of residents, their property, the environment or causing death and mutilation or likely to incur another damage.

6. Emergency event shall mean an event of natural, technical, ecological or social character which has reached or exceeded the established criteria and poses a hazard to the life or health of residents, the social conditions of their life, property and/or the environment.

7. Emergency commission shall mean a standing commission composed of state politicians, civil servants and/or employees of state and/or municipal institutions and agencies and servicemen in professional military service co-ordinating emergency prevention, management, response and mitigation of its consequences.

8. Emergency event criteria shall mean the physical, chemical, geographical, medical, social or other quantities or circumstances (critical limits) defining the extent, consequences or fact of an incident, established as a result of observations and calculations or used in international practice and categorising as an emergency event an event which conforms to, reaches or exceeds the abovementioned quantities or circumstances.

9. Emergency area shall mean a location at which an incident or an emergency event occurs and a territory covering the highest risk area around this location within which the local residents' health and/or life, property and/or the environment are exposed to the hazards of factors of the incident or the emergency event.

10. Emergency operations centre (hereinafter referred to as an "operations centre") shall mean a body composed of civil servants and/or employees of state and/or municipal institutions and agencies and employees of economic entities carrying out emergency prevention, ensuring implementation of the decisions taken by an emergency commission, organising and co-ordinating response to an incident, emergency event and emergency and mitigation of their consequences and rescue of the residents and property.

11. Commander of emergency operations (hereinafter referred to as an "operations commander") shall mean a civil servant, employee of an entity of the civil protection system or a state politician appointed to exercise command of all the forces of the civil protection system participating in response to an emergency event or emergency and mitigation of their consequences in an emergency area.

12. Emergency prevention shall mean all the targeted measures of preparedness for emergencies intended to prevent the occurrence of emergencies or reduce the likelihood thereof and, in the event of occurrence of an emergency, minimise the damage incurred to residents, the activities of state and municipal institutions and agencies, other agencies and economic entities, their property and the environment.

13. Emergency management plan shall mean a document regulating the pooling and management of material and human resources in the event of an imminent or actual emergency.

14. Rescue operations shall mean the actions aiming, in the course of incidents, emergency events or emergencies, at rescuing the life, health and property of residents, providing them with first aid and/or transporting them to healthcare institutions, as well as protecting the environment.

15. Commander of rescue operations shall mean a civil servant or employee of the forces of the civil protection system who is in charge of rescue, search operations and urgent works in an emergency area, also in charge of response to an incident or emergency event and mitigation of their consequences prior to appointment of the operations commander.

16. Resident shall mean a natural person present in the territory of the Republic of Lithuania.

17. Evacuation of residents shall mean a transfer of residents, organised in connection with an imminent or actual emergency, from the areas posing a hazard to their life and work to other areas and their provision with temporary accommodation.

18. Installation shall mean a technical unit within a hazardous establishment in which dangerous substances are produced, used, handled or stored, including all the equipment, structures, pipework, machinery, tools, railway sidings, docks, unloading quays, jetties, warehouses and similar structures, floating or otherwise, necessary for the operation of the installation.

19. Incident shall mean an event of natural, technical, ecological or social nature which does not conform to or has not reached emergency event criteria and poses a hazard to the life or health of residents, the social conditions of their life, their property and/or the environment.

20. Another agency shall mean a legal person operating in a social, educational, scientific, cultural or sports field and having the purpose of serving certain public interests, with the exception of state and municipal institutions and agencies.

21. Collective protection structure shall mean a structure or premises which, in the event of an emergency or war, could be adapted for protection of residents against the hazards arising to their life or health.

22. Urgent works shall mean the actions ensuring the carrying out of rescue and search operations, preservation of property, sanitary treatment and restoration of minimum living conditions in the event of an incident, emergency event or emergency.

23. Material resources shall mean immovable property, vehicles, building materials and other resources which may be used in accordance with the procedure laid down by legal acts in order to ensure imminent or actual emergency response or mitigation of its consequences, maintain and restore the activities of state and municipal institutions and agencies, other agencies and economic entities.

24. Hazardous establishment shall mean the whole area under the control of an operator, including the common and related infrastructure which is located or the activities which are carried out within the territory, where one or more installations contain dangerous substances.

25. Dangerous substance shall mean a substance, mixture or preparation entered in a list specified by the Government of the Republic of Lithuania or fulfilling the established criteria and present as a raw material, product, by-product, residue or intermediate, including those substances which it is reasonable to suppose may be generated in the event of accident.

26. Search operations shall mean the actions having the purpose of finding the residents held missing, lost or injured as a result of an incident, emergency event or emergency, crashed aircraft and foundering ships.

27. Early warning system shall mean all the organisational and technical measures aiming at ensuring the emission of a civil protection sound warning signal and/or communication of information on an imminent or actual emergency, likely effects, response measures and methods of protection against the emergency to residents, state and municipal institutions and agencies, other agencies and economic entities.

28. Shelter shall mean a structure of a special purpose or specially equipped premises for residents ensuring the functioning of state and municipal institutions and agencies in the event of an emergency or war and protecting against the hazards posed to life or health.

29. Economic entity shall mean a legal person, a branch or representative office of a foreign legal person registered in the Republic of Lithuania and engaged in industrial, commercial, financial or other economic activities.

30. Facility of national significance shall mean a state institution, undertaking, economic, energy, transport, telecommunications or another infrastructure facility, irrespective of its form of ownership, where disruption of or hindrance to its control or operations would pose a threat or incur major damage to national security, namely, would impair state government, the functioning of the economic system, a branch of the economy or infrastructure of importance to the State, or where it might be selected as a target in the event of a war, attack or act of terrorism and might consequently become an emergency area.

31. Operator shall mean the owner or manager of a hazardous establishment, installation.

Other concepts used in this Law shall conform to the concepts as used in the Civil Code of the Republic of Lithuania, the Law of the Republic of Lithuania on the State of Emergency, the Law of the Republic of Lithuania on Civil Service and other laws.

### **Article 3. Civil Protection System**

The civil protection system shall comprise the following entities:

- 1) the Government of the Republic of Lithuania (hereinafter referred to as “the Government”);
- 2) the Government Emergency Commission;
- 3) the Ministry of the Interior of the Republic of Lithuania (hereinafter referred to as “the Ministry of the Interior”);
- 4) the Fire and Rescue Department under the Ministry of the Interior and the agencies subordinate thereto (hereinafter referred to as the “Fire and Rescue Department and the agencies subordinate thereto”);
- 5) ministries and other state institutions and agencies;
- 6) municipal emergency commissions;
- 7) municipal institutions and agencies;

- 8) economic entities, other agencies;
- 9) operations centres;
- 10) forces of the civil protection system.

#### **Article 4. Goals of the Civil Protection System**

The goals of the civil protection system shall be:

- 1) to guarantee the enforcement and implementation of preventive measures for prevention of emergencies or reduction of the likelihood of their occurrence;
- 2) in the event of an imminent or actual emergency, to assist residents, state and municipal institutions and agencies, other agencies and economic entities in avoiding or minimising the damage incurred, keeping order, preserving the life, health, property of the residents and protecting the environment;
- 3) to guarantee optimum use of material resources of state and municipal institutions and agencies, other agencies and economic entities in the event of an imminent or actual emergency;
- 4) to prepare the public for practical actions in the event of an imminent or actual emergency, foster the initiative of the public in the field of civil protection and strengthen the confidence in the activity of the civil protection system.

#### **Article 5. Tasks of the Civil Protection System**

The tasks of the civil protection system shall be:

- 1) to organise and maintain the preparedness of forces of the civil protection system and the required material and technical supply;
- 2) to warn and inform residents, state and municipal institutions and agencies, other agencies, economic entities of an imminent or actual emergency, potential effects, response measures and the methods of protection against an emergency;
- 3) to organise and carry out response to an incident, emergency event and emergency and mitigation of their consequences, to conduct rescue, search operations and urgent works;



4) in the event of an incident, emergency event and emergency, to organise and carry out the measures having the purpose of restoration of minimum living (working) conditions for state and municipal institutions and agencies, other agencies, economic entities and residents.

#### **Article 6. Principles of Management and Functioning of the Civil Protection System**

With regards to implementing the goals and tasks assigned to it, the civil protection system shall be guided by the following principles of management and functioning:

- 1) emergency prevention – all entities of the civil protection system shall carry out emergency prevention within the sphere of competence assigned to them under legal acts;
- 2) security and support – when responding to an incident, emergency event and emergency and restoring minimum living (working) conditions, the entities of the civil protection system shall render assistance to the public and ensure the minimum quality of life;
- 3) territoriality – civil protection shall be organised on the national scale according to the administrative division of the territory of the State and shall include all residents;
- 4) information, warning and preparedness for emergencies – residents, state and municipal institutions and agencies, other agencies and economic entities must be informed of an imminent or actual emergency;
- 5) activity differentiation – the civil protection measures shall be undertaken and preparedness for rescue, search operations and urgent works, response to an incident, emergency event and emergency and mitigation of their consequences shall be performed in individual territorial administrative units taking into account the hazard and possible effect of an emergency anticipated in the territories of the said units;
- 6) state of constant readiness – taking into consideration the level of an emergency, each entity of the civil protection system shall ensure the preparedness of the forces of the civil protection system under his command, the use of material resources when responding to an incident, emergency event and emergency and mitigating their consequences, and participate in emergency response and mitigation of its consequences during an emergency within its sphere of competence;
- 7) transparency – the activities of entities of the civil protection system shall be transparent to the public;

- 8) universal obligatoriness – civil protection measures shall be obligatory to all state and municipal institutions and agencies, other agencies, economic entities and residents;
- 9) interoperability – the effectiveness of actions in the event of an imminent or actual emergency shall be ensured by co-ordinating implementation of the interoperability plans of all entities of the civil protection system and military units;
- 10) rationality and efficiency – a rational and efficient allocation and use of forces and material resources of the civil protection system.

#### **Article 7. Legal Framework of the Civil Protection System**

Entities of the civil protection system shall be guided in their activities by the Constitution of the Republic of Lithuania, treaties of the Republic of Lithuania, legal acts of the European Union, laws and other legal acts enacted by the Seimas of the Republic of Lithuania, decrees of the President of the Republic, resolutions of the Government, ordinances of the Prime Minister, orders of the Minister of the Interior and other legal acts.

#### **Article 8. Restriction of a Person's Freedom of Movement with a View to Ensuring Civil Protection**

In carrying out rescue, search operations and urgent works, responding to an incident, emergency event or emergency and mitigating their consequences, the freedom of a person's movement may be restricted in the cases and in accordance with the procedure laid down by this Law and other laws.

## **CHAPTER II COMPETENCE OF ENTITIES OF THE CIVIL PROTECTION SYSTEM IN THE FIELD OF CIVIL PROTECTION**

#### **Article 9. Government**

In implementing the tasks of the civil protection system, the Government shall:

- 1) establish the emergency prevention procedure;
- 2) establish the procedure for declaring and lifting the levels of preparedness of the civil protection system;

- 3) approve emergency event criteria;
- 4) draft and submit to the Seimas of the Republic of Lithuania for approval a programme for the development of the civil protection system;
- 5) approve the national emergency management plan;
- 6) establish the procedure for supplying material resources and compensating for their supply;
- 7) establish the procedure for performing obligatory operations in the event of an emergency and compensating for their performance;
- 8) lay down the procedure for civil protection training;
- 9) establish the procedure for co-ordinating the actions of the North Atlantic Treaty Organization (hereinafter referred to as "NATO") in the field of civil protection;
- 10) establish the procedure for organising civil protection exercise;
- 11) establish the procedure for declaring and lifting emergencies of both levels, declare and lift a national level emergency;
- 12) establish the procedure for organising rescue, search operations and urgent works, responding to an incident, emergency event and emergency and mitigating their consequences;
- 13) establish the procedure for recognising facilities as being of national significance;
- 14) establish the sample procedure for forming and organising the work of operations centres, the functions and tasks thereof;
- 15) determine the need for shelters and approve a description of the procedure for determining the need for collective protection structures;
- 16) establish the procedure for organising evacuation of residents;
- 17) approve a national plan for the protection of residents in the event of a nuclear accident;
- 18) perform other functions as prescribed in this Law and other legal acts.

#### **Article 10. Ministry of the Interior**

1. The Ministry of the Interior shall implement, in conjunction with other entities of the civil protection system, the tasks of the civil protection system, co-ordinate the activities of entities of the civil protection system, with the exception of the Government, in accomplishing the tasks of the civil protection system assigned to their competence.

2. The Minister of the Interior shall:

1) approve the plans of the national level civil protection exercise;

2) establish the procedure for exchanging information on an incident, emergency event or emergency;

3) submit to the Government drafts of laws and other legal acts on civil protection;

4) issue orders on the issues of civil protection;

5) submit proposals on the need for state budget appropriations for the purposes of maintenance and development of the civil protection system and on the need for funds to ensure the performance of the function of civil protection organisation delegated by the State to a municipality;

6) perform other functions as prescribed in this Law and other legal acts and relating to implementation of the tasks of the civil protection system.

#### **Article 11. Emergency Commissions**

1. Having regard to the level of an emergency, emergency commissions of two levels shall be formed:

1) first level – a municipal emergency commission chaired by the director of the municipal administration;

2) second level – the Government Emergency Commission chaired by the Minister of the Interior.

2. The composition and regulations of emergency commissions shall be approved:

1) municipal emergency commissions – by the director of the municipal administration;

2) the Government Emergency Commission – by the Government.

3. A municipal emergency commission shall perform the following functions:

- 1) at least once a year, discuss the condition of the municipal civil protection system, evaluate the preparedness of municipal institutions and agencies, other agencies and economic entities for emergency response and take measures to improve it;
- 2) take the decisions required for the management of an imminent or actual emergency;
- 3) submit to the Fire and Rescue Department proposals on the use of civil protection supplies of the State reserve in the event of an emergency;
- 4) provide to the public information on an imminent or actual emergency, emergency response and the measures taken to ensure the protection of residents and property;
- 5) having regard to the nature or extent of an imminent or actual emergency, submit to the Fire and Rescue Department proposals on the convening of the Government Emergency Commission;
- 6) perform other functions as prescribed in other legal acts and relating to implementation of the tasks of the civil protection system.

4. The Government Emergency Commission shall perform the following functions:

- 1) at least once a year, discuss the condition of the national civil protection system, evaluate the preparedness of state and municipal institutions and agencies for emergency response and take measures to improve it;
- 2) take the decisions required for the management of an imminent or actual emergency;
- 3) submit to the Government proposals on the use of civil protection supplies of the State reserve in the event of an emergency;
- 4) provide to the public information on an imminent or actual emergency, emergency response and the measures taken to ensure the protection of residents and property;
- 5) perform other functions as prescribed by the Government and relating to implementation of the tasks of the civil protection system.

#### **Article 12. Fire and Rescue Department and the Agencies Subordinate Thereto**

1. The Fire and Rescue Department shall be an institution of the civil protection system which, within the sphere of its competence, directs the activities of the civil protection system, co-ordinates the organisation of emergency prevention, the activities of residents, state and municipal institutions and agencies, other agencies and economic entities in the sphere of civil protection and plans the national preparedness for the implementation of civil protection tasks in the event of an emergency.

2. In implementing the tasks of the civil protection system, the Fire and Rescue Department and the agencies subordinate thereto shall:

1) warn and inform residents, state and municipal institutions and agencies, other agencies and economic entities of an imminent or actual national level emergency, potential effects, response measures and the methods of protection against an emergency;

2) organise civil protection training;

3) organise, within the sphere of its competence, the localisation of emergency areas, response to an incident, emergency event and emergency and mitigation of their consequences, co-ordinate the evacuation of residents;

4) within the sphere of its competence, adopt and draft the legal acts regulating civil protection;

5) in accordance with the procedure laid down by the Government, mobilise material resources, be in contact with the operations centres of ministries, other state institutions and agencies and municipalities;

6) within the sphere of its competence, co-operate with the institutions ensuring national security in carrying out emergency response and mitigating its consequences;

7) supervise the activities of state and municipal institutions and agencies in the field of civil protection and provide them with methodological support;

8) give binding instructions to state and municipal institutions and agencies, other agencies and economic entities to eliminate violations of the legal acts regulating civil protection;

9) perform other functions as prescribed in this Law and other legal acts and relating to implementation of the tasks of the civil protection system.

3. In addition to the functions indicated in paragraph 2 of this Article, the Fire and Rescue Department shall, in accordance with the procedure laid down by the Government, co-ordinate the organisation of the national level civil protection exercise, inform the neighbouring states of imminent or actual emergencies, establish a national emergency operations centre and, in accordance with the procedure laid down by the Government, perform the functions of the manager of civil protection supplies of the State reserve.

4. The Fire and Rescue Department shall draft the national emergency management plan, the agencies subordinate to the Fire and Rescue Department shall agree municipal emergency management plans.

5. The Director of the Fire and Rescue Department shall:

1) establish the procedure for warning and informing residents, state and municipal institutions and agencies, other agencies and economic entities of an imminent or actual emergency, potential effects, response measures and the methods of protection against an emergency;

2) approve civil protection recommendations having the purpose of assisting residents, state and municipal institutions and agencies, other agencies and economic entities, in the event of an imminent or actual emergency, in avoiding or minimising the damage incurred;

3) approve sample regulations of municipal emergency commissions;

4) approve the regulations of the national emergency operations centre;

5) approve the methodological recommendations for the drawing up of emergency management plans;

6) establish the procedure for organising the supervision of the early warning system and set forth the requirements for the early warning system, civil protection signals and the procedure for using them;

7) establish the procedure for organising and conducting checks of the condition of civil protection at municipalities, ministries and other state institutions and agencies;

8) perform other functions as prescribed in this Law and other legal acts and relating to implementation of the tasks of the civil protection system.

### Article 13. Ministries and Other State Institutions and Agencies

1. The activities of ministries and other state institutions and agencies in the sphere of civil protection shall be directed by heads thereof or the persons authorised by them. In the event of an imminent or actual emergency, ministries and other state institutions and agencies shall ensure performance of the functions within the sphere of their competence.

2. Operations centres shall be set up at ministries and other state institutions and agencies whose list shall be approved by the Government.

3. Heads of ministries and other state institutions and agencies shall approve regulations of operations centres.

4. Ministries and other state institutions and agencies shall, within the sphere of their competence, be responsible for the organisation of civil protection, preparedness and response in the event of an emergency and:

1) having regard to the methodological recommendations approved by the Director of the Fire and Rescue Department, submit proposals on emergency event criteria to the Fire and Rescue Department within the sphere of their competence;

2) warn civil servants, employees and the state institutions and agencies in their field of regulation of imminent or actual emergencies;

3) in accordance with the procedure laid down by the Government, plan and ensure the implementation of civil protection preventive measures;

4) organise the civil protection training of civil servants and employees of ministries and other state institutions and agencies;

5) in accordance with the procedure laid down by the Government, organise civil protection exercise within the sphere of their competence;

6) the ministries and other state institutions and agencies indicated in paragraph 2 of this Article shall organise the equipment of the premises and workplaces of an operations centre;

7) the ministries and other state institutions and agencies referred to in paragraph 2 of this Article, also the Office of the Seimas of the Republic of Lithuania, the Prosecutor General's



Office, the Bank of Lithuania, the Communications Regulatory Authority, the Special Investigation Service, the State Security Department and the National Courts Administration shall, upon performing an analysis of potential threats and emergency risks, draw up and approve an emergency management plan and implement it;

8) perform other functions as prescribed in this Law and other legal acts and relating to implementation of the tasks of the civil protection system.

#### **Article 14. Director of the Municipal Administration**

In performing the function of civil protection organisation delegated by the State to a municipality, the director of the municipal administration shall:

- 1) be responsible for preparedness of the civil protection system within the municipality;
- 2) in accordance with the procedure laid down by the Government, carry out emergency prevention and eliminate the shortcomings likely to cause an emergency;
- 3) ensure the forecasting of potential emergencies within the municipality;
- 4) upon performing an analysis of potential threats and emergency risks, organise the drawing up and public discussion of a municipal emergency management plan and, upon agreeing it with an agency subordinate to the Fire and Rescue Department, approve it;
- 5) form a municipal emergency commission and set up a municipal emergency operations centre, approve the regulations of this centre;
- 6) organise the equipment of the premises and workplaces of a municipal emergency operations centre;
- 7) declare and lift a municipal level emergency;
- 8) in accordance with the procedure laid down by the Government, organise the municipal level civil protection exercise;
- 9) in the event of an imminent or actual emergency, organise rescue, search operations and urgent works and mobilise the entire forces of the civil protection system for imminent or actual emergency response and mitigation of its consequences, protection of residents in collective protection structures and evacuation thereof;

- 10) organise education of residents of the municipality on the issues of civil protection;
- 11) in accordance with the procedure laid down by the Government, determine the need for collective protection structures;
- 12) control implementation of the tasks of the civil protection system by economic entities and other agencies, compliance with the requirements of this Law and other legal acts regulating civil protection;
- 13) in conjunction with the forces of the civil protection system, organise sanitary treatment and other measures of radioactive, chemical and biological decontamination in the event of an emergency;
- 14) conclude mutual assistance plans with adjacent municipalities;
- 15) request the assistance of an adjacent municipality (municipalities) for the purpose of evacuation of residents, carrying out of rescue, search operations and urgent works, response to an emergency event or emergency and mitigation of their consequences, where the municipality lacks sufficient forces of the civil protection system and material resources;
- 16) within the sphere of his competence, issue orders on the issues of civil protection;
- 17) collect from all entities of the civil protection system located within the municipality and residents the data required for performance of civil protection tasks and shall, in accordance with the procedure laid down by the Fire and Rescue Department, accumulate, process and submit them to the Fire and Rescue Department;
- 18) warn and inform residents, state and municipal institutions and agencies, other agencies and economic entities of an imminent or actual emergency, potential effects of the emergency and response measures as well as the methods of protection against an emergency;
- 19) organise the renewal of provision of the public utility services whose provision was disrupted during an emergency event and emergency;
- 20) organise the provision of aid to victims during an emergency event and emergency;
- 21) make arrangements for the burial of the residents perished during an emergency;

22) having regard to the hazard posed by an emergency to the life or health of residents, take decisions on evacuation of the residents in accordance with the procedure laid down by the Government;

23) perform other functions as prescribed in this Law and other legal acts and relating to implementation of the tasks of the civil protection system.

## **CHAPTER III RIGHTS AND DUTIES OF RESIDENTS, ECONOMIC ENTITIES AND OTHER AGENCIES IN THE FIELD OF CIVIL PROTECTION**

### **Article 15. Rights and Duties of Residents, Economic Entities and Other Agencies**

1. Residents, economic entities and other agencies shall have the right:

1) to obtain information on occurred incidents, emergency events, actual emergency and on the actions to be taken in the event of an emergency;

2) to receive assistance in the event of occurrence of incidents, emergency events and emergencies having regard to possibilities of entities of the civil protection system.

2. Residents, economic entities and other agencies shall be under the obligation:

1) to ensure that their activities do not pose a hazard to the life or health, property of other residents, the environment and do not disrupt the normal (usual) life or activities;

2) to give a notice to the forces of the civil protection system of an imminent or actual emergency;

3) to carry out obligatory operations in accordance with the procedure laid down by the Government.

3. Residents, economic entities and other agencies may hold other rights and duties in the field of civil protection as stipulated by this Law and other legal acts.

### **Article 16. Functions of Economic Entities and Other Agencies in Implementing the Tasks of the Civil Protection System**

1. Heads of economic entities and other agencies shall be responsible for civil protection preparedness at a facility headed by them.

2. On the instruction of the director of the municipal administration, economic entities and other agencies must, where the provision of their material resources in the event of an emergency is appropriate and having regard to the analysis of potential hazards and emergency risks as performed by the municipality, participate in the drawing up of a municipal emergency management plan and conclude agreements on the implementation of the tasks indicated in this plan with the director of the municipal administration. When drawing up the municipal emergency management plan, participation of the economic entities registered in the Register of Facilities of National Significance and Hazardous Establishments shall also be required.

3. The head of an economic entity or another agency or a person authorised by him shall:

- 1) warn without delay the employees of an imminent or actual emergency;
- 2) in accordance with the procedure laid down by the Government, carry out emergency prevention and eliminate the shortcomings likely to cause an emergency;
- 3) organise evacuation of the employees, rescue operations and be in charge of them;
- 4) in accordance with the procedure laid down by the Government, organise the civil protection exercise and training of the employees of an economic entity and another agency;
- 5) in accordance with the procedure laid down by the Government, provide data on facilities of national significance and hazardous establishments to the management bodies of the Register of Facilities of National Significance and Hazardous Establishments;
- 6) where necessary, provide the employees with personal protective equipment;
- 7) provide the director of the municipal administration with the data necessary for the performance of civil protection tasks;
- 8) set up an operations centre of the economic entity, when the economic entity conforms to the criteria approved by the Government or a state institution or agency authorised by it;
- 9) upon performing an analysis of potential threats and emergency risks, organise the drawing up and agreeing of emergency management plans of the economic entity and other agencies and approve these plans, when the economic entity or another agency conforms to the criteria approved by the Government or an institution authorised by it;

10) give a notice of an imminent or actual emergency in accordance with the procedure laid down by the Ministry of the Interior.

4. The operator or a person authorised by it shall perform the functions specified in subparagraphs 2-9 of paragraph 3 of this Article and, in accordance with the procedure laid down by the Government, functions in the fields of prevention, investigation of and response to major industrial accidents.

5. Heads of the economic entities specified by the Director of the Fire and Rescue Department and registered with the Register of Facilities of National Significance and Hazardous Establishments shall warn without delay residents, state and municipal institutions and agencies, other agencies and economic entities within a potential contamination or hazard area of an imminent or actual emergency.

#### **Article 17. Performance of Obligatory Operations**

1. In the event of an emergency, residents, economic entities and other agencies shall, in accordance with the procedure laid down by the Government, perform obligatory operations required to ensure emergency response and mitigation of its consequences.

2. Obligatory operations shall be performed solely when the forces and material resources of the civil protection system at the disposal of the commander of operations prove to be insufficient for emergency response and mitigation of its consequences.

#### **Article 18. Provision of Material Resources**

1. In the event of an emergency, economic entities, other agencies wherewith agreements have been concluded in accordance with the procedure laid down in paragraph 2 of Article 16 of this Law shall, if required by the director of the municipal administration, provide material resources.

2. In urgent cases, when a major hazard is posed to the life and health of residents, the environment or property, all economic entities and other agencies shall, at the request of the director of the municipal administration, provide the material resources available to them.

3. In the event of an emergency, the economic entities providing an electronic communications network or electronic communications services must give the entities of the civil protection system priority in using the electronic communications networks and receiving other electronic

communications services required for ensuring the proper functioning of the civil protection communications system intended for emergency management, also appoint the required experts and specialists.

## **CHAPTER IV ORGANISATION OF PREPAREDNESS of the civil protection system**

### **Article 19. Forces of the Civil Protection System**

1. The forces of the civil protection system shall have the purpose of carrying out rescue, search operations and urgent works, ensuring response to an incident, emergency event and emergency and mitigation of their consequences in an emergency area.

2. The forces of the civil protection system shall consist of:

1) the fire and rescue forces;

2) the forces of the police;

3) the forces of the State Border Guard Service under the Ministry of the Interior (hereinafter referred to as the “State Border Guard Service”);

4) the forces of personal and public health care agencies of the Lithuanian national health care system providing health care services in the event of an incident, emergency event and emergency;

5) the forces of the Public Security Service under the Ministry of the Interior (hereinafter referred to as the “Public Security Service”);

6) the forces of the State Food and Veterinary Service;

7) forces of the community emergency services carrying out urgent works;

8) the forces of an economic entity;

9) the forces of appropriately trained volunteers and associations.

3. The fire and rescue forces shall comprise the Fire and Rescue Department and the agencies subordinate thereto, municipal fire services, departmental fire forces and voluntary firemen units.
4. The forces of the police shall consist of the Police Department under the Ministry of the Interior, local and specialised police agencies.
5. The forces of the State Border Guard Service shall consist of the forces, experts, specialists, aircraft crews and crews of patrol vessels as provided for in special plans and/or interdepartmental agreements.
6. The forces of the institutions of personal and public healthcare of the Lithuanian National Health System shall comprise ambulance bodies, other institutions of personal and public healthcare of the Lithuanian National Health System.
7. The forces of the Public Security Service shall comprise divisions of the Public Security Service.
8. The forces of the State Food and Veterinary Service shall consist of the forces provided for in the special plans approved by the Director of the State Food and Veterinary Service.
9. The forces of the community emergency services carrying out urgent works shall consist of the forces of water supply, waste management, electricity supply, heating, gas sector, road maintenance services, the enterprises providing sanitary treatment and other public utility services.
10. The forces of an economic entity shall comprise the employees of the economic entity.
11. The forces of appropriately trained volunteers and associations shall comprise the trained volunteers and members of the associations. The forces of the appropriately trained volunteers and associations may participate in the course of rescue, search operations and urgent works.

#### **Article 20. Levels of Preparedness of the Civil Protection System**

With a view to preparing for a prompt and proper emergency response and mitigation of its consequences, the following levels of preparedness of the civil protection system shall be established:

1) the primary (routine) level – the entities of the civil protection system shall implement the preventive civil protection measures provided for in the strategic and annual action plans approved by heads of state and municipal institutions and agencies, other agencies and economic entities, regulations or other founding documents and shall perform their functions in the field of incident response;

2) the secondary (enhanced) level – the entities of the civil protection system shall be ready for shifting to the level of absolute preparedness and emergency management. To this end, standard procedures as provided for in emergency management plans shall be established, and workplaces shall be made available for members of emergency commissions and operations centres;

3) the tertiary (absolute preparedness) level – the entities of the civil protection system shall be ready to perform tasks and functions in the course of an emergency, human and material resources shall be pooled, emergency commissions shall be convened and members of operations centres shall convene, and the required civil protection supplies of the State reserve shall be made available.

#### **Article 21. Declaration and Lifting of Levels of Preparedness of the Civil Protection System**

1. Entities of the civil protection system shall, in their daily activities, operate at the primary (routine) level of preparedness of the civil protection system.

2. The secondary (enhanced) and tertiary (absolute preparedness) levels of preparedness of the civil protection system shall be declared and lifted:

1) by the Government – in the event of an imminent or actual emergency of the national level or upon introduction of the state of emergency in the country;

2) by the director of the municipal administration – in the event of an imminent or actual municipal level emergency or in the course of a municipal level civil protection exercise;

3) by the Director of the Fire and Rescue Department – in the course of national level civil protection exercise and international exercise.

3. An entity of the civil protection system which has declared or lifted a certain level of preparedness of the civil protection system shall notify thereof residents, state and municipal institutions and agencies, other agencies and economic entities.



4. Responsibility for implementation of measures of the secondary (enhanced) or tertiary (absolute preparedness) level of preparedness of the civil protection system shall fall on heads of appropriate entities of the civil protection system.

#### **Article 22. Warning and Notification of an Emergency**

1. An early warning system shall be employed to warn residents, state and municipal institutions and agencies, other agencies and economic entities of an imminent or actual emergency, potential effects, response measures and the methods of protection against an emergency.

2. Notifications of state and municipal institutions and agencies of an imminent or actual emergency, potential effects, response measures and the methods of protection against an emergency shall be communicated by the media. Disseminators of public information must publish notifications of the state and municipal institutions and agencies of an imminent or actual emergency, potential effects, response measures and the methods of protection against an emergency.

3. Heads of the economic entities specified by the Director of the Fire and Rescue Department and registered with the Register of Facilities of National Significance and Hazardous Establishments must set up an early warning system ensuring the possibility of warning employees, also residents, state and municipal institutions and agencies, other agencies and economic entities within a potential contamination area of an occurring major industrial accident.

#### **Article 23. Training in Civil Protection**

1. Training in civil protection shall be organised at general education schools and vocational schools pursuant to the general programmes approved by the Minister of Education and Science and incorporating the content of training in civil protection recommended by the Fire and Rescue Department. Training in civil protection at the institutions providing pre-school and pre-primary curricula shall be an integral part of the pre-school and pre-primary curricula. Training in civil protection at colleges shall be conducted in accordance with the procedure laid down by an academic council and at universities – by the senate.

2. The heads of state and municipal institutions and agencies, other agencies and economic entities must assign the persons falling under the categories specified by the Government and employed at the state and municipal institutions and agencies, other agencies and economic

entities headed by them for participation in a course of the programme for training in civil protection specified by the Fire and Rescue Department. These persons shall be trained and professional qualifications thereof in the sphere of civil protection shall be improved at the Fire Fighters Training School of the Fire and Rescue Department in accordance with the procedure laid down by the Government.

3. At economic entities and other agencies, employees shall be trained in civil protection in accordance with the standard civil protection training programmes approved by the director of the Fire and Rescue Department.

#### **Article 24. Shelters and Collective Protection Structures**

1. In the event of an emergency, the civil servants and employees performing the tasks and functions assigned to state and municipal institutions and agencies shall be under protection in shelters against the hazards posed to the life or health of residents.

2. Other residents who, in the course of an emergency, are not assigned any obligatory operations and tasks shall be under protection in collective protection structures.

3. The state and municipal institutions and agencies specified by the Government shall provide the director of the municipal administration with data on the shelters located in a municipality, their conformity to the construction technical regulations approved in accordance with the procedure laid down by the law and collective protection structures.

#### **Article 25. Register of Facilities of National Significance and Hazardous Establishments**

1. The Register of Facilities of National Significance and Hazardous Establishments shall be a state register.

2. Facilities of national significance and hazardous establishments shall be registered with the Register of Facilities of National Significance and Hazardous Establishments.

3. The leading management body of the Register of Facilities of National Significance and Hazardous Establishments shall be the Fire and Rescue Department.

4. The regulations of the Register of Facilities of National Significance and Hazardous Establishments shall be approved by the Government.

## **CHAPTER V EMERGENCY MANAGEMENT**

### **Article 26. Levels of Emergencies**

Emergencies shall be of two (municipal and national) levels:

1) municipal level – the emergencies where to response shall be provided by the forces of the civil protection system located within a municipality (municipalities) through the use of the material resources held at the disposal of the municipality (municipalities) or obtained from other municipalities, where the emergency effects do not reach beyond the territory of three municipalities;

2) national level – the emergencies where to response shall be provided by the forces of the civil protection system located within several municipalities through the use of the material resources held at the disposal of the municipalities or the State, where the emergency effects reach beyond the territory of three municipalities.

### **Article 27. Emergency Management**

1. Having regard to the level of an emergency, emergency management shall be of two levels: municipal and national.

2. In the event of an imminent or actual municipal level emergency whose effects do not reach beyond the territory of a single municipality:

1) a municipal emergency commission shall be convened;

2) on the recommendation of the municipal emergency commission and having regard to the nature of an incident or emergency event, the director of the municipal administration shall appoint the municipal operations commander;

3) the municipal operations centre shall be convened;

4) upon commencing the pooling of the material resources held within the territory of the municipality or obtained from other municipalities, the municipal operations centre shall co-ordinate the entire assistance being provided.

3. In the event of an imminent or actual municipal level emergency whose effects reach beyond the territory of a single municipality, but do not reach beyond the territory of three municipalities:

1) municipal emergency commissions shall be convened;

2) on the recommendation of the emergency commission of the municipality in the territory whereof an incident or emergency event has occurred and having regard to the nature of the incident or emergency event, the director of the municipal administration shall appoint the municipal operations commander;

3) the municipal operations centres shall be convened;

4) upon commencing the pooling of the material resources held within the territory of the municipality or obtained from other municipalities, the municipal operations centres shall co-ordinate the entire assistance being provided.

4. In the event of an imminent or actual national level emergency:

1) the Government Emergency Commission shall be convened;

2) the functions of the state commander of operations shall be performed by a member of the Government appointed by the Prime Minister or the head of a state or municipal institution or agency having regard to the nature of an incident or emergency event;

3) the national operations centre shall be convened;

4) upon commencing the pooling of the material resources held within the territory of municipalities or the State, the national operations centre shall co-ordinate the entire assistance being provided.

5. Relationships between emergency commissions shall be based on the principles of supremacy of decisions: decisions of a municipal emergency commission shall be of the lowest level, and the decisions of the Government Emergency Commission shall be of the highest level.

6. In the event of an imminent or actual emergency, the head of a state and municipal institution or agency and the head of an economic entity shall initiate the convening of an emergency commission.

7. The head of the ministry and/or another state institution or agency indicated in paragraph 2 of Article 13 of this Law or a person authorised by him shall, upon receipt of information on an

imminent or actual emergency event or emergency, convene an operations centre of the ministry and/or another state institution and agency in accordance with the procedure laid down by the Government.

**Article 28. Command of Rescue, Search Operations, Incident, Emergency Event and Emergency Response and Mitigation of Consequences and Urgent Works and Organisation Thereof**

1. The functions of the commander of rescue operations in responding to an incident or emergency event and mitigating their consequences shall be performed by the civil servant or employee of the forces of the civil protection system who is the first to arrive to the spot of the incident or emergency event, taking into consideration the nature of the incident or emergency event.
2. All forces of the civil protection system, irrespective of their subordination, upon arrival to the emergency area shall become subordinate to the commander of rescue operations or the operations commander. It shall be prohibited to interfere in the actions of the commander of rescue operations or the operations commander or to annul their instructions issued to the forces of the civil protection system participating in an imminent or actual emergency response and mitigation of its consequences.
3. The commander of rescue operations or the operations commander shall be responsible for the rescue of residents, the security of the civil servants and employees of the forces of the civil protection system, also other residents participating in the carrying out of rescue, search operations and urgent works and responding to an incident, emergency event and emergency and mitigating their consequences.
4. Where as a result of an incident, emergency event or emergency a hazard is posed to the health, life, property of residents or the environment, the commander of rescue operations or the operations commander may impose temporary restrictions on access to a certain territory or premises, restrict or prohibit traffic within an emergency area.
5. The fire and rescue forces shall, within the sphere of their competence, carry out rescue, search operations and urgent works, respond to an incident, emergency event and emergency and mitigate their consequences.
6. Police officers shall guard an emergency area, control the access of the forces of the civil protection system and other services to the emergency area, maintain public order and ensure

traffic safety within the emergency area, collect and systemise information on the persons who have been injured and perished, establish the identity of the perished persons and organise their transportation from the emergency area in accordance with the procedure and in the case laid down by legal acts in co-operation with other competent authorities.

7. The State Border Guard Service shall, in co-operation with other competent institutions and agencies, participate in the carrying out of search and rescue operations in border inland waterways, search for the persons reported missing (lost), conduct aerial reconnaissance of an emergency area, observe the background level and assist police officers in ensuring or independently perform the functions specified in paragraphs 4 and 6 of this Article at the border and at other facilities under the control or protection of the State Border Guard Service.

8. In the event of an incident, emergency event and emergency, employees of ambulance bodies shall provide ambulance services and, where necessary, transport victims and/or patients to personal healthcare institutions.

9. In the event of an emergency, officers of the Public Security Service shall prevent the actions posing a hazard to the life or health of residents, their property, nature or the actions constituting a grave violation of public order and shall provide assistance in the field of emergency response and mitigation of its consequences.

10. In the event of an emergency, military units may be involved in accordance with the procedure laid down by legal acts.

11. Personal and public healthcare institutions must be prepared to organise their activities under the conditions of an emergency in compliance with the institution's emergency management plan drawn up according to the recommendations approved by the Minister of Health and the methodological recommendations for the drawing up of emergency management plans approved by the director of the Fire and Rescue Department.

#### **Article 29. Prevention of, Response to and Investigation of Major Industrial Accidents**

The procedure for preventing, responding to and investigating major industrial accidents shall be laid down by the Regulations on Prevention of, Response to and Investigation of Industrial Accidents. These regulations shall be approved by the Government.

#### **Article 30. Evacuation of Residents**

1. Having regard to the hazard posed by an emergency to the life or health of residents, decisions on the evacuation of residents shall, in accordance with the procedure laid down by the Government, be taken by directors of municipal administrations, heads of other agencies and economic entities, and in the event of an incident or emergency event, a decision on urgent removal of residents from the emergency area shall be taken by the commander of rescue operations.

2. Evacuation of residents in a municipality shall be organised by a commission on the evacuation and reception of residents formed by the director of the municipal administration and chaired by a person appointed by the director of the municipal administration. The evacuation and reception commission shall be composed of civil servants and employees of the administration of the municipality, healthcare and police institutions, the State Border Guard Service and other agencies. The composition and regulations of the evacuation and reception commission shall be approved by the director of the municipal administration.

3. In the event of a nuclear accident at the Ignalina Nuclear Power Plant, residents shall be evacuated in compliance with the national plan of protection of the population in the event of a nuclear accident as approved by the Government. On the basis of this plan, the municipal councils of Ignalina district, Zarasai district and Visaginas shall approve the detailed plans of the evacuation of residents as drawn up by directors of municipal administrations, and the directors of administrations of these municipalities shall co-ordinate the issues of accommodation of the residents subject to evacuation with the directors of administrations of the municipalities whereto the residents are to be evacuated who are in charge providing the residents subject to evacuation with accommodation.

## **CHAPTER VI COMPENSATION, STATE SUPPORT AND SOCIAL GUARANTEES**

### **Article 31. Compensation for the Provision of Material Resources and Carrying out of Obligatory Operations**

The residents, economic entities and other agencies which have carried out obligatory operations, also the economic entities and other agencies which have provided material resources shall be reimbursed, in accordance with the procedure laid down by the Government, for the expenses relating to the provision of material resources and may be reimbursed for the expenses relating to the carrying out of the obligatory operations.

#### **Article 32. Provision of State Support**

State support may, in accordance with the procedure laid down by the Government, be provided to residents, economic entities, other agencies which have suffered damage as a result of an emergency.

#### **Article 33. Social Guarantees of the Persons Participating in Emergency Response and Mitigation of its Consequences**

The social guarantees of the persons participating in emergency response and mitigation of its consequences shall be established by laws and other legal acts.

### **CHAPTER VII International Co-operation in the Field of Civil Protection**

#### **Article 34. International Co-operation in the Field of Civil Protection**

1. International co-operation of the Republic of Lithuania in the field of civil protection shall be based on the universally recognised international principles of civil protection, protection of human rights and freedoms, environmental protection and securing people's welfare and shall be implemented in accordance with treaties of the Republic of Lithuania.
2. The Fire and Rescue Department shall co-ordinate international co-operation in the field of civil protection and shall represent the interests of the Republic of Lithuania at international institutions and organisations.
3. The Fire and Rescue Department shall co-operate with the disaster response monitoring and co-ordination centres of the European Commission, NATO and the United Nations Organization.
4. Ministries and other state institutions and agencies shall, within the sphere of their competence, participate in the activities of international institutions and organisations on the issues of civil protection.

#### **Article 35. International Assistance in Civil Protection**

1. International assistance in civil protection shall be provided by dispatching an international emergency response team, experts and/or by providing assistance supplies.



2. The Minister of the Interior shall lay down the procedure for forming an international emergency response team and providing it with supplies.
3. The procedure for requesting, accepting and providing international assistance in civil protection shall be laid down by the Government.

#### **Article 36. Provision of Information**

1. In the event of an imminent or actual emergency posing a potential threat to residents and the environment of neighbouring states, the Fire and Rescue Department shall provide information on the imminent or actual emergency to the neighbouring states.
2. On receipt of the information that foreign citizens were injured or perished in the course of an emergency, state and municipal institutions and agencies shall notify without delay thereof to the Ministry of Foreign Affairs of the Republic of Lithuania.

### **CHAPTER VIII FINANCING, Material and Technical Supply of the Civil Protection System**

#### **Article 37. Financing of the Civil Protection System**

The civil protection system (with the exception of economic entities) shall be financed from the state budget of the Republic of Lithuania, municipal budgets and other legitimate funding sources, and economic entities shall use their own accumulated resources.

#### **Article 38. Material and Technical Supply of the Civil Protection System**

A state reserve shall be formed in advance with a view to organising protection of residents, carrying out of rescue, search operations and urgent works, ensuring emergency response and mitigation of its consequences, and the procedure for forming, accumulating, managing and administrating the reserve shall be laid down by the Law of the Republic of Lithuania on State Reserve.

### **CHAPTER IX Final Provisions**

#### **Article 39. Liability for Violations of This Law**

Persons in breach of requirements of this Law shall be held liable under law.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC VALDAS ADAMKUS

**Annex to**

the Republic of Lithuania

Law on Civil Protection

### **EU LEGAL ACT IMPLEMENTED BY THE LAW ON CIVIL PROTECTION**

Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances (OJ 2004 special edition, Chapter 5, Volume 2, p. 410) with the latest amendments done by Directive 2003/105/EC of the European Parliament and of the Council of 16 December 2003 (OJ 2004 special edition, Chapter 5, Volume 4, p. 398).