

LAW

ON EMERGENCY SITUATIONS

I BASIC PROVISIONS

Article 1

This Law defines emergency action, declaration and management; protection and rescue system of persons, material and cultural goods and environment from natural disasters, technical and technological hazards - accidents and catastrophes, consequences of terrorism, wars and other large scale disasters (hereinafter: natural and other disasters); competences of state agencies, autonomous provinces, local governments and participation of the Serbian Army and Police in protection and rescue activities, rights and obligations of citizens, organization and activities of civil protection on protection, rescue, and elimination of the consequences of natural disasters and other accidents, funding; inspection and supervision, international cooperation and other issues relevant to organization and functioning of the protection and rescue system.

Article 2

The Republic of Serbia shall ensure the establishment of an integrated protection and rescue system in accordance with this law and other regulations, programmes, plans and other documents related to protection and rescue and civil protection.

Article 3

In accordance with this Law, the basic obligations of the protection and rescue system shall be:

- 1) Programming and planning of measures and activities related to protection and rescue;
- 2) Protection, as a set of preventive measures and activities directed at strengthening community, elimination of potential causes of threat, reducing the impact of natural disasters, preventing other disasters and mitigation of consequences thereof in case of their occurrence;
- 3) Coordination during establishment, development and implementation of a National Protection and Rescue Strategy;
- 4) Rescue and assistance, including all operational activities undertaken with a view to rescuing persons, material goods and environment;
- 5) Mitigation and elimination of direct consequences of natural and other disasters, including all measures and activities undertaken with a view to establishment of necessary conditions for life of population in the affected areas;
- 6) Organization, equipping and capacity building of protection and rescue forces;
- 7) Organization, equipping and capacity building of state agencies, companies, other legal persons and entrepreneurs for conducting protection and rescue activities;
- 8) Organizing and capacity building of citizens for personal, mutual and collective protection;
- 9) Providing and requesting assistance and cooperation with other countries, international humanitarian and non-governmental organizations;

- 10) Administering, managing and coordinating the participants and forces of the protection and rescue system in emergency situations;
- 11) Other obligations and tasks aimed at protection and rescue.

Participants in the protection and rescue system

Article 4

The participants in the protection and rescue system shall be:

- 1) State agencies, agencies of autonomous provinces and local governments;
- 2) Companies, other legal persons and entrepreneurs (hereinafter: companies and other legal persons);
- 3) Citizens, groups of citizens, their associations, professional or other organizations;

Participants referred to in para. 1 hereof shall ensure the establishment of an integrated protection and rescue system on the territory of the Republic of Serbia in accordance with this Law and other regulations, programmes, plans, and other documents stipulating organization, development, preparation and deployment of forces and resources of protection and rescue.

Participants referred to in para. 1 hereof shall conduct preventive measures of protection and rescue.

Principles of protection and rescue

Article 5

Principles of protection and rescue shall be based on cooperation, solidarity and timely and coordinated actions of participants in the protection and rescue system.

a) Principle of the right to protection

Everyone has a right to be protected from catastrophes caused by natural and other disasters.

Protection and rescue of human lives shall have priority over all other protection and rescue activities.

b) Principle of solidarity

Everyone shall participate in protection and rescue activities in accordance with their ability and capacity.

c) Transparency principle

Data on dangers and activities of state agencies, agencies of autonomous provinces, local governments and other participants in protection and rescue activities shall be public.

State administration, agencies of autonomous provinces and local governments shall ensure for population in the areas potentially affected by natural or other disasters, to be informed about the threat thereof.

d) Principle of preventive protection

In ensuring protection from natural and other disasters, the state administration agencies, agencies of autonomous provinces, and local governments and other legal persons shall

conduct preventive measures of protection as a matter of priority, in accordance with their respective mandates.

e) Principle of accountability

All natural and legal persons shall be responsible for implementation of measures of protection and rescue from natural and other disasters.

f) Principle of gradual deployment of forces and resources

- 1) In protection and rescue activities, forces and resources of local governments shall be deployed first.
- 2) In cases when, due to the size of disaster or threat, the forces and resources of local self-governments are not sufficient, the agency in charge shall ensure deployment of forces and resources from the territory of the Republic of Serbia.
- 3) The Police and Serbian Army shall be deployed when the available forces and resources are not sufficient for protection and rescue activities.

Article 6

Civil protection, as part of the protection and rescue system, shall be organized and prepared in peace and war in accordance with the 1977 Protocol Additional to the 1949 Geneva Conventions and Relating to the Protection of Victims of International Armed Conflicts (Protocol 1) and other provisions of the international humanitarian law.

Article 7

Civil protection, as part of the protection and rescue system, shall be a humanitarian and non-military activity in general interest of the Republic of Serbia.

Civil protection shall use the international symbol: a blue isosceles triangle against the orange background.

Meaning of terms

Article 8

The terms used in this Law are defined as follows:

1) Emergency situation - a situation when risks and threats or consequences of catastrophes, emergencies and other threats to population, environment and material goods, are of such scale and intensity that their occurrence or consequences cannot be prevented nor eliminated through regular activity of competent agencies and services, and for the mitigation or elimination of which special measures, forces and means at higher operational regime are required;

2) Protection and rescue system – a part of the national security system and an integrated form of management and organization of participants of the protection and rescue system in conducting preventive and operational measures and execution of obligations related to protection and rescue of persons and goods from consequences of natural and other disasters including measures of recovery thereof.

3) Natural hazard - an event of hydro-meteorological, geological or biological origin, caused through action of natural forces such as: earthquake, flood, torrent, storm, heavy rains, electric discharge and hailstorm, draught, falls of rock and landslides, snow drifts and avalanches, extreme air temperatures, ice on rivers, epidemics of contagious diseases, epidemics of livestock contagious diseases, pests and other large scale

phenomena that may cause loss of life, injury or other health impacts, property damage, loss of livelihoods and services, social and economic disruption, or environmental damage.

4) Technical and technological hazard – accident - a sudden and unexpected event or a series of events that got out of control during use of certain equipment and during handling of hazardous substances in production, use, transport, traffic, processing, storing and warehousing, such as: fire, explosion, heavy damage, traffic accident in road, river, rail and air traffic, accident in mines and tunnels, breakdown of cable cars for transport of persons, destruction of dams, failures of electrical power plants, oil and gas plants, accidents in handling radioactive and nuclear substances, that may cause loss of life, injury or other health impacts, property damage, loss of livelihoods and services, social and economic disruption, or environmental damage.

5) Disaster - any natural or other disaster and event that causes a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources; or caused by war destruction or act of terrorism.

6) Emergency - a disaster caused by natural and other disaster that may threaten health and lives of people and environment, the consequences of which may be prevented or removed through regular actions of relevant authorities and agencies.

7) Resilience - the ability of a system, community or society exposed to hazards to resist, absorb, accommodate to and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions.

8) Risk - the combination of the probability of an event and its negative consequences; it is a probability of an event occurring at a certain time in certain circumstances and with certain negative consequences;

9) Disaster risk reduction - a professional approach to the concept and practice of reducing disaster risks through systematic efforts to analyse and manage the causal factors of disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events.

10) National Protection and Rescue Strategy - a document defining and establishing national coordination mechanisms and programme policy for disaster risk reduction, preparedness, protection and rescue, and elimination of consequences from natural and other disasters.

11) System of observation, early warning, information and alert - a system for timely collection of information, detection of accidents, analysis thereof and development of prognoses, distribution of information relevant to warning individuals, communities and organizations potentially threatened with a view to their timely preparation and response, thereby reducing the probability of occurrence of damage and loss.

12) Threat - an activity or a state that may cause loss of lives, injuries or negative impacts on health of persons or environment damage.

13) Risk assessment - a methodology to determine the nature and extent of risk by analysing potential hazards and evaluating existing conditions of vulnerability that together could potentially harm exposed people, property, services, livelihoods and the environment on which they depend.

14) Preparedness - the knowledge and capacities developed by governments, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from, the impacts of likely, imminent or current hazard events or conditions.

15) Preventive protection and rescue measures include development of the National Protection and Rescue Strategy, assessment of risks and threats from potential natural and other disasters, measures applied in construction in earthquake - prone zones or construction of facilities (dams, warehouses, pump stations, etc) that may threaten lives of persons and material goods, construction of dykes, marking of sites and assessment of risk from avalanches, regulating watercourses, hailstorm defence, breaking ice of watercourses, construction of support walls, fire-fighting measures, measures preventing explosion of ammunition, uncontrolled release, spill or scattering of hazardous or solid chemical, nuclear and radioactive substances, identification and forecasting of development and movement of natural disasters, organizing observation, information and alert system, epidemiological, veterinary and other measures which may prevent or reduce the impact of natural disasters and technical and technological hazards.

16) Search and rescue activities in case of traffic accidents - a system of measures and procedures undertaken in order to find site of a traffic accident in road, river, air and rail traffic, rescuing persons injured or whose lives and health had been threatened by accidents;

17) Emergency management - organization and management of resources and responsibilities for addressing all aspects of emergencies, in particular preparedness, response and initial recovery steps.

18) Coordination – timely and efficient conduction of the activities of all participants in protection and rescue in emergency situations, as well as timely dissemination of needed information among the participants;

19) Management - govern of individuals, parts of the system and the civil protection and rescue system towards the achievement of defined objectives (executive management);

20) Protection and rescue forces are: emergency management headquarters, civil protection units, fire and rescue units, Police, Serbian Army and subjects that regularly perform protection and rescue activities, as well as companies and other legal persons, Serbian Red Cross, Serbian Mountain Rescue Service, and associations trained and equipped for protection and rescue activities;

21) Facilities and tools for protection and rescue - shelters and other protection facilities, warehouses, protection and rescue equipment and tools, equipment for capacity building and training, transportation vehicles, telecommunication and alarm devices and other materials used for protection and rescue activities;

22) Means for assistance - food, drinking water, clothing, footwear, medications and other items and supplies for vulnerable and affected population as assistance in reducing the consequences of natural and other disasters;

23) Elimination of consequences include all the activities undertaken during and after a catastrophe, natural hazard or other disaster with the aim of urgent restoration of normal conditions of life in areas where disaster occurred and elimination of negative consequences in the affected areas;

24) Authorized legal persons - companies and other legal entities entrusted to perform the activities of special interest for the Republic of Serbia in the field of telecommunications, energy and mining, railway transport, meteorology, hydrology, seismology, protection from ionizing and nuclear radiation, environmental protection, water management, forestry and agriculture, health, care and accommodation and veterinary medicine;

25) Trained legal persons - companies and other legal entities trained and equipped for protection and rescue activities such as: public utility companies, construction companies, water management companies, forest management companies, catering companies, mining companies, transport companies and other legal entities, private security

companies, commercial aviation, associations, alliances and societies and clubs related to fire-fighting, cynology, diving, nautical science, alpinism, speleology, radio-amateurism, mountain rescue service, scouts and other participants relevant to protection and rescue.

26) Personal and mutual protection - the largest form of preparation and organized participation of citizens in protection and rescue activities including measures and actions aimed at personal and mutual protection and rescue of citizens in commercial and residential buildings, in other facilities and on all other locations where they live and work.

27) Civil protection measures - planned and organized actions and procedures prepared and implemented by all the participants of the protection and rescue system in the Republic of Serbia with a view to protection and rescue of persons and material goods from threats and consequences of natural and other disasters.

28) Measures of protection in case of immediate threat from natural and other disasters as part of the civil protection measures include: collection of data on the impending natural hazard and other disasters with the assessment of effects and potential consequences thereof, informing and alerting of the population and state agencies, activation of emergency management headquarters, mobilization of civil protection units and material resources, deployment of human resources and equipment to the high-risk areas, planning of participation of military, Serbian Army and other forces, special measures of physical security of facilities potentially at risk, regulation of traffic on the high-risk areas and other measures.

29) Measures of protection upon occurrence of natural and other disasters, as part of the civil protection measures, include organized participation of human resources and equipment in protection and rescue activities of population and goods, execution of obligations performed by businesses and other legal persons and individuals related to rescue of vulnerable population and goods (evacuation, care and accommodation, first aid delivery, etc.) along with assessment of need to engage the Serbian Army or call for international aid and undertake other measures to prevent or mitigate the consequences of natural and other disasters.

30) Measures related to reducing and eliminating the immediate consequences of natural and other disasters, as part of the civil protection measures, include actions undertaken to create conditions for normal life and work on the affected area, data collection, assessment and evaluation of the resulting damage, organizing, collection and distribution of aid as well as other measures related to reducing and removing the immediate consequences of natural and other disasters;

31) Alert - informing on the immediate threat or the occurring threat;

32) Evacuation - planned, organized and temporary relocation of population, livestock, material and cultural goods, state agencies, companies and other legal persons from the threatened area to the secure area and which provides conditions for life and protection and has, as such, been identified in the Emergency Protection and Rescue Plan.

33) Shelters are dual-use or special facilities, primarily intended for protection of population from natural and other disasters. Shelters may be for family, residential and community purpose;

34) Sheltering and assistance to affected population, injured, refugees and evacuated persons in emergency situations include provision of emergency shelter, health care, provision of food and drinking water, family reunification, psychological support and create of other living conditions;

35) Protection and rescue from floods, accidents on water and under water - protection and rescue of persons and material goods that may be affected by floods caused by flooding of rivers from riverbeds, torrents, ice barriers, ground waters as well as by damage or collapse of dams, dykes, wastes and other protective facilities and other accidents on water and under water;

36) Unexploded ordnance (UXO) - explosive devices left over from wars, prepared for use or already used, with and without fuse, fired, ejected, submerged, launched, deserted or discarded which have not exploded as well as devices left over after explosions of ammunition depots, discarded munitions and illegally possessed unexploded ordnance. This Law does not define improvised explosive commando and terrorist devices;

37) Rehabilitation of terrain - sanitary and hygienic and sanitary and technical activities on the terrain, in towns and facilities with a view to prevention of infection and epidemics spreading and other detrimental consequences on the population and material goods.

38) Hazardous materials - chemicals and other substances bearing detrimental and dangerous properties.

II JURISDICTION OF STATE AUTHORITIES

Parliament

Article 9

Within its jurisdiction in the area of protection and rescue, the Parliament shall adopt a National Protection and Rescue Strategy:

Government

Article 10

In the area of protection and rescue, the Government shall ensure establishment and development of the protection and rescue system of the Republic of Serbia and planned linkages of parts of the system and their tasks into a single whole, and in particular:

- 1) Propose the National Protection and Rescue Strategy;
- 2) Adopt Long Term Plan and Programme of Development of the Protection and rescue system of the Republic of Serbia;
- 3) Monitor and coordinate through the Republic Emergency Management Headquarters the process of implementation of measures provided for in the National Protection and Rescue Strategy;
- 4) Adopt Assessment of vulnerability of the Republic of Serbia to natural and other disasters (hereinafter: Vulnerability Assessment of the Republic of Serbia);
- 5) Set up a Republic Emergency Management Headquarters;
- 6) Appoint a commander, chief and members of the Republic Emergency Management Headquarters at the proposal of the Minister of Interior (hereinafter: the Minister);
- 6a) Adopt an annual work plan and progress report of the Republic Emergency Management Headquarters;
- 7) Adopt a National Plan of Protection and Rescue in Emergency Situations of the Republic of Serbia (hereinafter: National Emergency Protection and Rescue Plan);
- 8) Order general mobilization of the civil protection units and other necessary human and material resources in the protection and rescue system at the level of the Republic of Serbia;
- 9) Supervise and guide preparations for execution of tasks of protection and rescue;

- 10) Pass a decision to provide, request and accept international assistance in the area of protection and rescue;
- 11) Inform the Parliament about the type, cause and dimensions of emergencies and emergency situations, on measures and activities of the protection and rescue system taken and about the forecasts;

Ministry of Interior

Article 11

The Ministry of Interior (hereinafter: the Ministry) shall, within the framework of its activities, propose and implement policies related to protection and rescue, execute ratified international agreements, laws and other general acts of the Parliament and the Government.

In the area of protection and rescue, the Ministry shall:

1. Develop a draft National Protection and Rescue Strategy;
2. Develop a draft Long Term Plan of Development of the Protection and rescue system;
3. Initiate drafting of the Vulnerability Assessment of the Republic of Serbia as regards natural and other disasters and submit it to the Government for adoption;
4. Develop a draft National Plan of Protection and Rescue in Emergency Situations of the Republic of Serbia;
- 4a) Ensure and provide expert, technical and administration support necessary for the operation and work of the Republic Emergency Management Headquarters;
5. Coordinate all the participants in the protection and rescue system on issues related to organization, planning, preparations and implementation of measures and activities of related to prevention and reduction of risk, protection and rescue (organize telecommunication and information system for the purposes of governing and coordination of protection and rescue activities, transfer of data and information thereof);
6. Organize system of observation, information, early warning and alert in the territory of the Republic of Serbia;
7. Ensure participation of the military and other organizational units of the Ministry in implementation of measures and execution of tasks related to protection and rescue;
8. Prepare and implement measures of security and protection of space, infrastructure and facilities important for implementation of measures and execution of tasks of protection and rescue;
9. Organize training and check of operational readiness of centres and departments for emergency situations as well as specialized units of civil protection in accordance with the training curricula and plans (provide expert assistance and instructions for operation of protection and rescue agencies of autonomous provinces, local governments, companies and other legal persons);
10. Establish, organize and equip specialized civil protection units for the territory of the Republic of Serbia and administrative districts, organize and conduct procurement, servicing, maintenance and storing of equipment for protection and rescue;
11. Organize and execute elimination, deactivation and destruction of unexploded ordnance (hereinafter UXO),

12. Conduct trainings and issue staff qualification certificates on elimination of UXO, issue authorizations to companies and other legal persons to remove and destroy UXO;
- 12a) Approve protection and rescue plans and vulnerability assessments and acknowledge the compatibility of protection and rescue plans of local governance units and autonomous regions with the National Emergency Protection and Rescue Plan of the Republic of Serbia;
13. Organize the National and regional training centres for civil protection in the Republic of Serbia;
14. Prepare and pass technical regulations applicable to tools and equipment for protection and rescue and, when entrusted, develop proposals of Serbian standards for tools and equipment for protection and rescue;
15. Initiate and finance research and development in the area of protection and rescue;
16. Keep registries on human and material resources required for the purpose of protection and rescue and order partial mobilization of the necessary human and material resources;
17. Harbor international cooperation in the area of protection and rescue and disaster risk reduction;
18. Take part in search and rescue activities in case of traffic accidents in road, rail, river and air transport;
19. Conduct supervision of implementation of the Law and regulations passed on the basis thereof;
20. Perform other obligations provided for by this Law.

Ministry of Defence and the Serbian Army

Article 12

In events when all other forces and resources of the protection and rescue system are not sufficient for efficient protection and rescue of people, material and cultural goods and the environment from catastrophes caused by hazards natural and other disasters, the Ministry of Defence shall at the request of the Ministry – organizational unit in charge of emergency situations (hereinafter: the competent department) ensure participation of organizational parts of the Ministry of Defence, commands, units and institutions of the Serbian Army to assist in protection and rescue, in accordance with the Law.

When the units of the Serbian Army take part in protection and rescue, they shall be under the command of their senior personnel, in line with the decisions of the emergency management headquarters managing and coordinating protection and rescue activities.

Ministries, other agencies and special organizations

Article 13

Ministries, other agencies and special organizations of the Republic of Serbia shall, within their respective areas of responsibility in the field of protection and rescue:

- 1) Organize, plan and ensure implementation of measures and execution of tasks of civil protection and propose measures and activities for advancement thereof;

- 2) Carry out expert obligations related to engagement of departments, companies and other legal persons in prevention and protection and rescue from catastrophes in accordance with the National Protection and Rescue Strategy;
- 3) Inform the competent department of the data relevant to planning, organization and implementation of measures and tasks related to protection and rescue;
- 4) Develop Vulnerability Assessment for the Republic of Serbia in the part related to their domain and submit it to the Ministry;
- 5) Participate in development of the Plan of Protection and Rescue in Emergency Situations of the Republic of Serbia;
- 5a) Participate in development of the Draft Long-Term Protection and Rescue System Development Plan;
- 6) With the exception of the Ministry of Defense, develop and implement the Plan of Protection and Rescue in Emergency Situations;
- 7) Perform other obligations related to protection and rescue defined in plans and general acts of the Parliament and the Government.

III JURISDICTION OF AUTONOMOUS PROVINCE AND LOCAL GOVERNMENTS

Autonomous province

Article 14

In executing their rights and obligations related to protection and rescue, the autonomous province shall through its bodies:

- 1) Pass a decision on organizing and functioning of civil protection in the territory of the autonomous province and ensure implementation thereof in accordance with the integrated protection and rescue system of the Republic of Serbia;
- 2) Adopt a plan and programme of development of the system of protection in the territory of the autonomous province in accordance with the Long Term Plan of Development of the Protection and rescue system of the Republic of Serbia;
- 3) Plan and identify sources of funding for development, setting up and execution of tasks related to protection and rescue and development of civil protection and implementation of measures and tasks of civil protection in the territory of the autonomous province;
- 4) Set up a Provincial Emergency Management Headquarters (hereinafter referred to as: the Provincial Headquarters);
 - 4a) Adopt the annual work plan and progress report of the Provincial Headquarters;
- 5) Cooperate directly with the competent body, other state agencies, municipalities, local governments, companies and other legal persons;
- 6) Cooperate with regions and municipalities of neighbouring countries, in accordance with this Law and other laws;
- 7) Align their own plans of protection and rescue with the Plan of Protection and Rescue in Emergency Situations of the Republic of Serbia;
- 8) Identify trained legal persons of special interest for protection and rescue;

9) Ensure telecommunication and information support for protection and rescue and ensure inclusion into the telecommunication and information system of the Department for Observation, Information and Alert and liaise with it;

10) Develop and adopt the Vulnerability Assessment and the Plan of Protection and Rescue in Emergency Situations.

The competent body of the autonomous province, in cooperation with the competent authorities, Provincial Headquarters and other professional bodies of the autonomous province shall develop the Vulnerability Assessment of the autonomous province and proposes to the competent body of the autonomous province its adoption.

Local governments

Article 15

In executing their rights and obligations related to protection and rescue the local governments shall through their bodies:

- 1) Pass a decision on organizing and functioning of civil protection in the territory of the local government unit and ensure implementation thereof in accordance with the integrated protection and rescue system of the Republic of Serbia;
- 2) Adopt a plan and programme of development of the system of protection on the territory of the local government unit in accordance with the Long Term Plan of development of the protection and rescue system of the Republic of Serbia;
- 3) Plan and identify sources of funding for development, setting up and execution of tasks related to protection and rescue and development of civil protection and implementation of measures and tasks of civil protection on the local government unit;
- 4) Set up an emergency management headquarters;
- 5) Cooperate directly with the competent body, other state agencies, companies and other legal persons;
- 6) Cooperate with regions and municipalities of neighbouring countries, in accordance with this Law and other laws;
- 7) Align its own plans of protection and rescue with the Plan of Protection and Rescue in Emergency Situations of the Republic of Serbia;
- 8) Identify trained legal persons of special interest for protection and rescue;
- 9) Ensure telecommunication and information support for protection and rescue and ensure inclusion into the telecommunication and information system of the Department for Observation, Information and Alert and liaise with it;
- 10) Develop and adopt the Vulnerability Assessment and the Plan of Protection and Rescue in Emergency Situations;
- 11) Monitor for threats, informing and early warning the population;
- 12) Procure and maintain alarm instruments within an integrated system of public alert in the Republic of Serbia and participate in the development of the study of coverage by the public alert system for the territory of the local government unit;
- 13) Organize, develop and implement personal and mutual protection;
- 14) Set up, organize and equip general purpose civil protection units;
- 15) Adjust plans of protection and rescue in emergency situations with neighbouring local governments.

The competent body of the local government unit, in cooperation with the competent authorities, competent bodies of the autonomous province, municipal and metropolitan emergency management headquarters and other professional bodies of the local government unit shall develop the assessment of risk of the local government unit and propose to the competent body of the local government unit its adoption.

IV RIGHTS AND RESPONSIBILITIES OF COMPANIES AND OTHER LEGAL PERSONS

Article 16

Companies and other legal persons shall plan and ensure resources for: organizing, equipping, capacity building and training of the civil protection units they establish, organizing and preparation of personal, mutual and collective protection and implementation of measures and tasks of civil protection of their employees, material and other goods.

Companies and other legal persons from the sectors of health, education, social welfare and other sectors which have protection of a large number of persons within their mandate, shall plan, organize and implement measures and tasks of civil protection also for the persons who are beneficiaries of their services in accordance with this Law and the respective legislation. (N.B. *sic.*)

Companies and other legal persons referred to in para. 1 and 2 hereof shall align their plans of protection and rescue with the plan of protection and rescue in emergency situations of the local government unit on the territory on which they are located.

The manager of a commercial company or manager of other legal person shall be responsible for preparation of companies and other legal persons for protection and rescue from natural and other disasters.

Article 17

Authorized and trained legal persons shall submit to the competent departments analyses, forecasts and responses related to protection and rescue at the request of the Ministry.

The legal persons referred to in para. 1 hereof shall define tasks, logistics and activities ensuring participation of their members, bodies and departments in execution of tasks related to protection and rescue in their work plans in accordance with this Law and the plans of protection and rescue in emergency situations. The legal persons referred to in para. 1 hereof shall be authorized by the Government at the proposal of the Ministry.

Article 18

Humanitarian organizations and associations, within their regular activities, shall take part in preparation and execution of tasks related to protection and rescue, in accordance with this Law and provisions of international law.

Organizations of Red Cross of Serbia shall perform obligations referred to in para.1 hereof in accordance with public authorizations and programme activities of the Red Cross of Serbia.

Organizations of the Republic of Serbia Mountain Rescue Service shall perform tasks related to rescue in inaccessible terrains referred to in para. 1 hereof, in accordance with public authorizations and their programme activities.

Article 19

Faculties and other organizations engaged in science and research shall inform the competent body about scientific findings relevant to protection and rescue.

Associations shall perform tasks related to protection and rescue on the basis of a decision of the competent emergency management headquarters.

The scope and methodology of task execution referred to in para. 2 hereof shall be defined by competent centre.

Individuals and associations may take part in execution of preventive tasks related to protection and rescue on voluntary basis in line with their capacities and with the approval of a competent service.

Article 20

In case of emergency situations, companies and other legal persons, owners and users of electronic communication networks and information systems and connections shall put the use of these systems at the disposal of the competent service.

Companies and other legal persons, owners and users having reserves of water, food, medical equipment and medications, energy sources, clothing, footwear, construction and other materials required for execution of tasks related to protection and rescue shall put these items and materials at the disposal of the competent service for use in actions of protection of persons and material goods.

Real estate owners and users shall enable performance of works ordered by the competent service required for protection and rescue from natural and other disasters and threats, whenever so required on their real estate.

Owners and users of equipment and material and technical devices shall put this equipment and devices together with the necessary human resources at the disposal of the competent service.

The Government shall stipulate the discharge of obligations referred to in paragraphs 1-4 hereof and compensation therefore.

V RIGHTS AND RESPONSIBILITIES OF CITIZENS

Article 21

The citizens shall take part in the protection and rescue activities, perform physical task for the purpose of protection and rescue in accordance with a separate law, undergo trainings for personal, mutual and collective protection and implement the stipulated and ordered measures and perform tasks related to civil protection.

The citizens have the responsibility to:

- 1) Accept deployment schedule assigned to them upon deployment in the civil protection agencies and units;
- 2) Respond to the summons of a competent civil protection body;
- 3) Submit data relevant to protection and rescue to the competent body without delay;
- 4) Provide data required for keeping registries relevant to protection and rescue.

Article 22

All capable citizens shall take part in the performance of tasks of protection and rescue.

In accordance with a separate law, healthy draft registrants shall be deployed in specialized civil protection units.

Healthy men and women who are not draft registrants aged 16 to 60 (men) and 16 to 55 (women) may be deployed in general purpose civil protection units.

The fitness of citizens for participation in the civil protection agencies and units shall be established by a competent health care institution as per seat of the agency or unit.

The Government shall define the criteria and methods of ascertaining fitness of citizens to participate in the civil protection agencies and units.

Article 23

The members of civil protection shall report at location and at the time designated by the competent body.

Pregnant women, mothers, single fathers and guardians of a minor under 15 shall be exempted from the obligation to serve in civil protection.

Exceptionally, in case of an emergency situation, the persons referred to in para. 2 hereof whose expertise is of particular importance to the interest of the society, may be deployed into special civil protection units. Care for the children of these persons shall be ensured.

Article 24

When required so for protection and rescue purposes, citizens shall put real estate, vehicles, machinery, equipment, material and technical and other material resources (water, food, medical equipment and medications, clothing, footwear, construction and other materials) at the disposal and use of the competent body for emergency situations.

The Government shall stipulate the discharge of obligations referred to herein and compensation therefore.

Article 25

The citizens who are employed and who in accordance with the provisions of Art. 21 hereof, are summoned to execute civil protection tasks, shall be entitled to monetary compensation calculated and paid by the employer from the basis comprised of his average monthly salary in the previous month relative to the month in which he executed civil protection tasks, proportionate to the duration of engagement at the expense of the local governments, autonomous province or the Republic of Serbia, depending on the location of his deployment and the authority that engaged him.

The compensation referred to in para. 1 hereof is also payable to other persons engaged and shall be calculated on the basis of average monthly net salary in the Republic of Serbia as published by the Republic Statistics Office in the month preceding the month of engagement of the citizen. The compensation shall be borne by the authority that engaged the person to execute the civil protection tasks.

Article 26

Members of civil protection engaged by the competent agency to take part in the activities and tasks of civil protection, who do not have health insurance on other basis, shall be entitled to health insurance for the duration of such engagement.

A member of civil protection who, in the course of organized participation in the performance of tasks of protection and rescue, sustains injuries or falls ill through no fault of his own or becomes disabled as a direct consequence of performance of tasks of protection and rescue, shall be entitled, on this basis, to all the rights from pension and disability and health insurance accorded to him in case of injury at work.

Members of the family of a member of civil protection who lost his life through no fault of his own during the organized participation in the performance of tasks of protection and rescue, shall be entitled, on this basis, to all the rights from pension and disability and health insurance accorded to them had death been a consequence of injury at work.

The rights referred to in paras. 1 to 3 hereof shall be exercised in the way and under the conditions and in the way provided for by the law and other regulations in the area of pension and disability and health insurance.

Performance of tasks of protection and rescue from natural and other disasters shall be subject to general provisions on safety and health at work as well as special measures for ensuring protection and health of members of civil protection. In the performance of tasks of protection and rescue from natural and other disasters, general provisions of safety and health at work shall be applied as well as special measures for ensuring safety and health of the members of civil protection, of the member's unit, department and other operational units and associations for the duration of carrying out the activities of protection and rescue from natural and other disasters.

The Minister shall define specific regulations of special measures for ensuring safety and health of the members of civil protection, of the member's unit, department and other operational units and associations in the course of carrying out the activities of protection and rescue from natural and other disasters.

Article 27

A member of civil protection who during the organized participation in the performance of tasks of protection and rescue sustains injury or falls ill through no fault of his own, and this results in bodily damage of minimum 20% shall be entitled to one-off payment in the amount to be determined on the basis of the level of the bodily damage.

In case of death of the member of civil protection referred to in para. 1 hereof, the members of his immediate family shall be entitled to: compensation of costs of transport of remains, and funeral-related expenses in the amount of the average costs of funeral in the habitual residence in the month when death had occurred.

The members of immediate family shall also be entitled to one-off payment. This payment shall not be less than 12 average salaries in the Republic of Serbia earned in the calendar year preceding the calendar year when the member of civil protection referred to in para. 1 hereof had lost his life.

The Government shall stipulate regulations on the amount and the way of exercise of the right to one-off payment referred to in para.3 hereof.

Article 28

During the performance of tasks of protection and rescue, a member of civil protection shall be entitled to compensation of costs for transportation, accommodation and food.

Accommodation and food referred to in para. 1 hereof shall be provided in cases when the participation in the performance of tasks of protection and rescue lasts more than eight hours.

The funds for compensation referred to in para. 1 hereof shall be provided in the budget of local governments and the Republic of Serbia.

Article 29

A person who performs the tasks of protection and rescue professionally in a state agency, body of the autonomous provinces, local government body or companies shall have the status of a member of civil protection.

The persons referred to in para. 1 hereof shall not be deployed to other obligations in the defense system.

VI EMERGENCY SITUATIONS

Article 30

An emergency situation shall be declared immediately upon learning about the direct threat of its occurrence.

An emergency situation may be declared also after its occurrence, if the direct threat thereof could not be foreseen or if, due to other circumstances, it could not have been declared immediately upon learning about the direct threat of its occurrence.

The end of an emergency situation shall be declared when the emergency has ceased, i.e. when there is no need to implement natural hazard and other accidents protection and rescue measures.

Article 31

An emergency situation can be declared for a municipality, town or the city of Belgrade, and for the entire territory of the Republic of Serbia or a part thereof.

An emergency situation for a part of or the entire municipality, town or the city of Belgrade is declared in case of direct threat of its occurrence or if it has already occurred in a part of or on the entire territory of the municipality town and the city of Belgrade.

An emergency situation for the Republic of Serbia or a part thereof is declared in case of direct threat of its occurrence or if it has already occurred in the minimum two municipalities if the capacities of the respective municipalities do not suffice as a response in the emergency situation.

Article 32

A decision on declaration of an emergency situation, at the proposal of the competent emergency management headquarters, shall be passed by the president of the municipality for the territory of the municipality or the Mayor of the territory of a town, the city of Belgrade.

A decision on declaration of an emergency situation for the territory of the autonomous province shall be passed by the executive body of the autonomous province at the proposal of the Provincial Headquarters.

A decision on declaration of an emergency situation for the territory of the Republic of Serbia or a part thereof shall be passed by the Government at the proposal of the Republic Emergency Management Headquarters.

The authority that made the decision on declaration of an emergency situation shall make a decision on declaring an end of the emergency situation, following a proposal put forward by the competent emergency headquarters.

Managing emergency situations

Article 33

Emergency management headquarters as operational and expert bodies shall be established to coordinate and manage the activities related to protection and rescue in emergency situations, in accordance with this Law and other regulations as follows:

1) For the territory of the Republic of Serbia – Republic Emergency Management Headquarters, established by the Government;

2) For the territory of autonomous province – Provincial Headquarters established by the executive body of the autonomous province;

3) For the territory of an administrative district – District Emergency Management Headquarters, established by the Republic Emergency Management Headquarters;

4) For the territory of a city – Metropolitan Emergency Management Headquarters, established by the city assembly;

5) For the territory of a municipality – Municipal Emergency Management Headquarters, established by the municipal assembly.

A headquarters shall be comprised of a: commander, chief and members and deputy of commander of the headquarters in the metropolitan and municipal headquarters.

The emergency management headquarters shall establish, as needed, auxiliary expert and logistic teams to execute specific tasks related to protection and rescue.

Article 34

The emergency management headquarters shall:

1) Manage and coordinate the work of agents of the protection and rescue system and forces of protection and rescue in emergency situations related to the performance of tasks of protection and rescue;

2) Manage and coordinate implementation of measures and tasks related to civil protection;

2a) Manage and coordinate the implementation of measures and tasks related to civil protection, reconstruction and rehabilitation, taking into consideration the needs of sustainable development and reduction of vulnerability and risks from future emergency situations;

3) Review and give an opinion to the draft Vulnerability Assessment and the draft Plan of Protection and Rescue in Emergency Situations;

4) Monitor the situation and organization of protection and rescue system and propose measures for improvement thereof;

5) Order deployment of protection and rescue forces, assistance and other resources used in emergency situations;

6) Take care of regular informing and notifying the population about the risks and threats as well as about the measures aimed at disaster risk reduction;

7) Review organization, equipping and capacity building of civil protection units and authorized, trained legal persons;

8) Cooperate with agencies in charge of protection and rescue in neighbouring countries during emergency situations;

8a) Request the state of readiness – emergency preparedness;

9) Assess threat from occurrence of an emergency situation;

9a) Produce a draft annual work plan and annual progress report;

9b) Carry out the annual work plan;

10) Pass orders, conclusions and recommendations.

Article 35

In addition to tasks referred to in Art. 34 hereof, the Municipal and Metropolitan Emergency Management Headquarters shall:

1) Cooperate with centres of neighbouring local governments;

2) Designate persons responsible for civil protection and their deputies in inhabited areas;

3) Discuss and propose passing of a decision on organization of protection and rescue on the territory of a municipality, local government unit and the city;

3a) Submit the draft work plan and annual progress report to the local and the city municipality for their approval;

4) Engage trained legal persons and other organizations of relevance to the local government unit.

The Municipal Emergency Management Headquarters shall, in addition to tasks provided under para. 1 hereof:

1) coordinate protection and rescue actions and operations in the city area;

2) order emergency headquarters of the city municipalities to take measures and carry out activities aimed at protection and rescue.

Article 36

In addition to tasks referred to in Art. 34 hereof, the District Emergency Management Headquarters shall:

1) Coordinate protection and rescue actions and operations on the territory of an administrative district;

2) Submit to the Republic Emergency Management Headquarters the draft annual work plan and annual progress report for its consideration;

3) Manage the special civil protection units, established and engaged on the territory of the district;

4) Engage district, detached bodies of state administration in the district and professional services of the administrative district for execution of tasks related to civil protection and cooperate with the detached organizational unit of the competent service in the administrative district;

5) Engage authorized and trained legal persons of importance to the Republic on the territory of the administrative district;

6) Perform other obligations based on the authorization of the Republic Emergency Management Headquarters and the competent service.

Article 37

In addition to tasks referred to in Art. 34 hereof, the Provincial Emergency Management Headquarters shall:

1) Order the emergency management headquarters of local governments to take protection and rescue measures and activities;

2) Order engagement and deployment of forces and resources related to rescue and protection from the territories of unaffected municipalities to the territories of other affected municipalities;

3) Directly coordinate, through the Municipal Emergency Management Headquarters, engagement of forces and resources in emergency situations when a large number of municipalities on the territory of an autonomous province are threatened.

3a) Submit to the executive body of the Autonomous Province the draft annual work plan and annual progress report for its consideration;

4) Engage authorized and trained legal persons of importance to the province.

The Provincial Emergency Management Headquarters and emergency management headquarters of local governments shall regularly inform the Republic

Emergency Management Headquarters and the competent service about the situation and implementation of measures and tasks related to protection and rescue.

Article 38

In addition to tasks referred to in Art. 34 hereof, the Republic Emergency Management Headquarters shall also:

- 1) coordinate the activities of all the participants in the protection and rescue system in terms of organization, planning, preparations and implementation of measures and activities related to disaster risk prevention and reduction, protection and rescue, including the exchange of information, knowledge and technologies;
- 2) request different emergency management headquarters to undertake measures and activities aimed at protection and rescue;
- 3) deliberate and give its opinion on the Draft National Strategy of Emergency Protection and Rescue;
- 4) coordinate activities and measures included in the National Strategy of Emergency Protection and Rescue;
- 5) report to the Government about the performance of activities and measures included in the National Strategy of Emergency Protection and Rescue of the Republic of Serbia;
- 6) deliberate and give its opinion on the Draft Long-term Plan of Protection and Rescue System Development;
- 7) monitor and coordinate the implementation of measures included in the Long-term Plan of Protection and Rescue System Development;
- 8) inform the Government on the performance of activities and measures included in the Long-term Plan of Protection and Rescue System Development;
- 9) deliberate and give its opinion on the Draft Natural and Other Hazards Vulnerability Assessment of the Republic of Serbia;
- 10) deliberate and give its opinion on the Draft National Emergency Protection and Rescue Plan of the Republic of Serbia;
- 11) monitor and coordinate performance of activities and measures included in the National Emergency Protection and Rescue Plan of the Republic of Serbia;
- 12) reports to the Government about the implementation of activities and measures included in the National Emergency Protection and Rescue Plan of the Republic of Serbia;
- 13) request the transfer and use of the protection and rescue forces and tools from the area of non-affected local government units to that of other local government units;
- 14) take over, through District Emergency Management Headquarters, direct coordination of the forces and equipment in emergencies, when a number of local government units has been affected in the territory of a district;
- 15) put forward for Government's adoption a decision on requesting, accepting and providing assistance to the neighbouring and other countries;
- 16) put forward for Government's adoption the draft annual work plan and the annual progress report;
- 17) adopt annual work plans and annual progress reports of district emergency management headquarters;
- 18) make a proposal for the Government related to general mobilization of the units and other civilian protection forces;

- 19) recruit, if necessary, authorized and competent legal entities.

Article 39

The commander of the Republic Emergency Management Headquarters shall be appointed by the Government among the members of the Government.

The head of the Republic Emergency Management Headquarters is the director of the competent body appointed and discharged from duty by the Government.

The members of the Republic Emergency Management Headquarters shall be appointed and discharged from duty by the Government from among the managers of state agencies in charge of tasks of special importance for protection and rescue, experts of the Ministry, Serbian Army, Red Cross of Serbia, Republic of Serbia Mountain Rescue Service, managers of public companies in the area of traffic, forestry and water management and managers of other agencies, organizations and institutions whose activities are related to protection and rescue.

Article 40

The commander of the Provincial Headquarters shall be appointed by the executive body of the autonomous province, among the members of the executive body of the autonomous province.

The head of the Provincial Headquarters shall be the head of a local organizational unit for emergency management of the competent service from the territory of the autonomous province, appointed and discharged from duty by the executive body of the autonomous province.

The members of the Provincial Headquarters shall be appointed and discharged from duty by the executive body of the autonomous province. The members shall be appointed from among the managers of province administrative bodies, managers of province public services, provincial Red Cross, companies and institutions in the province and reputable experts, and other persons whose activities are related to protection and rescue.

Article 41

The commander of the District Emergency Management Headquarters is the head of an administrative district.

The commander of the District Emergency Management Headquarters is the director of a local organizational unit of the competent department, appointed and discharged from duty by Republic Emergency Management Headquarters.

The members of district emergency management headquarters shall be appointed and discharged from duty by the Republic Emergency Management Headquarters, from among the managers of agencies and organizations and other experts in certain areas of protection and rescue, at the proposal of the Ministry.

Article 42

The commander of the Metropolitan Emergency Management Headquarters shall be the Mayor, in accordance with his function.

The commander of the Municipal Emergency Management Headquarters shall be the president of the municipality, in accordance with his function.

The deputy commander of the Metropolitan or Municipal Emergency Management Headquarters is the deputy Mayor or deputy president of the municipality or a member of the city or municipal council.

The head of the Metropolitan or Municipal Emergency Management Headquarters is the representative of the local organizational unit of the competent department.

As a rule, managers of public utility companies and institutions whose activities are related to protection and rescue, heads of local governments, secretaries of district, metropolitan and municipal Red Cross organizations, experts from certain areas of protection and rescue and other persons are appointed to the membership of the metropolitan and municipal emergency management headquarters.

The head, deputy and members of emergency management headquarters of the local governments shall be appointed and discharged from duty by the city or municipal council at the proposal of the Mayor or the president of the municipality.

Article 43

The Government shall define the composition and methodology of Emergency Management Headquarters.

Direct management in emergency situations

Article 44

The protection and rescue forces engaged in protection and rescue activities and operations together with the forces of the Ministry, in the territory that the emergency situation was declared, for shall be directly managed by the competent body of the Ministry.

Emergency Protection and Rescue Plan

Article 45

The Plan of Protection and Rescue in Emergency Situations shall stipulate preventive and operational measures for prevention and mitigation of consequences of natural disasters, technical and technological hazards - accidents and catastrophes, as well as forces and resources of agents of the protection and rescue system, their organized and coordinated activities and activities in emergency situations with a view to protection and rescue of persons and material and other goods and provision of basic living conditions.

The plan of protection and rescue in emergency situations shall be developed on the basis of a Vulnerability Assessment.

On the basis of the Vulnerability Assessment of the Republic of Serbia, the Government shall define types of natural disasters and technical and technological hazards – accidents and threats for which plans shall be developed and identify state agencies taking part in development thereof.

The Government shall define specific regulations on the content and methodology of emergency protection and rescue plans .

Article 46

The Vulnerability Assessment shall identify sources of potential threat, review potential consequences, needs and capacities to implement measures and tasks related to protection and rescue from natural and other disasters.

The Vulnerability Assessment shall particularly include:

- 1) Characteristics of the territory, critical facilities, key locations and areas from the aspect of threat from natural and other disasters with cross-border effects thereof, if any;
- 2) Vulnerability of the territory to natural and other disasters;

- 3) Analysis of potential causes of natural and other disasters;
- 4) Needs and capacities for protection of persons, material goods and environment from the consequences of natural and other disasters.

Article 47

Ministries and other agencies shall take part in developing the Plan of Protection and Rescue in Emergency Situations in the part relating to their area of responsibility. The Plan shall be submitted to the Ministry with a view to developing the Plan of Protection and Rescue in Emergency Situations of the Republic of Serbia.

The Plan of Protection and Rescue in Emergency Situations of an administrative district shall be an integral part of the Plan of Protection and Rescue in Emergency Situations of the Republic of Serbia. It shall be developed by a local organizational unit in charge of emergency situations in the administrative district in cooperation with the local Republic agencies in the administrative district and the district expert department.

Article 48

The Plan of Protection and Rescue in Emergency Situations of the autonomous province shall be developed by the competent bodies of the province in cooperation with the competent service and endorsed by the executive body of the autonomous province.

The Plan of Protection and Rescue in Emergency Situations of local governments shall be developed by the competent local governments in cooperation with the competent body and endorsed by the municipal executive body.

The plans of protection and rescue in emergency situations of the autonomous province and the local governments shall be aligned with the National Plan of Protection and Rescue in Emergency Situations of the Republic of Serbia.

Article 49

The authorized and trained legal persons, and other organizations equipped and trained for protection and rescue in accordance with the National Plan of Protection and Rescue in Emergency Situations of the Republic of Serbia, the plan of protection and rescue of autonomous provinces and local governments, and the tasks defined by the competent emergency management headquarters, shall develop separate plans providing for the performance of the defined protection and rescue tasks.

Article 49a

The Protection and Rescue Plan and Vulnerability Assessment shall be produced by persons licensed for risk assessment.

The license provided under para. 1 hereof is issued by the Ministry to the person who has the following qualifications:

- 1) at least a university degree,
- 2) a passed risk assessment vocational exam.

The profit gained by charging the vocational exams and issuing the license shall be funds of the Republic Budget.

Notwithstanding the requirements provided under paras. 1 and 2 hereof, authorized and competent legal entities may also produce their own Protection and Rescue Plan and Vulnerability Assessment.

The Ministry shall keep a register on issued licenses provided under para. 1 hereof.

Persons who take part in the production of the Protection and Rescue Plan and Vulnerability Assessment shall keep the confidentiality of the data that have been legally classified as having a specific degree of confidentiality.

The Minister shall prescribe the program, manner and expenses of taking the vocational exam, as well as the procedure of issuing the license provided under para. 2 hereof.

VII CIVIL PROTECTION

1. Types of protection, measures and tasks

Article 51

Elements of civil protection include personal, mutual and collective protection, measures and tasks of civil protection, persons designated for civil protection, deputy designated persons and civil protection units, observation, information and alarm system, authorized and trained legal persons and humanitarian and other organizations equipped and trained for protection and rescue, and the related set of activities of manning, material equipping, training, capacity building, mobilization and activation of civil protection.

Personal, mutual and collective protection

Article 52

State agencies, bodies of autonomous province and local government, companies and other legal persons shall provide and maintain in function all the required devices and equipment for personal, mutual and collective protection, and conduct trainings in civil protection of their staff.

The citizens and owners of residential buildings shall provide and maintain in function all the required devices and equipment for personal, mutual and collective protection.

Mandatory devices and equipment for personal, mutual and collective protection from natural and other disasters shall be prescribed by the Government.

Civil protection measures

Article 53

The agents of civil protection and rescue in the Republic of Serbia shall prepare and execute civil protection measures and in particular:

- 1) Preventive measures;
- 2) Measures of protection in the event of immediate threat from natural and other disasters;
- 3) Measures of protection when natural and other disasters occur;
- 4) Measures of mitigation and elimination of the immediate consequences of natural and other disasters.

Article 54

Facilities of special importance and with impacts on the performance of measures and tasks of civil protection shall be planned and built in accordance with the regulations relevant to physical and urban planning and construction, regulations relevant to safety and health at work, as well as the provisions of this Law.

The facilities of special importance and with impacts on the performance of measures and tasks of civil protection shall be identified by the Government at the proposal of the Ministry.

Civil protection tasks

Article 55

In order to protect and rescue persons, material and cultural goods from threats caused by natural and other disasters, the tasks of civil protection shall be implemented as follows:

- 1) Alert
- 2) Evacuation
- 3) Sheltering and urban planning protective measures
- 4) Care and accommodation of the affected population and casualties
- 5) Radiological, chemical and biological protection
- 6) Protection from technical and technical disasters
- 7) Protection from collapse and rescue from rubble
- 8) Protection and rescue from floods and accidents on water and under water
- 9) Protection and rescue from inaccessible terrains
- 10) Protection and rescue from fires and explosions
- 11) Protection from UXO
- 12) First medical aid
- 13) Sanitation of terrain
- 14) Preservation of livelihood
- 15) Emergency establishment of indispensable services of public interest.

In addition to the tasks referred to in para. 1 hereof, other tasks and activities related to protection and rescue may be planned, prepared and implemented.

Alerting

Article 56

Alerting the population and other participants in the protection and rescue system shall be conducted with a view to urgent undertaking of measures and tasks of civil protection through the alert system in accordance with this Law.

Evacuation

Article 57

Depending on the degree of threat and potential consequences thereof, evacuation may be partial or full.

Evacuation shall target:

- 1) Mothers with children aged under 15, and other persons legally responsible to take care of minors aged under 15;
- 2) Pregnant women;
- 3) The sick, persons with special needs and other persons dependant on the assistance and care of third parties;
- 4) Persons under the age of 18 and over the age of 65 (men) and 60 (women);

The decision on the scope of evacuation and categories of population to be evacuated shall be passed by a competent body ordering evacuation.

Article 58

Evacuation of population within the territory of the local government unit shall be ordered by the Emergency Management Headquarters of the local government unit.

Evacuation of population from the territory of one local government unit to the territory of other local government unit shall be ordered by the Republic Emergency Management Headquarters.

Persons from areas for which mandatory evacuation was ordered shall act in line with the evacuation order.

Article 59

Planning, preparation, coordination and evacuation of the population from one to the territory of another local government unit shall be done by Emergency Management Headquarters of both local -governments.

District or metropolitan emergency management headquarters shall coordinate evacuation from the territory of one or more local government units to the territory of other local government units.

In addition to the Emergency Management Headquarters, bodies of local government, forces of the Ministry, companies and other legal persons whose tasks and obligations are included in the plans for protection and rescue in emergency situations shall take part in evacuation.

The relevant state agencies, Red Cross of Serbia, humanitarian and other organizations participating in the evacuation shall cooperate during the planning and evacuation.

Regulations on evacuation and compensation for evacuation shall be defined by the Government.

Sheltering and urban planning protective measures

Article 60

The state agencies, companies and other legal persons shall, within the scope of their rights and obligations, ensure that the population and the employees take shelter in shelters or other facilities suitable for protection with a view to protection from natural and other threats.

During the construction of facilities in cities and commercial centres, as well as in other populated areas potentially targeted in war according to the Assessment, the employer shall ensure construction of shelters or other protective and sheltering facilities, in accordance with the urban planning design.

Article 61

Physical or urban planning designs shall define conditions and measures of protection and rescue, the obligation to construct new shelters, the type and resistance of shelters and adaptation of other facilities suitable for protection and sheltering as part of preparation and clearance of a territory for defence of the state.

Companies, other legal persons authorized for development and execution of physical and urban planning designs shall, in designing of plans referred to in para. 1 hereof, obtain conditions defining urban planning measures for protection from war and natural disasters from the Public Shelters Company and incorporate these into the planning documents.

The designer referred to in para. 2 hereof shall obtain from the competent body specific conditions for construction of shelters: type, micro location, capacity, resistance, position relative to surface (dug in or semi dug in), etc.

The Public Shelters Company shall perform the entrusted tasks referred to in para. 2 hereof.

Article 62

Sheltering of people, material and cultural goods includes planning and construction of shelters, other protective facilities, conversion of the new and the existing utilities and underground roads, as well as facilities suitable for protection and sheltering, their cleaning and use for protection of persons from natural and other threats.

Other protective facilities referred to in para.1 hereof include cellars and other premises in residential and other buildings adapted to sheltering of persons and material goods, deserted tunnels, caves and other natural shelters.

Technical norms related to construction, maintenance of shelters and conversion of utility, transportation and other underground facilities into shelters shall be defined by the Minister.

Article 63

For protection of persons, material and cultural goods, the following shall be built:

1) Family shelters are built as cellar and other suitable premises with reinforced concrete elements;

2) Residential shelters of basic protection are built in residential buildings the total developed gross surface exceeds 5000sq.m. and shelters of auxiliary protection are built in residential buildings with total developed gross surface of 5000sq.m

3) Public shelters in cities and towns are built on sites where larger groups of persons gather.

Residential shelters shall be considered as public shelters referred to in para.1 item 3 hereof.

The existing utility, traffic and other infrastructural facilities below the surface, adapted for protection, can be used as public shelters.

Employers shall adapt all new utilities and other facilities under construction in cities, to suit the purposes of protection of persons.

Article 64

An investor may be exempted from the obligation to construct a shelter through a decision of the Public Shelters Company, passed on the basis of an opinion of a body in charge of urban planning in absence of technical conditions for construction of shelters in accordance with the law and other regulations.

In case the investor is not obliged to build a shelter, he shall pay a fee amounting to 2% of the total value of the constructed part of the facility to the special account of the Public Shelter Company.

The calculation of a fee referred to in para.2 hereof shall be made by the Public Shelter Company. Upon payment of such fee, the Public Shelter Company shall issue a certificate on fulfilment of obligation to the investor.

The investors constructing residential shelters shall hand the shelters over to the Public Shelter Company no later than 15 days following the acquisition of a permit to use.

The Public Shelter Company shall carry out maintenance, technical inspection and use of public and community shelters in times of peace.

The Public Shelter Company shall use the public and residential shelters as publicly owned facilities and shall manage them accordingly.

The shelters referred to in para. 5 hereof may be rented for use in times of peace.

The Public Shelters Company shall perform the entrusted tasks referred to in para. 2 hereof.

Against the decision provided under para. 1 hereof an appeal may be filed to the Ministry within 15 from the day of receipt of the decision.

Article 65

A constructed part of a facility referred to in para. 2, Article 64 hereof, shall be a building with electrical installations, water supply and sewage system, telephone, lightning rod and heating installations, as well as parts of the building housing transformer stations, fire rooms, cellars, garages, etc if permanent in character, as well as stands, dressing rooms and other structures on sports terrains, as well as additions and superstructures constituting an integrated structural entity. The value of equipment and furniture, costs of site clearance pertaining to the facility and the value of provisional facilities used during construction thereof shall not be constitute elements of the value of the constructed part.

In addition to provisional facilities referred to in para. 1 hereof, the fee referred to in para.2, Art. 64 hereof shall not be payable for structures such as kiosks for retail sale, catering and crafts, sale of press, souvenirs and tobacco as well as for construction of agricultural facilities (barns, silo, and other facilities for keeping livestock and agricultural produce).

The competent body shall issue an approval for construction of a facility in which shelter is not planned only in case when the employer furnishes evidence on the fee paid for construction of a shelter in accordance with para. 2, Art. 64.

The body in charge of issuing a building permit shall not issue a building permit or a permit to use for the facility for which shelter is being built, if the prescribed, special conditions for building or use of shelters have not been fulfilled.

Administrative supervision of execution of the activities referred to in Articles 64, 65 and 66 shall be performed by the Ministry.

The method of calculation of value of the construction part of the facility referred to in para. 1 hereof and the methodology of calculation of the fee for shelters shall be prescribed by the Minister.

Article 66

The funds for construction and maintenance of public shelters shall be provided for:

- 1) From fees collected on the basis of para. 2, Art. 64 hereof;
- 2) From rent referred to in para.7, Art. 64 for use of public and community shelters;
- 3) From other sources.

The competent department shall develop the programme of construction and maintenance of public shelters at the proposal of the Public Shelter Company.

The owners of residential shelters, the shelters of companies and other legal persons shall ensure maintenance thereof.

Article 67

In the course of using the shelter in times of peace, conversions and reconstructions that could affect the soundness of the shelter shall not be made. Shelters shall not be used in ways that would result in deterioration of hygienic and technical conditions thereof.

In the event of emergency situation, the shelters used in times of peace, shall be cleared out and in case of immediate war and the state of emergency shelters must be cleared and made good for protection within the timeframe specified by the centre for emergency management but no later than 24 hours.

In the event that the users of shelter in times of peace fail to fulfil the obligation referred to in para. 2 hereof, the competent body shall be authorized to undertake all the measures necessary for forced clearing out of the shelter at the expense of the owner.

Sheltering the affected persons and casualties

Article 68

Care and accommodation of the affected persons, casualties, refugees and evacuated persons in emergency situations shall be directly managed by emergency management headquarters and persons designated for civil protection or their deputies until conditions are created for the competent bodies to take over.

The tracing service of the Red Cross of Serbia shall maintain records about casualties, search for persons who disappeared, inform family members and competent services, reunite families separated as a consequence of disaster.

The competent body of local -government and the emergency management headquarters shall plan care and accommodation, in accordance with the Plan of Protection and Rescue in Emergency Situations.

Article 69

Owners and users of facilities and premises used by the public (tourist and catering facilities, sports centres, rehabilitation centres, hostels and students' dormitories, schools, etc.) as well as private facilities suitable for accommodation, shall receive citizens from the affected areas for temporary accommodation upon the instruction of the competent Emergency Management Headquarters.

The compensation for use of facilities and premises referred to in para. 1 hereof shall be paid at market value effective on the date of the handover.

The competent bodies, Red Cross of Serbia, associations and citizens shall take part and cooperate in execution of tasks of care and accommodation of the affected persons and casualties. Certain tasks related to care and accommodation in line with the public authority and programme activities of the Red Cross of Serbia shall be entrusted to the organization on the basis of the decision of the mayor – president of a municipality at the proposal of the civil protection committee.

A regulation defining the compensation referred to in para. 2 hereof shall be passed by the Government.

Radiological, chemical and biological protection

Article 70

Radiological, chemical and biological protection (hereinafter: RCB protection) shall include measures and activities organized and executed with a view to preventing, reducing and removing the consequences of RCB contamination resulting from the use of nuclear, chemical and biological combat devices in war.

RCB protection includes control, reconnaissance, personal and collective protection and decontamination.

Personal protection includes measures and activities that each citizen undertakes for personal protection through use of items for personal RCB protection.

Collective protection of population constitutes basic protection in urban areas and companies with a view to collective protection of citizens and material goods from consequences of RCB effects.

Protection from nuclear accidents and ionizing radiation shall be conducted in accordance with separate regulations.

Protection from technical and technological Disasters

Article 71

Protection from technical and technological disasters (hereinafter: accidents) threatening human lives and health, material goods and environment shall include all necessary measures for prevention and elimination of consequences of accidents in accordance with this Law and other regulations.

Article 72

Companies and other legal persons performing the activities in which one or more hazardous substances are present or may be present in allowed quantities, and that manage special high risk facilities with potential disaster and terrorist risk for human lives and health shall take all the necessary precautions to prevent accidents and restrict the effects thereof on the life and health of the population and environment, in accordance with this Law. (***N.B. sic***)

Companies and other legal persons performing activities in mines or facilities where radioactive and nuclear substances are used, stored or disposed, the consequences of which in case of an accident would threaten the human safety and lives, material goods and environment shall organize and implement protection and rescue of persons and environmental protection from consequences of accident in accordance with separate regulations.

General obligations

Article 73

Companies and other legal persons referred to in Art.72 hereof, taking into account their business activity, the type and quantity of hazardous substances and facilities used, shall develop a Plan of Protection from Accidents and submit it to the Ministry and in accordance thereto undertake measures to prevent accidents and limit effects of the accident to lives and health of persons, material goods and environment.

SEVESO plants shall develop plans of protection from accidents in accordance with the relevant environmental protection regulations.

The Minister shall stipulate types and quantities of hazardous substances, facilities and other criteria on the basis of which the Plan of Protection from Accidents is developed and undertake measures referred to in para. 1 hereof.

Article 74

Prior to developing the Plan of Protection from Accidents, the companies and other legal persons referred to in Article 72 hereof shall inform the Ministry about the following changes listed in sequence of submission:

1. Organizational change, new plants or facility no later than three months prior to change or commencement of operation;
2. Increase of quantities of hazardous substances from smaller to the allowed as referred to in para.3 Art 73 hereof, as well as of changes of purpose of facility no later than thirty days from the day of such increase of quantity or change;
3. On winding-up of a company, plant or facility as well as on modification of a plant, change of quantity, nature or physical form of hazardous substances, change of procedure of use of hazardous substances or all other changes that may affect the probability of accident - no later than thirty days from the date of such change.

The company and other legal person referred to in Article 72 hereof shall immediately notify the Ministry of the wind-up or freeze of a plant due to a longer wind-up.

Information about accidents

Article 75

Companies and other legal persons shall immediately notify the Ministry and the competent agencies of the autonomous province and local -governments about the facts and circumstances of the accident, presence of hazardous substances at the site, data available for assessment of consequences of the accident to population, material goods and environment as well as on the emergency measures taken.

Companies and other legal persons shall immediately inform the bodies mentioned in para. 1 hereof about the subsequently collected data influencing the previously established facts and conclusions.

Companies and other legal persons shall submit an analysis of the accident to the Ministry no later than 30 days from the date of the accident. Companies and other legal persons shall inform the competent bodies and services referred to in para. 1 hereof about the planned activities for elimination of mid-term and long-term consequences of the accident and for prevention of recurrence thereof no later than 60 days from the date of the accident.

The Ministry shall supervise and control the performance of obligations referred to in paras. 1-3 hereof.

Information about threat from accidents

Article 76

On the basis of information and data collected in accordance with the Law as well as on the defined Risk Assessment from activities of companies and other legal persons that may cause an accident, the Ministry shall inform competent bodies of the Republic of Serbia and bodies of the autonomous province and local -governments with the jurisdiction of potentially affected territory about threats from accidents as soon as possible.

Information about threat from accidents with cross-border effects

Article 77

On the basis of information and data collected in accordance with this and other Laws as well as the risk assessment from activities of companies and other legal persons representing immediate threat from accidents with cross-border effects, the Ministry shall inform a competent body of a country potentially affected about threats from accidents as soon as possible.

The Ministry shall provide additional information related to the assessed cross-border effects of the accident as well as on other important facts to the competent body of other country referred to in para.1 hereof at its request.

Should the Ministry find the requests of the competent body of another country unfounded, it shall inform the competent body thereof.

The Ministry shall inform the competent bodies and services of the Republic of Serbia, autonomous province, and local -governments on data collected from the competent bodies of other countries regarding the accident with cross-border effects.

The Minister shall define the procedure of informing and data exchange with other countries potentially affected by an accident with cross-border effects.

Register

Article 78

On the basis of the Plan for Prevention from Accidents, the Ministry shall develop and keep a register of legal persons manufacturing, processing, utilizing and storing hazardous substances.

The register shall in particular include the list, type and quantities of hazardous substances (warehouse capacities), data on available resources and equipment for protection and response, on accidents that occurred, inspection and supervision measures undertaken, and other data relevant to assessment of probability of occurrence of a new accident.

The Ministry shall define the content and methodology of keeping the register of companies and legal persons referred to in para. 1 hereof.

Plan of protection from accidents

Article 79

The Plan of Protection from Accidents shall be implemented by a company or other legal person in case of an accident or circumstances leading to an accident.

Plan of Protection from Accidents shall include:

- 1) Organization and procedures of informing, alerting the bodies and structures in charge of response in case of accidents, assessment of the situation and decision making;
- 2) Measures for reducing the risk to employees in high-risk jobs affected by the accident;
- 3) Organization of early warning and alert of the competent bodies of the Republic of Serbia and local -governments and population, as well as their own measures of assistance in implementation of the plans of protection serving as basis of actions of these bodies;
- 4) Flowchart of bodies and human resources in implementing measures of protection and rescue of persons and environment in the event of an accident;
- 5) Organization of public information;
- 6) Organization of continuation of operation and recovery from the accident.

The company and other legal persons shall periodically review, test and, update once in two years if required, the Plan of Protection from Accidents.

The company and other legal persons shall adjust the Plan of Protection from Accidents with the Plan of Protection and Rescue in Emergency Situations of the competent bodies of local -government, bodies of autonomous province and bodies of the Republic of Serbia.

The methodology of development of Plan of Protection from Accidents referred to in paras. 1 and 2 hereof shall be prescribed by the Minister.

Article 80

The Plan of Protection from Accidents shall be developed and submitted to the Ministry by a company or other legal persons:

1) Registered for the first time for the performance of obligations and activities involving hazardous substances, minimum three months prior to commissioning of the installation and plant;

2) Already performing obligations and activities involving hazardous substances, for new installations and plants minimum three months prior to commissioning;

3) Already performing obligations and activities involving hazardous substances, for the existing installations no later than six months from the date of coming into effect of this Law;

4) Already performing obligations and activities involving hazardous substances, for installations the activities of which were such that hazardous substances had been present in quantities lower than prescribed, in case of increase of quantities stipulated in para. 3 Article 73 hereof, no later than three months from the date of such change.

A company or another legal person may develop a Plan of Protection from Accidents alone or engage another legal person registered for designing, engineering and developing of studies and analyses to do so.

The legal person referred to in para. 2 hereof shall have an authorization to develop plans for protection from accidents issued by the competent body.

The legal person referred to in para. 1 hereof, with the Plan of Protection shall submit a request for approval thereof.

The legal person referred to in para. 1 hereof shall submit evidence on the administrative fee paid.

Information on preventive and security measures

Article 81

Data on potential threats from accidents, preventive security measures and procedures and measures in case of an accident of a company or other legal persons, shall be publicly available and updated at least once in three years.

The Ministry shall define the content of information referred to in para.1 hereof.

Responsibilities of the Republic of Serbia, Autonomous Province and local - governments

Article 82

Based on the Assessment of Risk to the Republic of Serbia, Safety Report and Plan of Protection from Accidents of companies in their areas as well as the data from other countries about the accidents with cross-border effects, the competent body of the Republic

of Serbia and the local government unit shall prepare an external Plan of Protection from Accidents on the territory within their jurisdiction.

The Plan of Protection from Accidents shall constitute an integrated part of the Plan of Protection and Rescue in Emergency Situations and be developed on the basis of reports on security and plans of protection from accidents of companies and other legal persons from the respective territory as well as data from other countries on accidents with cross-border effects.

The Plan of Protection and Rescue in Emergency Situations be passed by the bodies in charge of passing the Plan of Protection and Rescue in Emergency Situations.

The Plan of Protection and Rescue in Emergency Situations shall be developed in accordance with provisions of Art.45 hereof which are also basis for development of the Plan of Protection and Rescue in Emergency Situations.

The Plan shall be developed according to the methodology on content of the Plan of Protection and Rescue in Emergency Situations in accordance with Articles 45-49 hereof.

Protection from collapse and rescue from ruins

Article 83

Protection from collapse shall be conducted as a preventive measure within physical and urban planning designs, with the application of construction, technical and other measures in accordance with the assessed seismic risk. The urban planning bodies shall be held accountable.

With a view to protection and rescue of population and material goods from ruins resulting from natural and other disasters, certain activities and procedures related to protection and rescue shall be organized and conducted including: activities and procedures related to scanning the ruins, recovery of persons buried under the rubble; securing the damaged and relocated parts of structures of buildings and facilities in order to prevent subsequent collapse; rescuing persons buried under the ruins and their elimination from the zone of destruction and taking necessary first aid activities, urgent medical aid and other activities contributing to protection and rescue from rubble.

Protection and rescue from floods and accidents on water and under water

Article 84

Protection and rescue from floods, and other accidents on water and under water includes: planning, construction, maintenance and strengthening of damaged facilities for protection of floods; observation and reconnoitring of the water levels, alerting, planning and evacuation of population and material goods from the affected areas; planning and ensuring transportation and transporting and crossing rivers and lakes; removing waters from the flooded facilities, finding and rescuing of victims and drowned, care and accommodation of the affected population and mending the consequences of floods.

General and logistics plans for defence from floods define monitoring, organization and implementation of flood protection activities which are within the jurisdiction of water management bodies, companies and other legal persons mandated with protection from detrimental effect of waters and management of waters and water management facilities.

The competent bodies of local government shall prepare plans of protection and rescue from floods for the territory thereof.

The plans referred to in para. 3 hereof shall be harmonized with the National Plan of Protection and Rescue in Emergency Situations of the Republic of Serbia.

Article 85

In accordance with the reports and forecasts, the Republic Hydro-Meteorological Institute, the competent Republic and Provincial water management body and public water management companies shall inform the competent body and the competent emergency management headquarters about the levels of water, emergency situation declared, development of the situation and the measures taken.

When the defence line is threatened by a prolonged high water levels or the critical water levels are exceeded as stipulated for the defence system, the competent emergency management headquarters shall take measures of immediate defence from floods and propose declaration of emergency situation.

The competent emergency management headquarters may take part in the flood protection activities even prior to declaration of an emergency situation if required on the basis of the assessed risk.

The competent water management companies, forces of the competent body and all other forces of the Ministry, civil protection units, companies and other legal persons trained for protection and rescue, citizens and all legal persons whose property is endangered by flood and, also Army if required, shall take part in protection and rescue of persons, material and cultural goods and environment from floods.

Local governments, competent bodies and emergency management headquarters, legal and natural persons whose property is endangered by flood shall plan and execute activities related to defence from torrents on the unregulated water cumulative flows outside of the regular defence system of water management companies.

In view of the character of torrents, the emergency management headquarters shall respond immediately upon declaration of emergency defence from flood.

Protection and rescue in inaccessible terrains

Article 86

Logistics and implementation of protection and rescue from accidents in inaccessible terrains includes rescue on mountains, from avalanches, in pits and caves, etc.

Rescue from accidents in inaccessible terrains shall be organized by the competent bodies.

At the request of the competent body, the Republic of Serbia Mountain Rescue Service shall take part in protection and rescue from accidents in inaccessible terrains.

In case of accidents involving a large number of persons or requiring additional assistance in manpower and material resources, forces of the competent body and other organizational units of the Ministry, Serbian Army, companies and other authorized and trained legal persons shall be included in the rescue activities.

Protection and rescue from fires and explosions

Article 87

Protection and rescue from fires and explosions includes: organization and implementation of preventive measures in all areas, and especially in the facilities storing inflammable and explosive substances and premises prone to fires.

Protection and rescue from fires and explosions is defined in a separate law.

Protection from unexploded ordnance

Article 88

Protection from unexploded ordnance (hereinafter: UXO) includes: assessment of UXO threat, reconnaissance, marking, finding, digging out, securing, identification, elimination, transport, provisional storage and destruction of UXO.

Elimination and destruction of UXO and other activities referred to in para.1 hereof shall be organized and executed by the competent departments and may be executed also by an authorized legal company in accordance with this Law and other regulations.

The Government shall define the method and procedure of elimination and destruction of UXO and other activities referred to in para.1 hereof.

Article 89

Health care centres or emergency medical aid centres with territorial jurisdiction shall ensure medical assistance during elimination and destruction of UXO.

Citizens, state agencies, companies and other legal persons shall inform the nearest police station or the Operational Centre 112 immediately upon discovery of UXO and shall visibly mark the location of UXO and secure the site until the arrival of authorized persons.

First and medical aid

Article 90

Organization and implementation of first medical aid in natural and other disasters includes all forms of first aid, self-help and mutual aid and care and accommodation of the injured and casualties.

First medical aid shall be provided by health care institutions, Red Cross of Serbia teams, Republic of Serbia Mountain Rescue Service, forces of the competent body, civil protection units and citizens within the framework of personal and mutual protection.

Organization and implementation of medical aid shall include all forms of medical assistance provided to the injured and casualties on the territory affected by a natural or other disaster and provided by health care institutions.

Sanitation of terrain

Article 91

Sanitation includes elimination, identification and immediate burial of the casualties, elimination of corpses of dead animals, disinfection, fumigation and rat control, decontamination and remediation of facilities and terrain.

With respect to personal and mutual protection, the state agencies, local governments, health and veterinary institutions, utility companies, and other authorized and trained legal persons, forces of competent body and civil protection units and citizens shall take part in elimination of consequences and sanitation of the terrain.

Preservation of livelihood

Article 92

Preservation of resources required for livelihood includes safeguarding facilities for water management, maintenance of the required volumes of agricultural and other production and survival of vegetable and animal resources through preservation and safeguarding of the quantities and types of resources necessary for livelihood as well as cultural and historical, material and other relevant goods during natural and other disasters.

The competent state agencies, local governments, companies and other legal persons, institutions and other organizations shall plan, organize and carry out protection and rescue of cultural and historical, material and other goods relevant to survival.

Article 93

In the event of disruption of regular water supply during natural and other disasters, the utility companies and other companies, producers and suppliers of water shall ensure the necessary quantities of water, control safety of water and maintain the water supply systems.

Local governments shall register, regulate and take care of alternative options for water supply.

Emergency management headquarters shall coordinate distribution of water and engage all available capacities for transport and distribution of water.

Article 94

Protection and rescue of animals shall be conducted preventively through timely preparation of companies and other organizations engaged in cattle breeding and production of foodstuffs of animal origin, as well as through building capacities of farmers to take preventive measures and procedures in protection of animals.

Veterinarian organizations and services, companies pertaining to slaughter industry and other companies and organizations involved in cattle breeding, protection and warehousing of foodstuffs of animal origin, as well as farmers shall be engaged in execution of the necessary measures and activities related to protection and rescue of animals.

Evacuation and care for cattle fund in the event of threat to the cattle fund on the territory affected by a natural and other disaster shall be organized by emergency management headquarters.

Immediate establishment of the necessary services of public interest

Article 95

Urgent establishment of the necessary public services includes taking of all the necessary measures and activities for establishment of the disrupted functioning thereof such as: supply of necessary foodstuffs, supply of electricity, heating, gas, health care, social welfare services, water supply and sewage, transportation, PTT and other services in accordance with the Plan for Protection and Rescue in Emergency Situations of local governments.

State agencies, autonomous province bodies, local governments, companies and other legal persons involved with activities referred to in para. 1 hereof shall ensure functioning of all the stipulated elements in accordance with the Law, other regulations and general acts.

2. Persons designated for civil protection and civil protection units

Civil protection focal points

Article 96

Civil protection focal points (hereinafter: focal points) and deputy focal points shall be appointed with a view to executing tasks related to protection and rescue in populated areas, parts of towns and residential buildings and villages (hereinafter: towns) companies and other legal persons and state administration bodies.

Focal points or deputy focal points are appointed to the state administration bodies depending on the flowchart, area of organization and action and number of employees.

In companies and other legal persons, according to the individual assessment of these agents, focal points or deputy focal points are appointed to the state administration bodies depending on the flowchart, area of organization and action and number of employees.

Civil protection focal points and deputy focal points shall be appointed and discharged from duty:

- 1) By the manager of a state administration body - in the state administration body;
- 2) By the manager or other competent body defined by the general act - in companies and other legal persons;
- 3) In towns centre for emergency situation of the local government unit.

Civil protection focal points and deputy focal points in towns shall be appointed on the basis of schedule in civil protection or work obligation in companies.

Article 97

Focal points and deputy focal points in state administration bodies, bodies of autonomous provinces, local governments and companies and other legal persons shall take measures and activities to involve employees in personal, mutual and collective protection, and execution of other tasks related to protection and rescue of persons and material goods in buildings and facilities they are in charge of.

Focal points and deputy focal points in towns shall take immediate measures to involve citizens in civil protection activities and tasks, and personal, mutual and collective protection and manage general purpose civil protection units.

The citizens in threatened and affected areas shall act in accordance with the instructions of civil protection focal points and deputy focal points.

Civil protection units

Article 98

Civil protection units shall be established, equipped and trained as logistics forces for execution of civil protection tasks.

Civil protection units shall be established in the form of specialized units, general purpose units.

Civil protection units shall be established in accordance with the Risk Assessment at the level of the Republic of Serbia, local governments and companies and other legal persons.

Article 99

Specialized units shall be organized, equipped and trained with a view to execution of complex tasks related to civil protection.

Specialized civil protection units shall be organized by competent bodies at the level of the Republic of Serbia and administrative districts.

Specialized civil protection units shall be established by companies and other legal persons that are a potential source of threat of the wide territory according to the Risk Assessment.

General purpose units shall be established by local governments, companies and other legal persons as provisional formations from volunteers and able bodied population or employees for execution of large-scale simplest activities related to protection and rescue.

Article 100

The specialized civil protection units established by the competent service shall be manned with employees of the competent service, military conscripts and civil protection conscripts.

Contracts on active reserve shall be concluded with members of civil protection deployed in units referred to in para. 1 hereof, that must maintain permanent level of preparedness, and that are intended for execution of specialized, highly professional tasks of civil protection on the territory of the Republic of Serbia or for provision of assistance to other states.

Active reserve represents a trained, reserve civil protection formation engaged for manning civil protection units to perform tasks during a certain period of time and whose rights and responsibilities are regulated by the Law and concluded agreement.

Members of the active reserve are engaged to perform tasks related to maintaining operational and functional capacity, training, and tasks related to civil protection in accordance with concluded agreements. Planned training and conditioning of members of active reserve shall ensure a higher capacity as compared to other members of the reserve formation of civil protection.

Civil protection service contracts referred to in para. 2 hereof shall be concluded on the basis of a public announcement. Individual standard contracts shall be concluded by the head of the competent body.

During the performance of tasks, the employment status of contracted members of civil protection shall be suspended. The member of civil protection shall return to work immediately upon cessation of engagement in civil protection tasks.

Commanders of civil protection units established and organized by the competent body shall be appointed and discharged from duty by the head of the competent body.

The way and conditions of engagement of members of civil protection deployed in the civil protection units referred to in para.1 hereof shall be stipulated by the Government.

Article 101

The type and number of specialized civil protection units shall be defined by a competent department on the basis of the Assessment of Risk to the Republic of Serbia, in accordance with this Law and other regulations and general acts.

Article 102

Specialized civil protection units shall be established in the form of:

- 1) Fire protection units;
- 2) Water and under water rescue units;
- 3) Units for rescue in inaccessible terrains;
- 4) First aid units;
- 5) UXO detection and destruction units;
- 6) RCB protection units;
- 7) Units for protection and rescue from ruins;
- 8) Observation units;
- 9) Alerting units;
- 10) Telecommunication units;

11) Care and accommodation units.

In addition to units referred to in para. 1 hereof, the competent service may establish other types of specialized units and bodies, in accordance with the Vulnerability Assessment of the Republic of Serbia, needs and capacities.

The Minister shall define regulations related to logistics and use of specialized civil protection units.

3. Observation, Early Warning, Information and Alert System

Article 103

The main tasks of the system of observation, early warning, information and alert shall be finding, tracking and collecting information on all types of threats that may endanger people, environment, material and cultural goods.

The holders of telecommunication systems and devices shall ensure to the Service 112 priority use of communications in emergency situations

The agents of the system of observation, early warning, information and alert shall be: the Service 112, state agencies, police, the Serbian Army, companies, services of public interest and other legal persons who are, within their regular obligations, involved in observation, registration, analysis and forecasting of certain phenomena and situations in the area of hydrometeorology, seismology, fire protection, water management, chemical and radiological protection, health care, agriculture, power supply, traffic and other areas.

The agents referred to in para. 3 hereof who logistically collect data including data from international exchange shall inform the Service 112 about the threats from air space, weather, climate and water conditions and submit analyses, forecasts and warnings on hydrometeorological and geological phenomena, natural disasters, other natural, technical and large scale disasters as well as on the levels content of hazardous substances in the air, soil and waters if exceeding the allowed levels and all other data collected on phenomena that may threaten people, material resources and the environment.

The agents referred to in para. 3 hereof tasked with automatic data collection shall ensure their automatic delivery to the Service 112.

Article 104

The Service 112, as an agent of the observation, early warning, information and alert system shall perform the following tasks:

- 1) Receiving calls for help;
- 2) Early warning, informing and alerting the population, competent bodies, companies and other legal persons in the threatened zone as well as of protection and rescue forces;
- 3) Ensuring an integrated communication and information system;
- 4) Ensuring functional integration of services relevant to protection and rescue and management in emergency situations;
- 5) Ensuring international exchange of data in the area of protection and rescue from the consequences of natural and other disasters;

In addition to its own, the Service 112 shall use general and special purpose telecommunication systems for execution of its tasks.

The Service 112 shall consist of:

- 1) National Centre 112;

- 2) Logistics centres 112;
- 3) Observation posts;
- 4) Public alerting system.

Article 105

In accordance with the prescribed procedure, the National Centre 112 and the logistics centres 112 shall collect, analyze, monitor and inform the competent bodies and institutions about all types of information related to emergency situations.

The National Centre 112 shall execute international communication and information activities related to protection from natural and other disasters.

Operational centres 112 shall operate as integrated communication and information centre.

Observation posts shall be established with a view to collecting data on potential threats, effects and consequences of natural and other disasters. Observation posts shall be established and managed by the Ministry. The procedures referred to in para. 1 hereof shall be prescribed by the Minister.

The alerting system includes adequate public sirens, devices, connections and technical means for management as well as the logistics of their distribution, procedures of managing, utilization and maintenance.

The construction and maintenance of the alerting system shall be funded by a local government unit in accordance with the Risk Assessment, this Law, Acoustic Study and other relevant regulations and general acts.

The alerting system shall be managed by the competent service.

The technical norms for planning, construction and maintenance of the alerting system shall be prescribed by the Minister.

Article 106

Power supply, water management and other companies using hydro systems shall ensure timely informing and alerting of population on dangers caused by hydro systems they are using.

The agents referred to in para.1 hereof shall build add to and maintain systems for informing and alerting at their own expense and to become part of the system of alert of the Republic of Serbia.

Article 107

At the request of the Logistics Centre 112 the radio and television broadcasting companies with national and local frequencies shall automatically interrupt broadcast of programmes in order to transmit adequate information of interest to protection and rescue.

Mobile telephony operators shall provide free transmission of information of interest to protection and rescue to the telephone subscribers at the request of the Logistics Center 112.

Landline and mobile telephony operators shall regularly submit updated databases on users of telephone landline and mobile telephone services on the territory of the Republic to Department of Observation, Informing and Alerting.

The databases referred to in para. 3 hereof may be used solely for the purposes of the competent body and the Logistics Centre 112.

Legal persons engaged in mobile telecommunications shall provide free service of location of the caller (incoming call) for the purposes of the competent service and the Logistics Centre 112.

Article 108

Autonomous province and local government unit may establish a situation-analysis centre to monitor the situation and manage emergency situations.

The situation-analysis centre shall submit the data collected to the Logistics Centre competent on the territory thereof.

Article 109

With a view to efficient collection of data, information and notifications referred to in Article 103 hereof in public telephone network, the free number 112 shall be used as a common European emergency number. The information on the telephone number 112 and alerts shall be visible in all public institutions and other public places.

All legal and physical persons shall inform the logistics centre 112 on each threat and accident observed. Detailed regulations on organization and functioning of the System of Observation, Early Warning, Informing and Alerting shall be defined by the Government.

Article 110

The owners of business, residential and other buildings and facilities shall allow, for the purposes of the system of observation, informing and alerting, installation of sirens and other adequate devices and equipment of the system of observation, early warning, informing and alerting on these facilities and ensure access to them for maintenance, observing the measures of protection of persons and environment.

Power supply companies shall ensure uninterrupted supply of power to the equipment of the system of observation, early warning, informing and alerting.

A decision on installation of sirens, devices and equipment referred to in para. 1 hereof shall be passed by the competent body of the local government unit.

4. Authorized and trained legal persons

Article 111

Authorized and trained legal persons shall conduct protection and rescue of citizens, material and other goods in case of threat and accidents caused by natural and other disasters, in accordance with their activities and the tasks imposed on them by the competent centres for emergency situations, local governments, autonomous province and of the Republic of Serbia, at the proposal of the competent emergency management headquarters or the competent department.

Authorized and trained legal persons shall plan alignment of their capacities and organization implementation of tasks related to civil protection and rescue.

The Government of the Republic of Serbia, executive body of the autonomous province and of the local governments shall provide compensation of the costs incurred for preparations and engagement in implementation of measures and tasks related to civil protection to companies and other legal persons referred to in para. 1 hereof.

5. Manning and procurement of equipment

Article 112

In accordance with this Law and other regulations, manning of the bodies and civil protection units shall be done:

1) Military conscripts - by the competent bodies of the Ministry of Defence, in accordance with the needs expressed by the competent body;

2) Citizens who are not military conscripts - by the competent department and the competent body.

Article 113

Specialized civil protection units of the Republic shall be manned according to the territorial principle, and exceptionally, according to extraterritorial principle if so required.

Employees of companies and legal persons shall be deployed on obligations of protection focal points and deputy focal points and obligations in the civil protection units in companies and other legal persons.

Members of civil protection deployed and trained for special tasks in civil protection and members of active reserve of civil protection shall not be deployed to other defence-related obligations, without the prior opinion of competent service.

Citizens deployed in civil protection units shall take part in actions and operations related to protection and rescue, if summoned by the competent service.

For the purpose of manning by conscripts, the units of the Red Cross of Serbia, Republic of Serbia Mountain Rescue Service and voluntary firefighting associations shall have the status of civil protection units.

Article 114

Bodies and civil protection units shall be equipped with adequate equipment and material and technical resources required for their personal protection and of implementation of measures and execution of tasks related to civil protection.

The resources and equipment referred to in para.1 hereof shall be provided by the competent agencies, local government body, companies and other legal persons in accordance with the projected number of members and material resources of civil protection units.

Article 115

Material reserves may be formed for the purposes of protection and rescue in emergency situations on the territory of the Republic of Serbia in accordance with a separate law.

Article 116

In the course of executing tasks related to protection and rescue, the members of centres for emergency management, focal points, deputy focal points and members of civil protection units shall wear uniforms with insignia of civil protection, functions and expertise.

Civil protection facilities shall be marked with the sign denoting civil protection.

Unauthorized use of the sign of civil protection is prohibited.

The persons deployed in civil protection shall receive an identification card of civil protection in accordance with the Protocol Additional to the Geneva Conventions and Relating to the Protection of Victims of International Armed Conflicts of 12 August 1949 (Protocol 1).

The uniform, civil protection insignia, insignia of function and expertise signs of expertise, and identification of members of civil protection shall be defined by the Minister.

Article 117

Resources and equipment referred to in Articles 114-116 hereof shall be secured through:

- 1) Procurement;

- 2) Excluding material resources and equipment from inventory in accordance with the special law;
- 3) Donations and other sources.

Article 118

Registers on members of bodies, units, departments and other participants, resources and equipment in civil protection shall be kept as follows:

- 1) Registers on members of civil protection units established by the Republic of Serbia shall be kept by the competent body;
- 2) Registers on members of civil protection units established by the local governments shall be kept by the competent local government unit;
- 3) Registers on members of civil protection units of companies and other legal persons shall be kept by companies and other legal persons;
- 4) Registers on members of units and bodies established by the Red Cross shall be kept by the Red Cross of Serbia and its components.

The methodology and content of Registers as regards members of the bodies, units, departments and other participants, resources and equipment for civil protection shall be defined by the Minister.

6. Training and capacity building

Article 119

In order to acquire the necessary knowledge in personal and collective protection, the citizens shall be trained and educated for protection and rescue.

Training shall be performed at the primary and secondary education level, where basic knowledge about the dangers and protection from natural and other disasters is gained in accordance with the relevant curriculum.

The Minister in charge of education in cooperation with the Minister and other relevant ministers shall regulate the manner of training from paragraph 2 hereof.

Article 120

Members of the civil protection shall be trained and they shall undergo capacity building for execution of civil protection tasks through courses, seminars, trainings, exercises and trial mobilizations.

Basic training and education of the members of emergency management headquarters, specialized civil protection units and managing company bodies and other legal persons of importance for civil protection shall be conducted in the National and Regional Protection and Rescue Training Centres established by the competent department.

Advanced training in protection and rescue is conducted, as one of the entrusted responsibilities, at the Humanitarian Centre.

The Humanitarian Centre provided under para. 3 hereof is a legal person established in accordance with the Agreement on Cooperation signed between the Government of the Republic of Serbia and the Government of the Russian Federation in the area of humanitarian emergency response, prevention of natural disasters and accidents and removal of the related consequences ("Official Gazette of RS" – International Treaties ", No. 10/10). The Centre operates in conformity with the regulations on public services.

In accordance with the needs and possibilities, civil protection members may also be trained abroad.

Foreign nationals may also be trained both in the National and Regional Training rescue and protection centres and in the Humanitarian Centre, in accordance with the relevant regulations and in exchange for an appropriate fee stipulated in bilateral or multilateral agreements.

Regulations on the manner of training, curricula and norms concerning teaching aids and equipment for training of the civil protection members from this article shall be passed by the Minister.

Article 121

A member of the civil protection shall be invited for training through an invitation of the Ministry of Defence, handed in 60 days prior to the commencement of the training, except for the trial mobilization exercise which may be ordered by the head of the competent department.

Article 122

Training and capacity building may be postponed or interrupted at the request of the person under obligation, due to the health, family and other justified reasons such as:

- 1) Illness or injury;
- 2) Education;
- 3) Care for the household member with severe illness;
- 4) Death in the family or household;
- 5) Other justified reasons.

Decision on postponement or termination of training shall be passed by the competent department.

Article 123

Training and education of focal points, deputy focal points and general purpose units shall be organized and conducted by the competent bodies of the local governments.

Training of the citizens and civil protection units in administration of first aid shall be conducted by the Serbian Red Cross in accordance with the obtained public authorization and in line with the specified curricula, programmes and criteria.

7. Mobilization and action

Article 124

Civil protection mobilization includes a transfer from the regular organization and state into organization and state of alert and operational readiness for the performance of protection and rescue activities.

According to its scope, mobilization can be general and partial, and it is announced through public announcement and individual summons.

Article 125

General mobilization is comprehensive, and the partial one shall include the necessary part of centres and units, as well as material resources required for the performance of protection and rescue activities.

Mobilization shall be executed according to the mobilization plan.

Companies and other legal entities authorized and trained for protection and rescue shall be obliged to conduct mobilization in accordance with this Law and other regulations.

Article 126

Partial mobilization may be ordered with the purpose of examining the readiness for mobilization execution, performance of planned exercises, control and usage of the units for special protection and rescue tasks in emergency situations and events.

Mobilization provided under para. 1 hereof shall be ordered by the head of the competent body in accordance with the authorization of the Minister.

Article 127

Taking action shall include procedures, tasks and activities whereby regular capacities of the authorized and trained legal persons are transferred from regular organization and state to an organization and state of alert and operational readiness for execution of tasks related to protection and rescue.

In accordance with the plan of protection and rescue, managers of the authorized and trained legal persons shall be in charge of development of plans of action taking by the authorized and trained legal persons.

Taking action by trained legal persons relevant to autonomous province and local - governments shall be ordered by the executive body of the autonomous province or the president of municipality – mayor, at the proposal of the competent emergency management headquarters.

The Government shall pass a decision on action to be taken by the relevant authorized and trained legal persons at the proposal of the Republic Emergency Management Headquarters or a competent department.

VIII PLANNING AND PROGRAMMING OF THE PROTECTION AND RESCUE SYSTEM

Article 128

Resource management, construction and development of protection and rescue system shall be realized through planning, programming of the protection and rescue system as well as budgeting and execution of the planned and programmed measures and activities in accordance with the National Protection and Rescue Strategy, Vulnerability Assessment for the Territory of the Republic of Serbia and the Plan for Protection and Rescue in Emergency Situations.

Article 129

Planning and programming shall be executed through development of:

- 1) Long-term plan of development of the protection and rescue system for the period of ten years and longer;
- 2) Medium-term plan of development of the protection and rescue system for the period of five years;
- 3) Short-term plan of development of the protection and rescue system for the period of one year.

The long-term plan of development of the protection and rescue system shall define the strategy, policy and objectives of the establishment and development of the protection and rescue system.

The long-term plan of development of the protection and rescue system shall be developed and passed at the level of the Republic of Serbia, autonomous province, local governments, companies and other legal persons.

The long-term plan shall include in particular:

- 1) Identification of needs, objectives and tasks related to organizing establishment and development of the protection and rescue system;
- 2) Overview of the capacities and strategies aimed at fulfilment of objectives, establishment and development of the system;
- 3) Securing sources of funding;
- 4) Definition of programme execution timeframes;
- 5) Identification of stakeholders and participants in establishment and development of the protection and rescue system;
- 6) Development of observation, information, communication, logistics and other requirements of the protection and rescue system;
- 7) Identification of preventive measures and activities relevant to protection and rescue;
- 8) Guidelines for scientific and research work;
- 9) Cost Benefit Analysis.

A long-term plan of development of the protection and rescue system of the autonomous province, local governments shall be harmonized with the Long-Term Plan of Development of the Protection and rescue system of the Republic of Serbia.

A medium-term plan shall be developed on the basis of the Long-Term Plan of Development of the Protection and rescue system of the Republic of Serbia.

The medium-term plan of development of the protection and rescue system shall be implemented through the programming process.

The act on planning and programming of the protection and rescue system shall be endorsed by the Minister.

IX FUNDING OF THE PROTECTION AND RESCUE SYSTEM

Article 130

Protection and rescue system shall be financed from:

- 1) Budget of the Republic of Serbia, budgets of autonomous provincial units and budgets of local governments;
- 2) Fund for emergency situations;
- 3) Other sources specified in this and other laws.

Article 131

Autonomous provinces and local governments shall finance:

- 1) Preparation, equipment and training of the centres for emergency management, civil protection units and focal points and cost of carrying out the protection and rescue measures;

- 2) Costs of engagement of the trained legal persons on the basis of a contract for execution of tasks related to protection and rescue;
- 3) Construction of the alert system on its territory;
- 4) Adaptation of underground premises (underground passages, tunnels etc.) for sheltering and their maintenance, as well as the maintenance of other protective facilities in accordance with the law;
- 5) Training of the population in the area of protection and rescue;
- 6) Repair of damages occurring from natural or other disasters, in accordance with their financial means;
- 7) Other requirements related to protection and rescue in line with the law and other bylaws.

Article 132

The Republic of Serbia shall finance the equipment and capacity building of:

- 1) Republic Centre and district centres for emergency management;
- 2) Republic and district civil protection units and shall bear the costs of participation in the performance of protection and rescue tasks;
- 3) Construction and maintenance of logistics centres 112;
- 4) Construction and maintenance of remote management alert system;
- 5) Construction and maintenance of telecommunication and information protection and rescue system;
- 6) Construction, maintenance and operation of the National and Regional Protection and Rescue Training Centres;
- 7) Costs of engagement of the legal persons authorized and trained for protection and rescue of importance for the Republic of Serbia;
- 8) Performance of administrative, professional and other tasks concerning protection and rescue.

In addition to the commitments referred to in para. 1 hereof, the Republic of Serbia shall also finance provision of financial assistance in combating the impacts of natural and other disasters, prevention of occurrence of further damage and ensuring the basic living conditions in the affected territory, as well as other requirements concerning protection and rescue in accordance with the law and other regulations.

Article 133

A natural person or a legal person who has deliberately caused threat to persons and material goods or has deliberately caused an accident, shall have to cover:

- 1) Costs of protection and rescue interventions;
- 2) Costs of repair and restoration to the original condition;
- 3) Damages to natural persons and legal entities.

The accountability of the natural or legal person from para. 1 of this article shall be established in accordance with the Law.

X BUDGET FUND FOR EMERGENCY SITUATIONS

Article 134

The budget fund for emergency situations referred to in item 2), Article 130 hereof (hereinafter: the Fund) shall be established as a budget fund to ensure additional

resources for financing the preparation, implementation and development of programmes, projects and other activities related to reducing risks, management and response in emergency situations in accordance with separate regulations.

The Fund shall be established for an indefinite period of time and shall be managed by the Minister or a person authorized by the Minister.

Following the closing down of the Fund, the rights and responsibilities thereof shall be taken over by the Ministry.

Revenues of the Fund and responsibilities arising from the Fund

Article 135

The revenues of the Fund shall be generated from:

- 1) Appropriations provided in the budget for the current year;
- 2) Earmarked budget revenues defined as earmarked revenues of the Fund and in particular:
 - (1) Proceeds generated on the basis of allocations of insurance companies amounting to 5% of the collected premiums of insurance from fires and other threats;
 - (2) Proceeds of legal persons who have established their own insurance funds for insuring their property from fires amounting to 3% of the fire insurance premium;
 - (3) Proceeds generated on the basis of allocations of insurance companies amounting to 5% of the collected income of the mandatory insurance of transport of hazardous substances in road, rail, river and air transport;
 - (4) Proceeds collected on annual basis from companies dealing with production, processing, warehousing, distribution and sale of inflammable liquids, explosive substances and gasses, on the basis of total installation capacities of warehousing and main measuring regulation units on the main pipeline, as follows:
 - 0.5% value of the retail price per 1 litre of stored inflammable liquid and gas,
 - 0.5% value of the retail price per 1 kilogram of stored explosive substance.
 - (5) Proceeds generated on the basis of allocation of the body competent for civil aviation, for the needs of tracing and rescue service in case of aviation accident;
 - (6) Proceeds generated on the basis of 1% of income from sale of tickets for sports events, upon registered event with the Ministry of Interior;
 - (7) Collected fines for offences provided for in this Law and laws regulating the area of protection from fires, explosive and hazardous substances;
- 3) Contributions, donations, gifts and assistance;
- 4) Other resources in accordance with this Law and other regulations.

The Service 112 referred to in Article 103 shall be funded from the proceeds ensured in the item 1), para. 1) hereof.

The Ministry shall supervise the performance of duties referred to in item 2), para.1 hereof.

Forced collection shall be conducted in accordance with tax regulations.

The method of collection and timeframes of payment of proceeds referred to in item 2), para. 1 hereof shall be defined by the Ministry.

Use of the Fund proceeds

Article 136

The proceeds of the Fund shall be used for financing the preparation, implementation and development of programmes, projects and other activities related to reducing risks, management and response in emergency situations, and in particular:

1. Procurement of equipment and resources for emergency management and response;
2. Construction of facilities for emergency response;
3. Professional capacity building and advancement of protection and rescue forces;
4. Promotion of educational, research and development studies, programmes, projects and other activities including demonstration;
5. Co-financing preventive measures and interventions in emergency situations;
6. Financing improvement of operations of fire-fighting associations and voluntary fire-fighting societies.

The manner of use of Fund proceeds

Article 137

The proceeds of the Fund shall be awarded to legal users of proceeds for financing purposes defined in the Article 136 hereof on the basis of an internal competition announced by the Fund.

The decision on establishment of the Fund shall stipulate conditions to be fulfilled by the users of the Fund proceeds, conditions and way of allocation of the proceeds thereof, the criteria and conditions for evaluation of project proposals and requests for allocation of proceeds, monitoring of use of the proceeds and contracted rights and responsibilities as well as other issues relevant to allocation and use of the proceeds of the Fund.

Special conditions for use of Fund proceeds

Article 138

The Fund shall effect payments up to the level of resources available at the Fund, and the responsibilities shall be taken over within the realistically projected resources of the Fund.

The unused proceeds of the Fund shall be transferred into the following year at the end of a current year.

XI RECOGNITIONS AND AWARDS IN CIVIL PROTECTION

Article 139

Recognitions and awards shall be awarded for extraordinary success in organizing and implementation of civil protection tasks and other protection and rescue-related obligations, to companies and other legal persons, autonomous provinces, local governments, administrative districts, to the competent department, other departments and

administrative bodies, emergency management headquarters, civil protection units, focal points, deputy focal points, other members and deserving individuals.

Type, criteria and procedure for awarding the recognitions and awards as well as on the date of marking the competent department and the Civil Protection Day shall be prescribed by the Minister.

XII INTERNATIONAL COOPERATION

Article 140

International cooperation in the area of protection and rescue shall be conducted in particular through:

- 1) Conclusion of international contracts and their enforcement;
- 2) Membership and participation in the work of international organizations;
- 3) Mutual notification and exchange of information with other countries on the threats and consequences of catastrophes and of devices for reducing the risk from catastrophes;
- 4) Providing, accepting and asking for assistance in protection and rescue of people and material goods;
- 5) Coordination in the case of crossing the state border during acceptance or provision of international aid, as well as during the transit of forces and goods intended as aid in protection and rescue between other states;
- 6) Preparation, organization and participation at international conferences, seminars, trainings, exercises and other forms of training;
- 7) Harmonization of activities of protection and rescue forces of other countries on the territory of the Republic of Serbia.

XIII SUPERVISION

Article 141

The Ministry shall supervise the application and implementation of this Law and regulations passed in accordance with this Law.

General authorizations

Article 142

In executing the supervision, the Ministry shall be authorized to:

- 1) Demand reports and data related to work;
- 2) Ascertain the status of performance of protection and rescue activities, warn about the observed irregularities and determine the measures and deadline for their correction;
- 3) Issue instructions;
- 4) Order the execution of measures and tasks they find necessary;
- 5) Initiate a procedure for determining responsibility;
- 6) Directly perform a task if they estimate the law or other general act cannot be enforced otherwise;

7)

The work report referred to in item 1), para. 1 hereof shall contain the overview of enforcement of the law, other legislations and conclusions of the Government, measures taken and their effect and other activities.

Inspector's authorizations

Article 143

While conducting inspection, inspectors shall have the right to:

- 1) Obtain insight into the documents relating to the preparation of the protection and rescue system participants;
- 2) Check the implementation of decisions, orders and acts of the competent bodies for protection and rescue tasks;
- 3) Order suspension of measures and activities which are not in line with the law and plans for protection and rescue in emergency situations until the competent bodies pass the decision;
- 4) Order correction of the observed irregularities in implementation of the prescribed measures in performing the activities from the plan for protection and rescue in emergency situations;
- 5) Order suspension of activities that directly affect or threaten the lives and health of people, material and cultural goods and environment until the competent body passes a decision;
- 6) Propose taking actions to identify the disciplinary, offense, criminal or other responsibility of persons responsible for the protection and rescue system in accordance with the law;
- 7) Perform extraordinary inspection of the organizational and functional capacity and responsibility of the bodies, units and agents of the protection and rescue system;
- 8) Order elimination of identified deficiencies related to shelter management;
- 9) Provide expert assistance;
- 10) Order the intervention measures, procedures and accident response in accordance with the Plan of Protection from Accidents in case of accidents;
- 11) Ban the operation of a company, with the exception of SEVECO, failing to develop the Plan of Protection from Accidents;
- 12) Control the elimination and destruction of UXO;
- 13) Take other measures within their area of responsibility in accordance with the law and upon the order of the competent department.

The participants in the protection and rescue system, bodies and units that underwent control shall act in accordance with the order of the inspectors.

Unless otherwise provided by this Law, an appeal may be filed against the decision of the inspector referred to in para. 1 hereof.

The appeal referred to in para. 3 hereof shall be submitted to the Minister within 15 days from the receipt of the decision.

XIV PENAL PROVISIONS

Offences committed by legal persons

Article 144

A fine of RSD 100,000 to 1,000,000 shall be imposed on a company or other legal person, an authorized and trained legal entity, for the following offence:

- 1) If it fails to plan, organize and implement measures and tasks related to civil protection (para. 2, Article 16);
- 2) If it fails to submit analyses, forecasts and responses related to protection and rescue or if it fails to define tasks, logistics, actions and activities ensuring participation of a member thereof (paras. 1 and 2, Article 17);
- 3) If it fails to put at the disposal telecommunication and information systems and connections (para.1, Article 20);
- 4) If it fails to put at the disposal the reserves of water, food, medical equipment and medications, clothing, footwear, construction and other materials (para. 2, Article 20);
- 5) If it fails to enable execution of works (para. 3, Article 20);
- 6) If it fails to develop its own plans and execute the tasks stipulated therein (para.1, Article 49);
- 7) If it fails to provide or does not maintain the necessary resources and equipment or fails to conduct training of employees (para. 1, Article 52);
- 8) If it fails to take part in the evacuation in accordance with the tasks and responsibilities of the protection and rescue plans (para. 3, Article 59);
- 9) If it fails to ensure sheltering of population and employees (para. 1, Article 60);
- 10) If it fails to ensure construction of shelters or other protective facilities in line with physical and urban plans (para.2, Article 60);
- 10a) if it fails to pay a fee amounting to 2% of the total value of the constructed part of the facility (Article 64, para. 2)
- 11) If it fails to provide temporary protection for the citizens from affected areas as ordered by the competent emergency management headquarters (para. 1, Article 69);
- 12) If it fails to take measures to prevent accidents or limit effects thereof on human lives and health and the environment (para. 1, Article 72);
- 13) If it fails to organize and conduct rescue of persons and the environment (para. 2, Article 72);
- 14) If it fails to develop and submit the Plan for Protection from Accidents (para. 1, Article 73);
- 15) If it fails to take measures to prevent accidents or limit effects thereof on human lives and health, material goods and the environment (para. 1, Article 73);
- 16) If it fails to inform about the changes prior to development of the Plan for Protection of Accidents (items 1-3, para. 1, Article 74);
- 17) If it fails to inform of cessation of operation or conservation of an installation (para. 2, Article 74);
- 18) If it fails to inform of the facts, circumstances of accident, hazardous substances at the site of accident, available data for assessment of consequences of the accident on persons, material goods and the environment and of the undertaken emergency measures (para. 1, Article 75);
- 19) If it fails to inform about the data subsequently collected about the accident (para. 2, Article 75);

- 20) If it fails to submit accident analysis (para. 3, Article 75);
- 21) If it fails to implement the Plan of Protection from Accident in case of an accident or in case of circumstances that may cause an accident or if it fails to align the Plan of Protection from Accident with the plans of protection and rescue in emergency situations (paras. 1 and 2, Article 79);
- 22) If it fails to develop and submit the Plans of Protection from Accident (items 1-4), para. 1, Article 80);
- 23) If it fails to ensure transparency of data and update them (para. 1, Article 80);
- 24) If it fails to take part in protection and rescue of persons, material and cultural goods and the environment from floods (para. 4, Article 85);
- 25) If it fails to inform the nearest police station of logistics centre 112 on the discovered UXO (para. 2, Article 89);
- 26) If it fails to mark visibly or secure the location of UXO (para. 2, Article 89);
- 27) If it fails to take part in removing the consequences and in the activities of sanitation of the terrain (para. 2, Article 91);
- 28) If it fails to plan, organize and conduct protection and rescue of cultural and historical goods indispensable for survival (para. 2, Article 92);
- 29) If it fails to provide the necessary quantities of water in cases of interruption in water provision due to natural and other disasters, fails to measure the level of soundness or fails to maintain the water supply system (para. 1, Article 93);
- 30) If it fails to ensure functioning of the departments (para. 2, Article 95);
- 31) If it fails to establish a specialized civil protection unit (para. 3, Article 99);
- 32) If the holder of telecommunication systems and devices fails to ensure for the Service 112 priority use of communications in emergency situations (para. 2, Article 103);
- 33) If it fails to inform the Service 112 about the threats from air, weather conditions, climate and waters or does not submit analyses, forecasts and warnings on hydro-meteorological and geological phenomena, natural disasters, other natural, technical and technical and other large-scale disasters as well as on the content of hazardous substances in the air, soil and waters above the allowed values and all other data collected on phenomena potentially threatening to persons, goods and the environment (para. 4, Article 103);
- 34) If it fails to ensure automatic forwarding of the collected data to the Service 112 (para. 5, Article 103);
- 35) If it fails to ensure timely informing and alerting of population on the threats caused by hydro-systems used (para. 1, Article 106);
- 36) If it fails to construct, add and maintain the systems for informing and alerting or does not get involved into the system of alerting in the Republic of Serbia (para. 2, Article 106);
- 37) If it fails to interrupt broadcast of programme at the request of the logistics centre 112 in order to broadcast information of interest to protection and rescue (para. 1, Article 107);
- 38) If he fails to provide free broadcast of information of interest for protection and rescue to subscribers (para. 2, Article 107);
- 39) If it fails to submit updated databases on subscribers of telephone number of landlines and mobile telephony regularly (para.3, Article 107);

40) If it uses the databases referred to in para.3, Article 107 in contravention to the provision of the para.4, Article 107);

41) If it fails to provide free service of locating the site of caller (incoming call) for the competent departments and the logistics centre 112 (para.5, Article 107);

42) If it fails to post an information of the telephone number 112 and the alert signals in a visible place in all public institutions and other public places (para.2, Article 109);

43) If it fails to inform the logistics centre 112 about all identified threats and accidents (para.3, Article 109);

44) If it fails to enable, for use by the observation, information and alert system, installation of sirens, and other appropriate devices and instruments of the system on these facilities or enable access for their maintenance, observing the measures of protection of persons and the environment (para.1, Article 110);

45) If it fails to ensure uninterrupted power supply to the instruments of the observation, information and alert system (para. 2, Article 110);

46) If it fails to protect and rescue citizens, material and other goods in case of threats and accidents caused by natural and other disasters in accordance with its activity or tasks ordered by the competent centres of local government, autonomous province and the Republic of Serbia (para. 1, Article 111);

47) If it fails to adjust its capacities and organization for the performance of tasks related to protection and rescue (para. 2, Article 112);

48) If it fails to provide adequate equipment and material and technical resources for personal protection and for taking measures and performing tasks related to civil protection (para. 2, Article 114);

49) If it fails to keep the stipulated register on members of the civil protection units (item 3, para.1, Article 114);

50) If it fails to undertake mobilization (para. 1, Article 125);

51) If it fails to adopt a Long-Term Plan of Development of the Protection and Rescue System (para. 3, Article 129);

52) If it fails to make payments into the Budget Fund for Emergency Situations (item 2, para.1, Article 135).

The responsible person from a company and other legal person shall be subject to a fine ranging from RSD 10,000 to 50,000 for the offence referred to in para. 1 hereof.

An entrepreneur shall be subject to a fine ranging from RSD 50,000 to 500,000 for the offence referred to in para. 1 hereof.

Offences committed by natural persons

Article 145

A fine of RSD 20,000 to 50,000 shall be imposed on a natural person:

- 1) If he/she fails to act in observance of items 1-4, para.2, Article 20;
- 2) If he/she does not take part in performing the tasks related to protection and rescue (para. 1, Article 22);
- 3) If he/she fails to report at the location and at the time specified by the competent body (para. 1, Article 23);

4) If he/she fails to allow the competent body to use real estate, vehicles, machinery, equipment, material and technical and other material resources (water, food, medical equipment, medications, clothing, footwear, construction and other materials) when so required para. 1, Article 24);

5) If he/she fails to ensure and keep in orderly function the devices and equipment required for personal, mutual and collective protection (para.2, Article 52);

5a) if he/she fails to pay a fee amounting to 2% of the total value of the constructed part of the facility (Art. 64, para. 2);

6) If he/she fails to temporarily accommodate in a private building citizens from the affected areas when so ordered by the competent emergency management headquarters (para. 1, Article 69);

7) If he/she fails to take part in removing the consequences and in the activities of sanitation of terrain referred to in Article 91;

8) If he/she fails to act in accordance with the instructions of a focal point or a deputy focal point (para.3, Article 97);

9) If he/she fails to inform the logistics centre 112 about all the identified threats or accidents (para 3, Article 109);

10) If he/she fails to respond to the call of the competent department for actions related to protection and rescue (para.4, Article 113).

A fine of RSD 25,000 to 100,000 shall be imposed on a responsible person from a company, institution, and other organization, and other legal person, for the violation referred to in para. 1 hereof.

XV TRANSITIONAL AND FINAL PROVISIONS

Article 146

The Government shall endorse transposition regulations for this Law within six months of it coming into effect.

The Minister shall endorse transposition regulations for this Law within six months of it coming into effect.

Article 147

The autonomous province, local governance units, companies and other legal entities shall harmonize their documents with provisions of this law not later than six months following adoption of regulations referred to in Article 146 hereof.

Article 148

The companies and other legal persons referred to in Article 73 hereof shall submit to the Ministry information about installations, facilities and the quantity of hazardous substances within six months from the date of coming into effect of provisions referred to in para. 2, Article 146 hereof. The companies and other legal persons referred to in Article 73 hereof shall submit to the Ministry a safety report and a plan of protection from accidents referred to in Articles 76 and 78 hereof within one year from the date of coming into effect of these provisions.

Article 149

Relevant regulations that will be repealed by this Law shall remain in force until the adoption of the new regulations, unless they are in contravention to this Law.

Article 150

The Ministry of Interior shall take over the employees, archives and material and technical resources of the Emergency Management Sector of the Ministry of Defence and a certain number of employees of the Ministry of Environment and Spatial Planning within 60 days from the date of coming into effect of this Law.

Article 151

Until the establishment of the number 112 as a unique number for the territory of the entire Republic of Serbia, the present telephone number 985 as well as other telephone numbers of emergency departments (police 92, firemen-rescuers 93 and ambulance 94) shall be used.

Article 152

On the date of coming into effect of this Law, the following provisions shall be repealed: Art. 49-66 of the Defence Act („Official Gazette of FRY“, nos. 43/94, 11/95, 28/96, 44/99 and 3/02) and the relevant regulations, Art. 73-86 of the Defence Act („Official Gazette of the Republic of Serbia“, nos. 45/91, 58/91, 53/93, 67/93 and 48/94) and the Law on Protection from Natural and Other Major Disasters („Official Gazette of Federal Republic of Serbia“, nos. 20/77, 24/85 and 52/89 and „Official Gazette of the Republic of Serbia“, nos. 53/93, 67/93, 48/94 and 101/05).

Article 153

This Law shall come into effect on the eighth day of its publishing in the “Official Gazette of the Republic of Serbia“ and its implementation will begin following the expiry of six months from the date of its coming into effect, except for the provisions of Articles 146, 147 and 151 that shall be implemented as of the date of coming into effect of this Law.

RATIONALE

I. LEGAL GROUNDS FOR THE LAW

Constitutional grounds for enacting this Law is contained in the provisions of Article 97, items 4) and 17) of the Constitution of the Republic of Serbia, which state that the Republic of Serbia shall regulate and ensure the safety of its citizens and shall govern other relations of interest for Serbia, in accordance with the Constitution.

II. REASONS FOR DRAFTING THE LAW

The Law on Emergency Situations (“Official Gazette of RS” No. 111/09) was adopted on 29th December 2009, and its implementation began upon the expiry of six months after its coming into force. This delay in the enforcement of the Law was foreseen so that in the 6-month period the relevant transposition regulations could be drafted, and in order that all the participants in the emergency protection and rescue system, ranging from the state administration authorities to commercial entities and citizens, could read the content of the first Serbian law regulating the area of emergency management in a comprehensive manner, taking into consideration numerous responsibilities established by the Law (drafting risk assessments, protection and rescue plans, payments made to the Emergency Budget Fund etc)

However, having analyzed the effects of the Law, the need for amending specific provisions has arisen, in order to achieve in the best possible way the objectives set by this law. These amendments would include enlarging the terms of reference of the emergency management headquarters at all levels, thus establishing the National Disaster Risk Reduction Platform, in accordance with the Hyogo Framework for Action – HFA, an instrument of the United Nations established during the 2005 World Conference on Disaster Risk Reduction. This Framework provides guidelines for all member countries how to build an efficient system of emergency management.

The main recommendation to the member countries of the Hyogo Framework is to establish a responsible body (National Platform for Disaster Risk Reduction) which would include all key participants or stakeholders directly or indirectly relevant for the rescue and protection system (either at the positions influencing the decision-making process or being the heads of technical services who may be recruited for emergency response), representatives of public institutions and others with an important role in this area. Besides, such a body must have the powers to pass documents ordering timely response and must be able to take part by means of its decisions and recommendations in the design of the protection and rescue system. As the Law originally foresaw the establishment of bodies which would include the participants in the protection and rescue system, i.e. the key stakeholders in disaster risk reduction policy, it was inevitable, in accordance with the Hyogo Framework for Action, to enlarge their area of responsibility in order to bring in complete harmony the national legislation with the mentioned UN document. For these reasons, the Draft Law Amending the Law on Emergency Situations foresees the enlargement of the scope of responsibilities of the Republic Emergency Management Headquarters in such a manner that these Headquarters would become the national emergency coordination and management body.

With the view to enforcing the Agreement on Cooperation signed between the Government of the Republic of Serbia and the Government of the Russian Federation in the area of humanitarian emergency response, prevention of natural disasters and accidents and removal of the related consequences (“Official Gazette of RS” – International Treaties”, No. 10/10), these amendments include the responsibilities of the Humanitarian Centre related to training and education of the protection and rescue forces. The establishment of the Humanitarian Centre in the territory of the Republic of Serbia has been envisaged under Article 4 of the mentioned law on amendments.

III. CLARIFICATION OF THE MAIN LEGAL TERMS AND INDIVIDUAL SOLUTIONS

The Draft Law Amending the Law on Emergency Situations has 26 articles. They mostly include the revision of specific provisions, smaller amendments which do not change the essence of the original provisions, but only make the established relations more meaningful.

The essential amendments have been clarified in the previous section.

IV. ASSESSMENT OF FUNDS REQUIRED FOR IMPLEMENTATION

For the implementation of this Law no special funds are required.

V. REASONS FOR URGENT PASSING THE LAW

In accordance with Article 167 of the Rules of Procedure of the National Assembly (“Official Gazette of RS” No. 52/10 and 13/11) this Law should be passed because failing to do so could cause grave consequences to the human lives and health, national safety and operation of authorities and organizations.

Analysis of the effects of the Law, especially after the establishment of the emergency management headquarters has shown the necessity to enlarge the area of responsibility of these bodies so as to build up an efficient emergency management system. Every occurrence of an emergency situation could cause problems in managing the response to it.

ANALYSIS OF THE EFFECTS

1. What problem is being solved by the law?

The establishment of the National Platform for Disaster Risk Reduction, by enlarging the area of responsibilities of the Republic Emergency Management Headquarters. The National Platform will define the system of direct emergency management.

2. What objectives should be achieved by passing the law?

1. Provide an adequate legislative framework for an integrated protection and rescue system, harmonized with international regulations.
2. Establish the National Platform for Disaster Risk Reduction as a national mechanism for emergency management.
3. Improve operational cooperation among the participants in the protection and rescue system both at the national and local level.

3. Why is passage of the law is the best solution of the problem in question?

Because the mentioned problems have been observed in the course of the implementation of the Law on Emergency Situations, and as regards the topics defined at the legal level, they may be modified only in the form of amendments to the Law.

4. Who will be influenced by the solutions suggested by the Law and in what manner?

There are three groups of participants who will be directly or indirectly influenced by the solutions contained in the law:

- 1) the citizens of the Republic of Serbia, through enhanced security of life and goods;
- 2) all commercial entities (commercial societies, entrepreneurs, public enterprises, social enterprises), as well as other entities (natural and legal persons, citizens' associations and other organizational forms) in that they will be able to perform their duties related to emergency protection and rescue as their rights, responsibilities and duties have been defined;
- 3) state authorities and organizations – better regulated relations and work and more efficient service provision by the Ministry of Interior to citizens and legal persons.

5. Are there any responsibilities the fulfillment of which will incur expenses for the citizens and industry, especially smaller and medium enterprises?

The suggested amendments do not imply any responsibilities incurring expenses for the citizens and industry.

6. Does the Law stimulate the emergence of new commercial entities in the market and market competition?

The Law on Emergency Situations deals with the protection of citizens against unforeseen accidents that may result in loss of human lives and destruction of private and public property and thus the conditions implying a developed protection and rescue system and ensuring efficient response to all sorts of emergencies are by all means favourable for all commercial entities who use or transport high-risk equipment in the performance of their activities.

7. Did the stakeholders have the opportunity to comment on the Law?

Before the enforcement of the Law a procedure was established by virtue of the relevant national regulations, so that all stakeholders could be informed and give their perceptions regarding the suggested legal solutions.

8. What measures will be taken during the implementation of the law aimed at achieving the objectives of the Law?

The main goal of the Law will be achieved by duly implementing all the provisions thereof, i.e. by respecting of the rights of the participants in the protection and rescue system and by fulfilling their responsibilities.