

15 Annex - Energy

68. LAW ON PROTECTION AND RESCUE

LAW ON PROTECTION AND RESCUE

I GENERAL PROVISIONS

Article 1

Protection and rescue includes a set of measures and actions taken to detect and prevent the hazard of natural disasters, fires, technical and technological accidents, chemical, biological, nuclear and radiological contaminations, consequences of wartime destruction and terrorism, epidemics, epizootic and epyphytotic diseases and other disasters, as well as rescue of citizens and material goods endangered by their effect.

Article 2

Protection and rescue affairs are of special interest for Montenegro.

Article 3

Protection and rescue shall be conducted by: state bodies, local government units (hereinafter referred to as the: municipality), business organizations, entrepreneurs and other legal and natural persons.

Article 4

Certain terms used in this Law shall have the following meanings:

- **catastrophe** is any natural disaster, fire, technical and technological accident, chemical, biological, nuclear and radiological contamination, a consequence of the war-time destruction and terrorism, epidemic, epizootic and epyphytotic disease, the size or intensity of which seriously endanger the health and human lives or cause large value property damage or environmental damage, whose emergence is not possible to prevent or eliminate its consequences via regular activities of state bodies and municipal bodies in whose territory the event occurred;

- **major accident** is an event that may take the proportions of a catastrophe through its possible development, when, due to the intensity and development, task forces for protection and rescue which provide protection and rescue as a regular activity in the area of its occurrence, cannot prevent the spread of that event or eliminate its consequences in due time;

- **natural disaster** is an event caused by the uncontrolled action of natural forces that threaten lives and health of people and animals and cause property and environmental damage (earthquakes, floods, landslides, fires, snow avalanches, drifts, lightnings, demolition of high dams and embankments, droughts, atmospheric and other disasters);

- **technical and technological accident** is an event which is the result of certain omissions and errors during the conduct of economic and other activities or negligence in handling hazardous materials and agents during production, storage and transport (fires, major accidents in road, rail, air and sea traffic, accidents in mines, industrial accidents caused by explosions and other technical and technological reasons, falling of radioactive rain, dust raising and residue creation, spills of oil and petroleum products and other toxic chemicals, explosions of gases and flammable liquids and other flammable materials which create explosive mixtures with air and of other large-scale explosive materials);

- **accident** is a disaster caused by a technical and technological process, whose consequences surpass the limits of the technical and technological installation in which it occurred;

- **incident** is an accident which occurred during the technical and technological process, whose consequences do not surpass the limits of the technical and technological installation in which it occurred;

- **epidemic, epizootic and epyphytotic disease** are events which lead to intensive and mass occurrence of certain diseases in humans, animals and plants;

- **vulnerability assessment** is a qualitative and quantitative analysis of data on the possible hazards of the occurrence of natural disasters, fires, technical and technological accidents, chemical, biological, nuclear and radiological contaminations, consequences of wartime destruction and terrorism, and epidemic, epizootic and epyphytotic diseases, with predictions of their possible future course and consequences, the proposal of the level of protection against risk and proposal of preventive and other measures for protection and rescue;

- **management during protection and rescue** is the designation of the basic goal and planned linking of protection and rescue participants in a single unit in view of performing affairs, defining the strategy for achieving the goal in question and performance of tasks;

- **preparedness** is the timely taking of all activities that increase and improve the efficiency of the existing protection and rescue task forces for taking measures of protection and rescue;

- **mobilization** is the activity by which the protection and rescue task forces are transferred into the state of preparedness for organized involvement in the implementation of protection and rescue measures;

- **coordinating** is the harmonization of activities of all participants in protection and rescue activities;

- **commanding** is a form of management set up on the principles of subordination in the allocation of tasks and in the performance of protection and rescue measures and activities;

- **rescue** is taking measures for the protection of people whose life or health are endangered, as well as animals, plants, property and cultural heritage against the consequences of natural disasters, fires, epidemic, epizootic, epyphytotic diseases and other disasters and risks;

- **assistance** includes taking measures and providing services of experts, rescue units and services, use of protective and rescue equipment and resources for assistance;

- **elimination of consequences** implies actions taken in view of elimination of harmful consequences and the normalization of life in the area affected by risk;

- **hazardous material** is each material in solid, gaseous or liquid state that may endanger the environment, life or health of people, or cause destruction or damage to property, with harmful consequences for the living and working environment;

- **risk** is real or possible hazard or exposure to hazard by people, animals, plants, property and environment coming from natural disasters, fires, technical and technological accidents, chemical, biological, nuclear and radiological contaminations, consequences of wartime destruction and terrorism, as well as epidemic, epizootic and epyphytotic diseases;

- **emergency situation** is the situation in which natural or legal person is in need of emergency medical and other appropriate aid;

- **resources for assistance** are foodstuffs, drinking water, clothing, footwear, medicines and other items, or means that are intended to provide assistance to vulnerable and afflicted population in view of facilitating their lives.

II PROTECTION AND RESCUE SYSTEM

Contents and Activities

Article 5

Protection and rescue system of citizens and material goods includes the planning, preparation and implementation of protection and rescue.

Protection and rescue system is carried out by organized activities and practices of preventive and operational character, which are prepared and implemented by Montenegro, municipalities, business organizations, other legal persons, entrepreneurs and natural persons.

Article 6

State bodies, municipal bodies, business organizations, other legal persons, entrepreneurs and natural persons shall organize and carry out in a planned manner preventive and operational activities and protection and rescue practices.

Article 7

For purposes of efficient protection of people and material goods against possible risks, state bodies, municipal bodies, business organizations, other legal persons, entrepreneurs and natural persons shall provide the protection and rescue means and resources for assistance, as well as persons trained for protection and rescue in accordance with this Law.

Article 8

Preventive activities and practices for protection and rescue are:

- 1) development of vulnerability assessment from possible risks;
- 2) development of protection and rescue plans;
- 3) spatial development and building buildings, which are used for protection and rescue purposes;
- 4) establishment of a protection and rescue system and
- 5) provision of material resources, personnel and other resources necessary to carry out the planned activities.

Article 9

Operational activities and practices for protection and rescue are:

- 1) activities and practices in case of imminent risk threat;
- 2) activities and practices in time of risk and
- 3) activities and practices for the elimination of consequences.

Article 10

Activities and practices that are mandatory conducted in case of imminent risk threat are in particular:

- 1) collecting data on the possible risk;
- 2) putting into operation the notifying and informing system for the protection and rescue activities` participants;
- 3) informing the population and the competent authorities and responsible persons in charge of protection and rescue;
- 4) increasing intervention readiness and activation of competent authorities and task forces for protection and rescue;
- 5) ensuring public peace and order in the affected area and

6) taking other measures related to protection and rescue.

Article 11

Activities and practices that are mandatory conducted in the time of risk, are especially:

- 1) activation of protection and rescue units;
- 2) implementation of evacuation and care and support for the population and material goods;
- 3) preventing the spread of risk and risk consequences and
- 4) coordinating the activities of participants in protection and rescue.

Article 12

The activities and practices that mandatory conducted for the elimination of risk consequences are, especially:

- 1) assessment of the damage and consequences;
- 2) remediation of risk affected areas;
- 3) ensuring and providing necessary assistance to vulnerable and affected population;
- 4) implementation of health and hygienic and epidemiological measures;
- 5) implementation of appropriate protection of animals and plants and animal and plant products and
- 6) organizing supply with resources for assistance and provision of utility services for a fast normalization of life.

Task forces

Article 13

Protection and rescue shall be performed by protection and rescue task forces (hereinafter referred to as the: task forces).

Article 14

Task forces are:

- civil protection units;
- units for protection and rescue of municipalities (fire fighting units, units for providing assistance to vulnerable and affected population and other protection and rescue units), organized as municipal protection and rescue services (hereinafter referred to as the: protection services);
- specialized protection and rescue units (hereinafter referred to as the: specialized unit);
- voluntary protection and rescue units (hereinafter referred to as the: voluntary unit);
- units for protection and rescue of business organizations, other legal persons and entrepreneurs (hereinafter referred to as the: entrepreneurial unit) and
- airborne fire fighting unit.

Article 15

Members of task forces shall have appropriate titles and shall wear uniforms during the period of performing their duties, whereas they shall wear protective and rescue equipment during activities of people and material goods protection and rescue.

Titles, insignia, uniforms and protective and rescue equipment of task forces members, shall be regulated by the ministry competent for protection and rescue affairs in emergencies (hereinafter referred to as the: Ministry).

Article 16

Employees of the Ministry covering protection and rescue affairs shall have passed a state licence exam for working on protection and rescue affairs.

Program and manner of passing the state licence exam referred to in paragraph 1 of this Article shall be laid down by a regulation governing the passing of the state licence exam for work in state bodies.

Article 17

Members of task forces shall work on their vocational training and professional development.

Vocational training and professional development of task forces members shall be conducted by the Ministry.

After the implementation of vocational training and professional development program of their members, task forces shall, at least once a year, organize verification of their knowledge and keep records thereon.

Vocational training and professional development program of task forces members, method of program implementation and verification of knowledge in the field of protection and rescue, as well as the manner of keeping records, shall be laid down by a regulation of the Ministry.

Article 18

Protection service members (hereinafter referred to as the: professional rescuers) and employees in protection and rescue affairs within the Ministry, for special working conditions, complexity, nature of tasks and responsibilities, shall be provided funds for salaries increased by 30% compared to funds provided for salaries of employees in other public administration bodies and municipal bodies.

Jobs in which employees of the Ministry achieve increase of salary referred to in paragraph 1 of this Article shall be laid down by a regulation of the Government of the Republic of Montenegro (hereinafter referred to as the: Government).

Due to special working conditions, complexity, nature of tasks and their harmfulness to health, professional rescuers' years of insurance shall be computed longer, by adding four months for each 12 months spent working.

Due to special working conditions, complexity, nature of tasks and their harmfulness to health, for some jobs, employees of the Ministry working in protection and rescue affairs shall have computed longer duration years of insurance.

Jobs referred to in paragraph 4 of this Article, in which years of insurance are computed longer, as well as the degree of increase of years, shall be laid down by a Government regulation.

Article 19

The Ministry may award prizes and awards to the participants in protection and rescue activities for special merits in the development of protection and rescue system and demonstrated personal dedication in the implementation of protection and rescue of population and material goods.

The manner and procedure of awarding prizes and awards, as well as the appearance and contents of awards referred to in paragraph 1 of this Article shall be laid down by a regulation of the Ministry.

Article 20

Members of airborne fire fighting task force and professional rescuers shall be ensured by the Ministry and municipality respectively, in case of death, permanent loss of working ability and temporary work disability, which may occur as a result of a disaster occurred during protection and rescue of people and property, exercises or education.

Notifying and Informing

Article 21

Through a single operational and communication center (hereinafter referred to as the: OKC 112), in emergency situations, the Ministry shall receive calls regarding the imminent risk threat and risk occurrence, and by means of communication devices, by applying standard operating procedures, it shall urgently inform the competent authorities and other participants in protection and rescue activities and coordinate activities per calls.

OKC 112 shall act as a single communication center for all calls in emergency situations on the territory of Montenegro.

OKC 112 affairs shall be carried out in a separate organizational unit of the Ministry.

The Ministry shall give official communications about the hazards of onset states of emergency, their scope, activities and measures that need to taken during protection and rescue.

The manner and procedure of notifying and informing, uniform signs for notifying and informing, as well as other standard operating procedures referred to in paragraph 1 of this Article shall be laid down by a regulation of the Ministry.

Article 22

The toll-free number 112 is used in the public telecommunications network of Montenegro as the single European emergency call number to receive calls and notifications about the immediate risk threat and occurrence of risk.

Notification of the possibility of using the phone number 112, and signs for reporting and notifying shall be displayed in a visible place in the building in which a state body, municipal body, business organization, other legal person and entrepreneur are located, as well as in a residential building.

The media and entities referred to in Art. 32, 49 and 50 of this Law, in case of need shall assign free of charge the use of public telecommunication network and communications system for transmission of signals and notifications in the event of imminent risk threat and occurrence of risk.

Article 23

Providers of public telecommunication services shall provide users of the public telephone network in Montenegro free telephone calls for emergency interventions, and of the number 112, from any phone device.

Providers of public telecommunication services shall submit to OKC 112 the data about the phone number and location of the number from which the call was made.

Article 24

Owners and users of buildings in which large numbers of people gather, such as schools, traffic terminals, sports halls and stadiums, large shopping centers, large manufacturing and other installations, as well as business organizations, other legal persons and entrepreneurs referred to in Art. 49 and 50 of this Law, shall establish and maintain a system of notifying and informing and to provide connectivity of the system with the OKC 112.

Article 25

Owners and users of other public and commercial buildings and of residential buildings, shall provide the placing on such buildings of fittings and devices for notifying and informing.

III STATE OF EMERGENCY

Article 26

Management during protection and rescue, as well as comprehensive and effective functioning of the protection and rescue system during disasters and major accidents (hereinafter referred to as the: state of emergency), shall be ensured in accordance with this Law.

Article 27

States of emergency shall be proclaimed by the Parliament of Montenegro.

States of emergency shall be proclaimed immediately after finding of immediate hazard, as of its onset, and it may be proclaimed, after it occurred if the hazard could not have been foreseen, or if due to other circumstances, it could not have been proclaimed immediately after finding of immediate hazard, as of its onset.

Article 28

States of emergency may be proclaimed for the territory of Montenegro, municipality, or part of their territory.

States of emergency shall be proclaimed for Montenegro if there is imminent hazard that it would affect or has already affected at least two municipalities.

States of emergency shall be proclaimed for municipality if there is imminent hazard that it would affect or has already affected a part or the entire municipality.

Official communications about the hazards of onset state of emergency, its scope, activities and measures to protect and rescue to be taken shall be given by the Ministry.

Article 29

In states of emergency, the Ministry shall perform tasks of coordination and command of task forces, implementation of mobilization, timely notification and control of implementation of required measures and activities to protect and rescue, with the exception of search and rescue at sea, and it shall keep records of task forces, resources and measures taken to protect and rescue in states of emergency.

Airborne fire fighting unit shall be organized within a separate organizational unit of the Ministry.

The manner of organization and operations of task forces, coordination, command and task forces mobilization during protection and rescue in states of emergency, records keeping and manner of records keeping on task forces, means and measures taken in states of emergency shall be determined by a regulation of the Ministry.

Article 30

Police and army of Montenegro (hereinafter referred to as the: Army) shall participate in activities of protection and rescue in states of emergency, in coordination with the activities of task forces.

The participation of police and Army in protection and rescue in states of emergency shall be coordinated by the Ministry in cooperation with the administration body competent for police affairs and the ministry in charge of defense affairs.

Article 31

The Ministry may, if it assesses that the risk may assume the form of a major accident, in view of preventing the occurrence of states of emergency, order the activation of task forces when the state of emergency has not been proclaimed.

Article 32

Public administration bodies, municipal bodies, business organizations, other legal persons and entrepreneurs who perform affairs of meteorology, hydrology, seismology, search and rescue at sea, search and rescue on the occasion of incidents and accidents in civil aviation, civic associations and other legal persons registered for carrying out activities in the field of electric power systems, environmental protection, construction of buildings, water management, agriculture, forestry, industry, maritime, transport, road maintenance and utility services, health care and veterinary services, shall provide information on hazard immediately to the Ministry when they determine the hazard of occurrence of state of emergency.

IV PLANNING OF PROTECTION AND RESCUE

Article 33

The main strategic document for the management of states of emergency is the National Strategy for States of Emergency (hereinafter referred to as the: National Strategy)

The National Strategy includes: the basic strategic regulations and guidelines for reducing the hazard of occurrence of major accidents and catastrophes, the concept of organized activity of state bodies, municipal bodies, business organizations, other legal persons, entrepreneurs and natural persons, in view of preventing the occurrence of major accidents and catastrophes via preventive action and mitigation of consequences, as well as obligations of participants in protection and rescue activities.

Article 34

Protection and rescue shall be conducted on the basis of protection and rescue plans.

Protection and rescue plans are: national action plans for protection and rescue in states of emergency (hereinafter referred to as the: the National Action Plan), municipal protection and rescue plans (hereinafter referred to as the: municipal plan) and plans for protection and rescue of business organizations, other legal persons and entrepreneurs (hereinafter referred to as the: entrepreneurial plan).

Protection and rescue plans shall be developed on the basis of studies on vulnerability assessment.

The study referred to in paragraph 3 of this Article shall constitute an integral part of the protection and rescue plan.

The methodology for development of studies on vulnerability assessment and protection and rescue plans shall be laid down by a regulation of the Ministry.

Article 35

National action plans shall be developed for all risks established by the National Strategy.

Municipal plans shall be developed for the municipality, in accordance with the National Strategy and national action plans.

The plans referred to in paras. 1 and 2 of this Article, shall in particular, lay down the following:

- types of risk;

- protection and rescue measures;
- task forces;
- human resources and material and technical means that can be engaged for manning the task forces;
- the manner of conducting preparedness and task forces mobilization manner;
- responsibilities and authorities for management during protection and rescue;
- activities of task forces and other participants in protection and rescue activities;
- manner of maintaining order and security during interventions;
- manner of eliminating risk consequences;
- manner for providing financial resources to implement the plan;
- other measures and activities necessary for conducting protection and rescue.

Municipal protection and rescue plans shall constitute an integral part of national action plans.

Entrepreneurial plans shall be developed for business organizations, other legal persons and entrepreneurs, in accordance with this Law, and they shall comply with national action plans and municipal plans.

V RIGHTS AND OBLIGATIONS OF PARTICIPANTS IN PROTECTION AND RESCUE ACTIVITIES

Rights and Obligations of State Bodies

Article 36

The Government shall:

- adopt the National Strategy;
- take a decision on the provision of material reserves for protection and rescue needs;
- decide on sending humanitarian aid for protection and rescue to other countries, as well as on accepting humanitarian aid from other countries;
- designate the coordination team members for management during states of emergency;
- order mobilization in states of emergency;
- decide on the evacuation of population in states of emergency;
- determine the amount of damages incurred in states of emergency;
- submit a report to the Parliament of Montenegro and the President of Montenegro on the type, cause and scope of the resulting state of emergency, the measures and activities taken to protect and rescue and estimates regarding the possible future developments;
- submit an annual activity report to the competent working body of the Parliament of Montenegro;
- designate the Protection and Rescue Day and
- perform other affairs laid down by law.

Article 37

The Ministry shall:

- propose the National Strategy;
- adopt national action plans for protection and rescue;

- approve the municipal plans, as well as entrepreneurial plans, following the prior opinion of the municipality;
- establish programs for equipping and developing the protection and rescue system in Montenegro, provide instructions for management during protection and rescue and propose measures to the participants in protection and rescue activities;
- monitor and analyze the situation in the field of protection and rescue;
- collect data on threats, causes and consequences of states of emergency;
- control the mobility and intervention readiness of task forces;
- perform inspection control of buildings and fittings related to the application of protection measures against fires, explosions and other risks that may endanger people and material goods;
- provide technical standards of protection and rescue system, in accordance with international standards;
- cooperate with the competent authorities of other countries and with international organizations and institutions;
- decide on sending overseas task forces for training, exercises and humanitarian activities, with the consent of the Capital, Historic Royal Capital and municipalities;
- seek assistance from other states in case of occurrence of a state of emergency;
- perform other affairs laid down by law.

Article 38

Other state bodies shall:

- carry out hazard assessment of occurrence of states of emergency, within their competences;
- provide staff training and take measures and activities necessary for the effective implementation of protection and rescue affairs in cases of states of emergency;
- ensure timely preparation and delivery of data and information to the Ministry which are of importance for protection and rescue and
- perform other affairs laid down by law.

Article 39 Public administration body competent for hydrometeorology affairs shall provide professional assistance to the Ministry and deliver meteorological and hydrological information, forecasts and warnings of conditions that precede the atmospheric and hydrological natural disasters and accidental air and water pollutions, as well as on the course of their duration.

Business organizations, other legal persons and entrepreneurs, who perform meteorological and hydrological measurements and observations, shall deliver available data and information on the state of waters and the atmosphere, collected in the zone and during the period of effect of phenomena that cause disasters and accidents referred to in paragraph 1 of this Article, to the public administration body competent for hydrometeorology affairs, and to the Ministry.

Article 40 Public administration body competent for seismology affairs shall provide the Ministry communications and professional information related to the occurrence of earthquakes, as well as forecast of the type and scope of consequences of their effect on people, property and the environment.

In the case of an occurrence of state of emergency caused by a devastating earthquake, the public administration body competent for seismology and the Ministry shall develop the analysis of the effects of the devastating earthquake on people, building structures and the environment in the affected area.

Within 30 days as of the occurrence of a devastating earthquake at the latest, the public administration body competent for seismology affairs and the Ministry shall submit a detailed report to the Government, containing an analysis of the state of emergency caused by the effect of the devastating earthquake and its devastating effects.

Rights and Obligations of the Municipality

Article 41 The municipality shall, in exercising rights and obligations in the protection and rescue field:

- at least once a year, examine the state of protection and rescue;
- determine the sources and manner of financing the protection and rescue system in its territory;
- adopt the municipal plan;
- organize and equip the protection service;
- decide on the amount of budgetary funds for damages caused by risk.
- determine, based on hazard estimate of occurrence of technical and technological or other accidents, business organizations, other legal persons and entrepreneurs that are obliged to organize entrepreneurial units, with the consent of the Ministry;
- perform other duties of protection and rescue of laid down by law.

Article 42

In the case of imminent risk threat or in time of risk on the territory of municipality, the president of municipality shall have the right and obligation to mobilize all human and material resources from the territory of that municipality, in accordance with the municipal plan.

Mobilized persons in accordance with paragraph 1 of this Article, shall be entitled to reimbursement of expenses from the municipal budget, in accordance with the regulation of the municipality.

In the cases when protection service, entrepreneurial and other task forces on the territory of municipality are not able to eliminate the risk, the Ministry shall provide appropriate assistance to the municipality, upon its request.

Article 43 Protection service is a professional service organized in accordance with a separate law.

Protection service shall perform the following affairs in particular:

- assisting the vulnerable and afflicted population;
- fire fighting and rescuing during fires;
- rescue from the ruins, landslides and snow avalanches;
- rescue during floods and other weather disasters and ecological and other disasters at sea, rivers and lakes;
- rescue in the mountains;
- rescue in the pits;
- rescue in cases of traffic accidents;
- rescue in cases of incidents and accidents in civil aviation;
- rescue in cases of mining accidents.

Article 44

Operations of the protection service shall be based on the principles of command.

Protection service shall be headed by the service commander.

Service commander may be a person who has completed at least the VII level of professional education of technical nature, passed civil service exam for the exercise of protection service management duties and five years of work experience in protection and rescue affairs.

Program and manner of taking the civil service exam referred to in paragraph 3 of this Article shall be laid down by a regulation of the Ministry.

Article 45

Protection services shall keep the required records of all their activities on protection and rescue.

Protection services shall deliver to the Ministry and president of municipality annual and monthly activity reports.

The manner of keeping records referred to in paragraph 1 of this Article shall be laid down by a regulation of the Ministry.

Article 46

In addition to the general conditions for employment, professional rescuers shall also meet specific requirements, namely:

to have at least level III of professional education and passed civil service exam for protection and rescue duties;

not to be older than 25 years of age on the occasion of first entering into employment in the protection service and

to be mentally and physically capable to perform protection and rescue duties.

Program and manner of taking the civil service exam referred to in paragraph 1, item 1 of this Article, shall be laid down by a regulation of the Ministry.

Mental and physical abilities to perform the tasks referred to in paragraph 1, item 3 of this Article, shall be laid down by a regulation adopted by the Ministry in cooperation with the ministry competent for health affairs.

Rights and Obligations of Business Organizations, Other Legal Persons and Entrepreneurs

Article 47 Business organizations, other legal persons and entrepreneurs shall, under conditions and in the manner provided for by law, participate in protection and rescue of people and material goods and make available tools, transportation, technical and other resources necessary for protection and rescue.

While applying measures of protection and rescue, the persons referred to in paragraph 1 of this Article shall act in accordance with law, protection and rescue plans and general acts.

Article 48

Business organizations, other legal persons and entrepreneurs shall familiarize employees with the planned preparedness measures for protection and rescue and for the elimination of risk consequences.

Article 49

Business organizations, other legal persons and entrepreneurs who perform activity that could endanger the life or health of people or the environment, especially legal persons that carry out activities of production, transmission and distribution of electric energy and water, as well as legal persons referred to in Article 50 of this Law, shall develop entrepreneurial plans.

Persons referred to in paragraph 1 of this Article, shall, in accordance with entrepreneurial plans, equip and train for action a certain number of employees and enable their participation in task forces, upon an invitation of the Ministry or the competent municipal body.

Article 50

Business organizations, other legal persons and entrepreneurs, who produce, transport, process, store, or deal with hazardous materials in the technological process, shall inform the Ministry about the types and quantities of hazardous materials at their disposal, and other data of importance for protection and rescue, free of charge.

The data referred to in paragraph 1 of this Article shall be confidential data and may be used only for protection and rescue needs.

Article 51

Business organizations, other legal persons and entrepreneurs who have entrepreneurial units, shall make them available for the Ministry, in case of states of emergency.

Rights and Obligations of Citizens

General Rights and Obligations

Article 52

Citizens shall care for their personal security and protection and implement measures of personal and collective protection.

Measures of personal and collective protection imply especially self-assistance and first aid, transfer of persons, care and support for children, sick and helpless persons, and other measures of protection and rescue that do not allow delays.

Implementation of measures of personal and collective protection shall be based on the principle of solidarity and collective assistance of citizens.

Article 53

Citizens shall carry out protection and rescue measures and participate in protection and rescue, in the manner provided for by law.

Article 54 Citizens shall have the right and obligation to be trained for protection and rescue.

Citizens shall be trained and professionally developed for protection and rescue by means of:

- regular education system;
- informative, promotional and educational action system and program;
- training programs conducted by humanitarian organizations and NGOs, dealing with certain forms of protection and rescue;
- preparation and implementation of appropriate exercises for protection and rescue.

Article 55

Citizens shall have the right to full and timely information on the possibility of risk occurrence, as well as on the manner and measures to be taken in view of protection and rescue.

Civil Protection

Article 56

Civil protection shall be part of a single protection and rescue system in states of emergency.

Civil protection shall consist of civil protection units, protective and rescue equipment, buildings and devices.

Article 57

Citizens shall be entities under obligation to participate in civil protection.

The obligation of civil protection participation shall commence with the reached 18 years of age and last until the reached 63 years of age (men) or 55 years (women).

The following persons shall not be assigned to civil protection:

1. persons deployed in the Army;
2. employees of public administration bodies assigned to affairs of defense, protection and rescue, police work and enforcement of criminal sanctions, as well as employees of business organizations and other legal persons assigned to defense affairs;
3. employees in the judicial authorities;
4. pregnant women, mothers, single parents and guardians who have guardianship over a child younger than seven years, or over two or more children younger than 10 years of age;
5. persons whose incapacity to participate in civil protection was ascertained;
6. guardians of the old and bed ridden persons;
7. foreign nationals.

Article 58

Health aptitude of citizens to perform civil protection tasks shall be established by competent health care institutions, in accordance with the regulation adopted by the Ministry, in cooperation with the ministry competent for health affairs.

Article 59

All men and women older than 15 years may voluntarily participate in civil protection, with rights and duties of civil protection members.

Article 60

Members of civil protection shall be issued a civil protection card.

The form and contents of the card referred to in paragraph 1 of this Article shall be laid down by a regulation of the Ministry.

Article 61

Citizens shall make available to civil protection units the use of vehicles, machines, equipment and other material resources, land, facilities, devices and energy sources (hereinafter referred to as the: material obligation), necessary for protection and rescue in states of emergency, if they are not the subject of a material obligation for the defense needs.

Material obligation is also considered to be the placing of instruments and devices for observing, notifying and informing on commercial and other buildings, and as an exception, on residential buildings as well, if the instruments and devices can not be placed on other buildings.

A citizen who was imposed a certain material obligation shall not prevent the placing of instruments and devices referred to in paragraph 2 of this Article.

The material obligation may be ordered to legal persons and entrepreneurs as well, with the exception of instruments and equipment, which were allocated for the defense needs of the country or were designated for health care or for protection and rescue, in accordance with this Law.

Article 62The amount of fee for performing a material obligation, and compensations for damaged, destroyed or missing resources, given during the performance of material obligation in emergencies, shall be laid down by a regulation of the Ministry.

Article 63

The citizen, who is under obligation to participate in civil protection or material obligation, shall answer the call of the Ministry at a certain place and certain time, or adhere to a material obligation, based on the invitation of the Ministry.

If the person referred to in paragraph 1 of this Article, does not answer the call and fails to justify his/her absence, a warrant for his/her apprehension may be issued, with the assistance of the police.

Specialized Units

Article 64

Specialized units shall consist of citizens who voluntarily perform protection and rescue activities, organized in rescue societies, the ICRC organizations, mountain rescue services, speleological clubs, diving clubs, Kennel Clubs, scouting organizations, clubs of radio amateurs and other similar clubs.

Specialized units shall participate in protection and rescue in states of emergency upon the invitation of the Ministry.

Participants in protection and rescue activities referred to in paragraph 1 of this Article, shall be entitled to reimbursement of expenses, in accordance with a regulation of the Ministry.

Article 65

The Ministry shall, with a view of effective use and coordinated actions in states of emergency, conclude contracts with specialized units, which lay down as follows: duty of specialized units, immediate activities during protection and rescue, fees for their duty and activities and other issues of importance for the implementation of protection and rescue.

Funds from the contractual fee referred to in paragraph 1 of this Article, in the amount of 50%, shall be used by specialized units to purchase new equipment and for development and training their members.

The manner of using specialized units and method of determining the amount of fee for their duty and activities referred to in paragraph 1 of this Article shall be laid down by a regulation of the Ministry.

Article 66

As a part of the protection and rescue system in states of emergency, the Red Cross of Montenegro shall especially do the following:

- perform search service tasks in view of collection and recording of data on evacuated persons, refugees, displaced and missing persons;
- participate in giving shelter and accommodation of evacuated population, refugees and displaced persons, provision of assistance in the implementation of other measures that may contribute to the care and support for afflicted and vulnerable population, refugees and displaced persons;
- run, organize, conduct or participate in solidarity actions for assisting vulnerable persons;
- organize and train teams for activities in the field of social security, hygienic and epidemiological protection, care of the wounded and sick, rescuing on water and mountains and psychosocial support to the population and
- advertise and organize voluntary blood donation actions, in cooperation with medical institutions for blood transfusion, keep records of voluntary blood donors, establish conditions for granting awards to voluntary blood donors and grant awards.

Voluntary Units

Article 67

In view of organized voluntary participation of citizens in protection and rescue of people and material goods endangered by states of emergency, and in view of promoting protection and rescue, business organizations, entrepreneurs and other legal and natural persons may organize voluntary units.

Article 68

Professional rescuers may also participate in voluntary units.

Voluntary units shall be headed by a person who meets the requirements referred to in Article 44, paragraph 3 of this Law.

Article 69

Professional rescuers who participate in voluntary units shall have the same rights, obligations and responsibilities that they have as members of protection service.

Article 70

Business organizations, other legal persons and entrepreneurs shall provide the voluntary units with resources for the enforcement of obligations envisaged under the national action plan.

Uninterrupted duty shall be provided in voluntary units.

Article 71

Members of voluntary units engaged in protection and rescue shall have, during absence from work, the right to compensation.

Compensation referred to in paragraph 1 of this Article, shall be paid out by business organizations, other legal persons and entrepreneurs in which employees of volunteer units are employed, in the amount of their salary.

Funds paid out in accordance with paragraph 2 of this Article, shall be borne by the municipality in whose territory protection and rescue were carried out, or on the territory in which the voluntary units were active.

Members of voluntary units who are unemployed, for participation in the actions of protection and rescue may require a compensation from the municipality, within 30 days as of the completion of protection and rescue action, in the amount determined by the municipality.

Article 72

Voluntary units shall keep records of all protection and rescue activities.

The manner of keeping records referred to in paragraph 1 of this Article shall be laid down by a regulation of the Ministry.

Voluntary units shall submit annual and monthly activity reports to the Ministry and the president of municipality.

Article 73

With a view of realizing common objectives, volunteer units for protection and rescue may be joined into the voluntary units association for protection and rescue, in accordance with law.

The association of voluntary units for protection and rescue shall in particular:

initiate the proposing of measures for improving protection and rescue;

provide technical assistance to voluntary units for protection and rescue;

take care about the vocational training of members of voluntary units for protection and rescue;

initiate the adoption of rules governing certain issues, in which members are interested to be uniformly regulated.

VI MEASURES FOR PROTECTION AND RESCUE

Article 74

Measures for protection and rescue are:

- 1) evacuation;
- 2) giving shelter;
- 3) care and support for the afflicted and vulnerable population;
- 4) radiological, chemical and biological protection;
- 5) rescue from the ruins;
- 6) protection and rescue against floods;
- 7) protection and rescue against fires;
- 8) protection against unexploded ordnance and explosive devices;
- 9) medical first aid;
- 10) protection and rescue of animals and products of animal origin;
- 11) protection and rescue of plants and products of plant origin;
- 12) search and rescue at sea;
- 13) search and rescue during incidents and accidents in civil aviation;

- 14) sanitation of the terrain and
- 15) technical protection of persons, areas and buildings.

1) Evacuation **Article 75**

Planned, organized and controlled transfer of population and material goods of Montenegro shall be carried out by means of evacuation from vulnerable areas into relatively safe ones.

Evacuation shall be carried out if other measures can not prevent the effects of risks that may lead to great casualties and material losses.

Article 76

Population in areas where evacuation has been ordered shall move to another municipality in a specific place and at a time specified.

Transfer of population in other municipalities shall not lead to violations of the enforcement of its functions.

Cost of accommodation of evacuated population shall be provided in the budget of Montenegro.

2) Giving shelter

Article 77 Giving shelter includes the planning, construction, maintenance and use of shelters, as well as giving shelter to population and material goods.

Shelters shall be planned and built as public shelters, in accordance with law.

The obligation of building public shelters shall pertain to Montenegro.

Opinion regarding the planning documents and consent to the engineering documents regarding the application of technical norms for construction of shelters, shall be provided by the Ministry.

Technical norms for construction of shelters referred to in paragraph 4 of this Article shall be governed by a regulation of the Ministry.

Article 78

Shelters shall be built as dual-purpose buildings, whereat their protection function may not be jeopardized.

The Ministry shall decide about giving shelter to be used for other purposes.

In the case of risk, or state of emergency, shelters shall be immediately put into operation of its basic purpose.

Construction interventions that reduce the protective function of shelters shall not be allowed.

Article 79

The Ministry shall take care of maintenance of the shelters.

The manner of maintaining shelters referred to in paragraph 1 of this Article, as well as the manner of using shelters referred to in Article 78 of this Law, shall be regulated in more detail by a regulation of the Ministry.

3) Care and support for the afflicted and vulnerable population

Article 80

Care and support for the afflicted and vulnerable population shall include the acceptance, accommodation and provision of basic living conditions for the life of the afflicted and vulnerable population.

Montenegro and municipalities shall provide accommodation and emergency care for the population, which was, due to risk, left without homes and means of subsistence, and which, due to vulnerability, is relocated out of their place of residence.

The cost of accommodation and ensuring basic living conditions of the population referred to in paragraph 2 of this Article shall be borne by Montenegro and municipality providing care of the population.

4) Radiological, chemical and biological protection

Article 81

Radiological, chemical and biological protection includes measures and means for timely detection and monitoring of hazard of consequences of accidents caused by hazardous materials and radiological, chemical and biological weapons, as well as taking measures for protection and elimination of their consequences.

Business organizations, other legal persons and entrepreneurs, who carry out activities of production and storage of hazardous materials, transportation, water supply, production, transport and storage of animals, drugs and feedstuff, health care and education and social security, shall provide protective devices and implement protection referred to in paragraph 1 of this Article in buildings in which they perform activity and on the devices and instruments used to perform their activity.

5) Protection and rescue from ruins

Article 82

Rescue from the ruins includes measures and activities for protection against demolition, ruins patrolling, finding the buried, fortifying the structure of damaged and dislocated parts of buildings in order to prevent additional demolition, taking measures of protection against additional risks, evacuation of the buried, administering medical first aid and evacuation of material goods.

6) Protection and rescue against floods

Article 83

Protection and rescue against floods includes the regulation of watercourses, construction of protective works, maintenance and rehabilitation of damaged parts of protective works, observation and survey of the situation of watercourses and high dams, protective works and the environment, marking the height levels of wave inundation, timely notifying and informing the population of vulnerable areas, implementation of evacuation of population and material goods from vulnerable areas, providing crossing over water and transport on water, rescue of endangered persons on and under water, drawing water from flooded buildings and evacuation of drowning persons, providing the population of flooded areas with basic living conditions and participation in the rehabilitation of consequences caused by floods.

7) Protection and rescue against fires

Article 84

State authorities, municipal bodies, business organizations, other legal persons, entrepreneurs and natural persons shall, under conditions and in the manner provided for by this Law, participate in fire fighting and rescue of people and material goods endangered by fire and make available their

tools, transport, technical and other resources necessary for fire fighting and rescue of people and material goods endangered by fire.

Article 85

Measures for protection against fires, in terms of this law, in particular, are:

1. selection of location and layout of buildings and selection of materials, devices, fittings and structures which will prevent or at least reduce to the least extent the possibility of outbreak and spread of fires;
2. construction of access roads and passages;
3. providing the necessary quantities of water and other means for fire fighting;
4. selection of technological processes and maintenance of devices which ensure protection against fires;
5. ban of use of open fires and other sources of fire setting in the buildings and premises in which a fire could occur as a result of that;
6. setting up the devices for automatic notification of fires, fire fighting and fire spread prevention devices, devices for measuring the concentration of explosive mixtures (gases, steams and dust) and other devices for controlling the security of technological processes' course;
7. maintenance and control of good working order of devices and fittings whose defect may affect the occurrence and spread of fire;
8. organization of observation service and provision of equipment and instruments for fighting forest fires.

In view of implementation of measures referred to in paragraph 1 of this Article, the elaborated spatial or zoning plan shall also include:

1. system of water supply buildings, with primary and secondary networks and appropriate buildings for protection against fires needs;
2. distance between the zones foreseen for residential and public buildings, and zones foreseen for industrial buildings, storages of flammable liquids, gases and explosive materials;
3. distance between facilities of different purposes within the industrial zone;
4. width of roads that allow access of fire fighting vehicles to each building and their maneuvering during the firefighting.

Article 86

In the spatial and planning documentation for residential facilities with four or more floors above ground level, for buildings intended for public use in which a number of people gathers, stays, or works (hospitals, hotels, boarding houses, sports and other types of halls, department stores, schools, traffic stations, airports and other similar facilities), as well as for industrial buildings, fire grounds shall be determined.

Fire ground, in terms of this Law, is the area of possible fire spread.

Article 87

Safe evacuation in case of fires shall be enabled from the fire grounds in the buildings referred to in Article 86 of this Law, evacuation routes shall have sufficient capacity for persons to pass and they shall be protected against fire and smoke in a safe manner.

Fire grounds shall be determined on the basis of standards and fire load analyses, manners of spreading fire, fire risk and financial value of the building or its part.

Article 88

Fixed water firefighting fittings shall be constructed in public, commercial buildings having the area over 400 m², and in industrial buildings, underground garages and buildings in which a number of persons gather, as well as buildings belonging to the category of high buildings.

Fixed water firefighting fittings may be constructed by a business organization, other legal person or entrepreneur who meets the requirements in terms of technical and professional equipment and obtains the authorization of the Ministry for execution of the said works.

Conditions in respect of technical and professional equipment referred to in paragraph 2 of this Article, shall be determined by a regulation adopted by the Ministry.

Article 89

Before the start of construction or reconstruction of the investment building, the investor shall obtain the approval of the Ministry for the revised engineering documents - project or study of protection against fire, in terms of protection against fires and explosions.

The final design for buildings referred to in paragraph 1 of this Article, for which the decision of location is issued by a public administration body competent for buildings construction affairs, shall include the project of protection against fire and protection against fire project with hazard zones, in accordance with the planning and engineering documents.

The final design for buildings for which a building approval is granted by the competent municipal body shall include the study of protection against fires.

Article 90

Approval for the use of constructed or reconstructed building may be issued when, in accordance with the regulations on the construction of buildings, it is found that fire safety measures stipulated in the planning and engineering documents are ensured in them.

A representative of the Ministry shall be a member of the commission for technical inspection of buildings.

Article 91

In view of protection against fire, electrical, ventilation, gas, oil pipeline, hot water, lightning arrester, postal, telegraph, telephone and other fittings and devices, as well as flues shall be set up or constructed, used and maintained in accordance with the required technical norms and mandatory standards, and the manufacturer's instructions, of which there shall exist documentation.

Fittings and devices referred to in paragraph 1 of this Article, as well as flues and fire-boxes, may be used only if they are in good working order and if they are properly set up.

Article 92

Flammable materials may be kept and stored only in buildings that are intended for those purposes, or refurbished in accordance with technical and other regulations.

Article 93

Open fires (open fire-boxes, open flames, etc.), used in technological processes may be used only in accordance with technical and other regulations.

Article 94

Technological processes, in which easily flammable and explosive materials are used or produced or explosive mixtures produced, may be carried out only in buildings or premises that are separated from other buildings or premises with a fire-escape area.

Technological processes referred to in paragraph 1 of this Article shall be organized in a manner which eliminates the hazard of fire, depending on the nature and conditions of production.

In buildings and premises, which are used for technological processes referred to in paragraph 1 of this Article, the devices shall be set for automatic notification of fires, devices for measuring the concentration of flammable explosive mixtures and fire fighting devices, appliances and instruments.

Article 95

Easily flammable items (raw materials, finished products, packaging, etc.) may not be placed at a distance of less than six meters from the building or part of the building.

Easily flammable items may not be placed in lofts of buildings, balconies, stairway areas, hallways and other passages.

Free passages and accesses to fire fighting devices shall be provided in buildings and premises, in which easily flammable items are stored and kept.

Article 96

The following shall be prohibited in buildings and premises in which flammable liquids, flammable gases, explosive and other easily flammable materials are manufactured, processed or kept or explosive mixtures produced:

smoking, use of open fire, flame lamps and means for fire setting;

use of devices and fittings which may cause fires and explosions;

use of tools that spark;

use of heating elements with open fire, red-hot and excessively heated surfaces;

keeping and accommodating material that is prone to self-inflammation.

Ban signs referred to in paragraph 1 of this Article shall be placed in a visible position.

Article 97

The flowing capacity, pressure and hydrant network, which are necessary for effective fire fighting shall be ensured during the construction or reconstruction of water supply network in settlements, and if it can not be achieved, water shall be provided from wells, cisterns, by constructing access roads to water sources or otherwise.

Article 98

Importers or agents of foreign legal persons which perform production activity or trade in devices, equipment and instruments of protection against fires and explosions, prior to releasing them into circulation, shall obtain a certificate or other document of compliance from the authorized institution, in terms of regulations on standardization, whereas in case of equipment used in technological and other processes with easily flammable or explosive materials, s/he shall enable inspection into the testing certificate and their compliance with domestic regulations and standards on protection against fire and explosion.

Article 99

Users of equipment for fire fighting shall provide its regular testing in line with the manufacturer's instructions, or required standards.

Testing of fire extinguishers, which have been released into circulation or are being used, may be carried out by business organizations, other legal persons and entrepreneurs who are registered to

perform these activities and authorized by the manufacturer and who have the appropriate equipment and expert staff in accordance with the regulation issued by the Ministry.

The user shall keep records on the conducted testings and inspections containing the device identification number, the name of the employee who performs the testing and the date of testing.

Article 100

User of the building in which a system for automatic notification of fires, hydrant network, devices for control and protective activities and devices for preventing the spread of fire are built in, shall ensure their good working order and functionality, as well as their regular testing, according to the manufacturer's instructions, and at least once in six months, whereon s/he shall keep records.

Article 101

Business organizations, other legal persons and entrepreneurs shall ensure that employees, in accordance with a separately established program, be introduced about the hazards of fire related to affairs and tasks that are assigned to, as well as fire fighting measures and fire extinguishers, practical use of appliances at hand, devices, equipment and fire fighting instruments and the financial and other liability for failure to comply with the required measures of protection against fire.

Business organizations, other legal persons and entrepreneurs shall perform at least once a year the knowledge test of employees, in accordance with the general act referred to in Article 102 of this Law, of which there shall exist documentation.

Article 102

Business organizations, other legal persons and entrepreneurs shall establish by means of a general act the measures regarding the implementation and improvement of protection against fire, appoint the responsible person who shall take care of the implementation of protection against fire measures and to ensure that the person in question is qualified for a successful performance of protection against fire duties.

Exceptionally, business organizations, other legal persons and entrepreneurs referred to in paragraph 1 of this Article, may entrust the implementation of measures for protection against fire to another business organization, entrepreneur or legal person, registered for that activity.

Proceeding from their conditions and needs, in accordance with this Law, business organizations, other legal persons and entrepreneurs referred to in paragraph 1 of this Article shall in particular establish by means of a general act the following:

measures of protection against fire for technological units where there is a hazard of fire, with an elaboration of obligations of each employee in terms of control and enforcement of regulations pertaining to the field of protection against fire;

manner of performing internal control of implementation of protection against fire, as well as the duties, responsibilities and powers of employees who directly perform the control in question;

procedure and the manner of introducing employees on the occasion of entry into work or reassignment to another position with the hazards of fire related to their respective position, and the manner of training and knowledge testing of employees in handling fire fighting devices and equipment;

premises, areas and places where open fire must not be produced, used or carried;

the type and amount of equipment and fire fighting devices, the disposition of equipment and devices, as well as the time of testing of their good working order;

tasks and responsibilities of managerial persons in connection with the implementation of protection against fire measures;

responsibility of employees for failure to comply with the required measures of protection against fire and

obligations of employees in case of fire outbreak.

The Ministry shall provide its consent to the general act referred to in paragraph 1 of this Article.

Article 103

The duties of providing for buildings' security against fires may not be performed by a person who:
has been convicted of a criminal offense against the constitutional order, criminal offenses against the economy and property, against official duties and the exercise of public authority or other criminal offenses committed out of greed and other dishonorable motives;

has been by means of a final judgment imposed the measure prohibiting the exercise of profession, activity and duty, while the measure is in force;

is not physically and mentally capable of performing these duties and

has not completed the IV level of professional education.

Physical and mental ability to perform the duties of providing for buildings' security against fires shall be conducted in accordance with a regulation issued by the Ministry, in cooperation with the ministry competent for health affairs.

Article 104

It is prohibited to set fires and leave burning objects in places where there is an increased hazard of the outbreak and spread of fires (in parks, travel zones and other places where there are dried grass, leaves and other easily flammable objects and materials).

The bans referred to in paragraph 1 of this Article, shall be marked by required signs.

Ban signs referred to in paragraph 2 of this Article, shall be set up and their maintenance taken care of by the business organization, entrepreneur or other legal person that manages forests.

The shape, size and placement of ban signs referred to in paragraph 2 of this Article shall be laid down by a regulation of the Ministry.

Article 105

Apart from the terms laid down by a camping regulation, the area designated for camping shall meet the following requirements as well:

not to be located near the storage of flammable liquids and gases and

if located in a forest or next to a forest, to be separated from the forest by means of a protective pilot cutting the width of which shall not be less than one and a half height of the highest tree from the edge of coniferous forest average, or half the height of the highest tree from the deciduous forests edge.

Article 106

In order to prevent the outbreak and spread of fires in camps, business organizations, other legal persons and entrepreneurs who founded the camp, shall have fire extinguishers in good working order, water barrels, crates with sand, needed tools and other required equipment.

Business organizations, other legal persons and entrepreneurs who founded the camp, shall remove from the protective belt the leaves, branches, bushes and other flammable items and materials.

8) Protection against unexploded ordnance

Article 107

Protection against unexploded ordnances includes terrain search and finding, or accidental finding of unexploded ordnances, marking and securing the terrain, disabling and destruction of all types of unexploded explosive ordnances at the place where they were found, transportation to the envisaged and planned location for destruction and other security measures during transportation.

9) Medical first aid

Article 108

Medical first aid includes the taking of hygienic and epidemiological measures, administering medical first aid with standard and instruments at hand at the place of injury/falling ill, medical triage of the injured and sick and transport to the nearest medical institution.

10) Protection and rescue of animals and products of animal origin

Article 109

Protection and rescue of animals and products of animal origin includes the protection of animals and products of animal origin from the action of natural disasters, epyzootic and epiphytotic diseases and other disasters and provision of first veterinary assistance to injured, ill and contaminated cattle with standard and instruments at hand at the place of injury.

11) Protection and rescue of plants and products of plant origin **Article 110**

Protection and rescue of plants and products of plant origin include protection against plant diseases, epiphytotic pests, nuisance weeds, radiological, chemical and biological contamination and other types of threats.

12) Search and rescue at sea

Article 111 Search and rescue at sea implies an obligation to provide all forms of assistance and rescue of vulnerable persons, ships and goods in the internal sea waters and territorial sea, in accordance with a special law.

Article 112

Search and rescue of objects owned by domestic legal and natural persons shall be mandatory, provided that it does not jeopardize the security and safety of persons, ships, boats or other vessels or other means conducting search and rescue.

Search and rescue of foreign ownership objects shall be mandatory if the search and rescue removes the damage incurred or eliminates risks for security and safety of navigation.

13) Search and rescue on the occasion of incidents and accidents in civil aviation **Article 113**

Search and rescue on the occasion of incidents and accidents in civil aviation includes the provision of all forms of assistance and rescue of vulnerable persons and things on the occasion of incidents and accidents in civil aviation, in accordance with law.

14) Sanitation of the terrain

Article 114

Sanitation of the terrain involves finding, gathering, identification, transportation and burial of killed and deceased persons, collection, transport and burial of killed and deceased animals, collecting

and destroying all types of waste and other hazardous materials that endanger life and health of people, terrain and buildings disinfection, disinsection and deratisation and sanitation of water supply facilities.

15) Technical protection of persons, areas and buildings

Article 115

Technical protection of persons, areas and buildings provides the technical conditions for the prevention of illegal acts directed towards persons, areas and buildings, dissemination of information and data through the built-in equipment and fittings in buildings in order to prevent the occurrence of fires, explosions or other accidents and disasters.

The organization and manner of technical protection of persons, areas and buildings, shall be determined in more details by a regulation of the Ministry.

VII FUNDING

Article 116

Protection and rescue shall be funded from:

- the budget of Montenegro;
- municipal budget;
- voluntary contributions;
- international assistance;
- funds of business organizations, other legal persons and entrepreneurs;
- other sources.

VIII SUPERVISION

Article 117

Supervising the enforcement of this Law and regulations enacted under this Law, shall be performed by the Ministry.

Inspection control, within the competence of the Ministry, shall be performed by the inspector for protection and rescue, in accordance with law.

In addition to administrative measures and actions provided for by the law regulating inspection control, the inspector for protection and rescue shall also:

prohibit work to the protection service commander and professional rescuers who do not meet the requirements provided for by this Law;

order the development of municipal plans, if they have not been adopted within the required period;

prohibit the use of a building, if fixed water firefighting fittings have not been constructed therein;

order the owners of the buildings in which a number of people gathers to establish and maintain appropriate notifying and informing system;

order the owners and users of buildings to enable on those buildings placing of fittings and devices for notifying and informing;

prohibit the use of objects or seize items of which imminent hazard of fires or explosions outbreak threatens, until measures have been taken to eliminate the risk;

prohibit the performance of certain work in the building, room or area which manifestly constitutes hazard of outbreak and spread of fire, if immediate hazard can not be eliminated by means of other fire fighting measures (refurbishing the building or premise, placing fire barriers, etc.);

- prohibit smoking and use of open fires and open flame lamps;
- order the procurement or replacement of certain fire fighting equipment and fire fighting devices;
- order the cleaning of certain areas from easily flammable wastes whose setting on fire could cause the spread of fire to adjoining buildings;
- order the removal of construction and other barriers, fittings and devices which would in case of fire outbreak pose an obstacle for a fast and efficient rescue of people and material goods and fire fighting;
- order constant control on the places where flammable materials are located;
- order the marking fire-escape routes and their regular maintenance;
- ban further work performance until the contractor has obtained consent for the revised engineering documents - study of protection against fire, in respect of protection against fires and explosions;
- ban further construction of the building if the engineering documents do not include the required conditions and measures for protection against fire in accordance with the planning and engineering documents;
- ban the use of devices, resources and equipment that were put into operation, if the importer or agent of a foreign legal person failed to obtain the necessary documentation of compliance by an authorized institution.

IX PENAL PROVISIONS

Article 118

A fine from twenty fold to two hundred fold minimum wage in Montenegro shall be imposed for a misdemeanor on a business organization, other legal person or entrepreneur, if they:

- 1) fail to enable users of the public telephone network in Montenegro free telephone calls for emergency interventions, and the number 112 from any phone device, i.e. the Ministry - OKC 112, fail to provide information about the phone number and location of the number from which the call was sent (Article 23);
- 2) fail to establish and maintain the system of notifying and informing citizens and fail to provide connectivity of the system with OKC 112 (Article 24);
- 3) fail to deliver data on the hazard immediately to the Ministry when they ascertain hazard of the occurrence of an emergency (Article 32);
- 4) do not develop an entrepreneurial plan (Article 49, paragraph 1);
- 5) do not equip and qualify under the entrepreneurial plan a number of employees and fail to enable their participation in task forces, upon an invitation of the Ministry or competent municipal body (Article 49, paragraph 2);
- 6) fail to inform the Ministry about the types and quantities of hazardous materials available, and other data of importance for protection and rescue (Article 50);
- 7) in case of state of emergency fail to make available to the Ministry the entrepreneurial units (Article 51);
- 8) prior to the start of construction or reconstruction of an investment building fail to obtain the consent of the Ministry for the revised engineering documents - project or study of protection against fire, with regard to protection against fires and explosions (Article 89, paragraph 1);
- 9) fail to perform technological processes in which easily flammable and explosive materials are used or produced or explosive mixtures made, in buildings or premises that are separated with a fire-escape area from other buildings or premises (Article 94, paragraph 1);
- 10) fail to provide free passages and accesses to fire fighting devices in buildings and premises in which easily flammable objects are stored and kept (Article 95, paragraph 3);

68. LAW ON PROTECTION AND RESCUE

11) in the capacity of a user of the building in which there is a built-in system for automatic notification of fires, hydrant network, devices for control and protective activities and devices for preventing the spread of fire, fail to ensure their good working order and functionality, as well as their regular testing, according to the manufacturer's instructions, at least once in six months and fail to keep records thereon (Article 100);

12) fail to adopt a general act, and by means of it to establish measures concerning the implementation and improvement of protection against fire, in terms of Article 102 of this Law.

13) if the designated camping area does not meet the conditions provided for by Article 105 of this Law.

14) in view of preventing the outbreak and spread of fires in camps, there are no fire fighting devices in good working order, water barrels, crates with sand, needed tools and other required equipment or if they fail to remove from the protective belt the leaves, branches, bushes and other flammable objects and materials (Article 106).

The responsible person in legal person shall be punished for the misdemeanor referred to in paragraph 1 of this Article, by a fine in the amount of five to ten fold the minimum wage in Montenegro.

Article 119

A fine ranging from three fold to ten fold the minimum wage in Montenegro shall be imposed for a misdemeanor on a natural person if it:

1) fails to provide for use vehicles, machinery, equipment and other tangible assets, land, buildings, devices and energy sources necessary for protection and rescue in states of emergency, or does not allow placing of instruments and devices for observing, reporting, informing and alerting in terms of Article 61, paras. 1 and 2 of this Law;

2) fails to participate in fire fighting and rescue of people and material goods endangered by fire (Article 84);

3) sets fire and leaves burning items in places where there is an increased hazard of the outbreak and spread of fires (in parks, travel zones and other places where there are dried grass, leaves and other easily flammable items and materials) (Article 104, paragraph 1).

X TRANSITIONAL AND FINAL PROVISIONS

Article 120

Protection service commanders who have finished the VI level of professional education shall, within three years from the date of entry into force of this Law complete their professional education in accordance with Article 44, paragraph 3 of this Law.

Professional rescuers who have finished the III level of professional education shall, within two years from the date of entry into force of this Law, complete their professional education in accordance with Article 46, paragraph 1, item 1 of this Law.

Should commanders or professional rescuers respectively, fail to complete their professional education in terms of paras. 1 and 2 of this Article, they shall lose the right to continue to perform these affairs.

Article 121

Secondary legislation for the enforcement of this Law shall be adopted within 12 months from the date of entry into force of this Law.

Until the legislation referred to in paragraph 1 of this Article is adopted, the regulations that were applicable prior to the entry into force of this Law shall apply, unless it is contrary to this Law.

Plans for protection and rescue shall be adopted within six months after the secondary legislation

referred to in paragraph 1 of this Article has been adopted.

Article 122

The part of the Law on Defense (Official Gazette of the Federal Republic of Yugoslavia, No. 43/34) that relates to civil defense and protection shall cease to be enforced on the date of entry into force of this Law and the Law on Protection against Fires (Official Gazette of the Republic of Montenegro, No. 47/92), Law on Protection against Natural Disasters (Official Gazette of the Republic of Montenegro No. 57/92) and the provision of Article 7, paragraph 2 of the Law on Condominium Property (Official Gazette of the Republic of Montenegro No. 71/04).

Article 123

This Law shall enter into force on the eighth day following that of its publication in the Official Gazette of Montenegro.

Article 115.....27