



**REPUBLIC OF ALBANIA
THE PARLIAMENT**

**LAW
No. 45/2019**

ON CIVIL PROTECTION¹

Pursuant to articles 78 and 83, paragraph 1 of the Constitution, upon the proposal of the Council of Ministers,

THE PARLIAMENT

OF THE REPUBLIC OF ALBANIA DECIDED AS FOLLOWS:

CHAPTER I

GENERAL PROVISIONS

Article 1

Purpose and scope

1. The purpose of this Law is to reduce disaster risks and achieve civil protection in

¹ *This Law makes a partial approximation of:*

- Council Directive 2008/114/EC of 8.12.2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection. CELEX number 32008L0114, Official Journal of the European Union, series L, No. 345/75, dated 23.12.2008, page 75-82.
- Directive 2007/60/EC of the European Parliament and of the Council of 23.10.2007 on the assessment and management of flood risks, CELEX number 32007L0060, Official Journal of the European Union, series L, No. 288/27 of 6.11.2007, pages 27-34.
- Directive 2012/18/EU of the European Parliament and of the Council of 4.7.2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC. CELEX number 32012L0018, Official Journal of the European Union, series L, No. 197/1 of 24.7.2012, pages 1-37.
- Directive 2002/22/EC of the European Parliament and of the Council of 7.3.2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive), as amended, CELEX number 32002L0022, Official Journal of the European Union, series L, No. 108 of 24.4.2002, pages 51-77.
- Decision No 1313/2013/EU of the European Parliament and of the Council of 17.12.2013 on a European Union Civil Protection Mechanism, as amended. CELEX number 3213D1313, Official Journal of the European Union, series L, No. 347 of 20.12.2013, pages 924-947.
- Commission Implementing Decision 2014/762/EU of 16.10.2014 laying down the rules for the implementation of Decision No 1313/2013/EU of the European Parliament and of the Council on a European Union Civil Protection Mechanism and repealing Commission Decisions 2004.277/EC, Euratom and 2007/606/EC, Euratom, as amended. CELEX number 32014Do762, Official Journal of the European Union, series L, No. 320 of 6.11.2014, pages 1-45.

order to guarantee the protection of human life, livestock, property, cultural heritage and environment by strengthening the civil protection system.

2. This Law governs the functioning of the civil protection system defining the responsibilities of the institutions and structures of this system, international cooperation, the rights and obligations of citizens and private entities, education, training and inspection.

Article 2

Mission

The civil protection aims to create the conditions for a society able to reduce disaster risks, to prevent, prepare for, cope with disasters and to recover, through an integrated and efficient civil protection system in the Republic of Albania.

Article 3

Definitions

In this Law, the terms herein shall take the following meanings:

1. “Resilience” shall be the ability of the system, community or society exposed to hazards to resist, absorb, accommodate, adapt to, transform 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.
2. “Disaster Loss Database” shall be a set of systematically collected information about disasters, damages, losses and their impacts.
3. “Vulnerability” shall be the conditions determined by the physical, social, economic and environmental factors or processes that increase the susceptibility of an individual, community, property or network of services to the impacts of hazards.
4. “Environmental degradation” shall be the reduction of the capacity of the environment to the meet social and ecological objectives, and needs.
5. “Exposure” shall be the presence of people, infrastructure, housing, production capacity and other human assets in hazard-prone areas, which are under the effect of potential losses.
6. “Civil emergency” shall be an unexpected situation with negative impacts on the community and affecting its safety, which is caused by disasters that bring immediate and severe damage to the human lives, livestock, property, cultural heritage and environment.
7. “Evacuation” shall be the temporary relocation of people and assets to safer places before, during or after the occurrence of a hazardous event in order to protect them.
8. “Disaster” shall be the serious disruption of the functioning of a community or society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and coping capacity, leading to potential human, material, economic and environmental losses.
9. “Natural disaster” shall be any disaster caused by the extreme natural events, such as earthquakes, floods and overflows, extreme and prolonged temperatures, landslides, avalanches, strong winds on land and sea, massive forest fires, massive infectious diseases and others events that affect the human lives, livestock, property, cultural heritage and environment.
10. “Other disasters” shall be the technological, road, rail, marine, and air accidents, as well as fires, dam collapses, ecological or industrial nuclear accidents and other accidents caused by man, war or emergency state, the use of weapons and mass destruction means, terrorist attacks, and other types of mass violence.

11. “Preparedness” shall be the knowledge and capacity developed by the civil protection system and the community to effectively anticipate, respond to and recover from the impacts of potential, imminent or real disasters.
12. “State of natural disaster” shall be the situation decided by the Council of Ministers, in accordance with the Constitution of the Republic of Albania, to prevent or eliminate the consequences of a natural or other disaster.
13. “Impact of disaster” shall be the total effect, including negative (e.g., economic losses) and positive effects (e.g., economic gains), of a hazardous event or a disaster. The term includes economic, human and environmental impacts and may also include death, injury, illness and other adverse effects on human physical, mental and social health and well-being.
14. “Disaster risk information” shall be the comprehensive information on all dimensions of disaster risk, including hazards, exposure, vulnerability and coping capacity related to persons, communities, countries and their assets.
15. “Critical infrastructure” shall be the physical structures, networks and other assets that are vital for the economic and social functioning of the society or community.
16. “Critical infrastructure with cross-border effect” shall be the critical infrastructure, the disruption or destruction of which would have a significant impact on one or several states bordering with the Republic of Albania. The significance of impact shall be assessed in terms of cross-cutting criteria. This includes the effects resulting from cross-sector dependencies on other types of infrastructure.
17. “Capacity” shall be the combination of all strengths, attributes and resources available within a community, society or organization to manage and reduce disaster risks and strengthen resilience.
18. “Coping capacity” shall be the ability of people, organizations and systems to use available skills and resources to cope with and manage adverse conditions, emergencies or disasters.
19. “Crisis” shall be a security situation in a given and wider area that cannot be controlled with common resources and measures, in which the fundamental values of society are threatened for military, economic, social and other reasons, which can cross the state borders and pose an immediate threat to other countries.
20. “Mitigation” shall be the lessening or minimizing of the adverse impacts of a hazardous event and associated disasters.
21. “Structural measure” shall be any physical construction to reduce or avoid possible impacts of hazards, or the application of engineering techniques or technology to achieve hazard resistance and resilience capacity in structures or systems.
22. “Non-structural measures” shall be the measures not involving physical construction which use knowledge, practice or agreement to reduce disaster risks and impacts, in particular through policies and laws, public awareness raising, training and education.
23. “Civil protection” shall be the totality of measures taken to prevent, prevent, alleviate, respond to and recover from natural and other disasters in order to protect human life, livestock, property, cultural heritage and environment.
24. “Disaster management” shall be the organization, planning and application of measures preparing for, responding to and recovering from disasters.
25. “Emergency management” shall be the organization and management of resources and responsibilities for dealing with all aspects of emergencies, in particular preparedness, response and initial recovery steps.
26. “Disaster risk management” shall be the application of disaster risk reduction policies and strategies to prevent new disaster risk, reduce existing disaster risk and manage residual risk, contributing to strengthening resilience and reducing disaster losses.

27. “Minister” shall be the minister responsible for civil protection.
28. “Ministry” shall be the ministry responsible for civil protection.
29. “Module” shall be a self-sufficient and autonomous predefined task- and needs-driven arrangement of Member States’ capabilities or a mobile operational team of the state, representing a combination of human and material resources that can be described in terms of its capacity for intervention or by the tasks it is able to undertake.
30. “Public awareness” shall be the dissemination of knowledge about disaster risks, the factors that lead to disasters and the actions that can be taken individually and collectively to reduce exposure and vulnerability to hazards.
31. “Intervention operation” shall be special and coordinated actions of public and private institutions, structures and entities to save human life, livestock, property, cultural heritage and environment in a disaster-affected territory, and to ensure the living conditions of the affected community.
32. “Prevention” shall be the activities and measures to avoid completely the existing and new disaster risks.
33. “Forecast” shall be a certain statement or statistical estimate of the probable occurrence of a future hazardous event or conditions for a given area.
34. “Response” shall be the provision of emergency services and assistance before, during or immediately after a disaster in order to save human lives, livestock, property, cultural heritage and environment, and ensure public safety and meet the basic subsistence needs of people affected.
35. “Civil Emergency Plan” shall be the plan for preparedness, prevention, protection, rescue and assistance in the event of a natural or other disaster, developed on the basis of a risk assessment and expert findings.
36. “Rehabilitation” shall be the restoration of basic services and facilities for the functioning of a disaster-affected community or society.
37. “Recovery” shall be the restoring or improving of livelihoods and health, as well as economic, physical, social, cultural and environmental assets, systems and activities, of a disaster-affected community or society, aligning with the principles of sustainable development and “build back better” concept, to avoid or reduce future disaster risk.
38. “Build back better” shall be the use of the recovery, rehabilitation and reconstruction phases after a disaster to increase the resilience of nations and communities through integrating disaster risk reduction measures into the restoration of physical infrastructure and social systems, and into the revitalization of livelihoods, economies and the environment.
39. “Risk” shall be the combination of the probability of occurrence of an event and its negative consequences.
40. “Residual risk” shall be the disaster risk that remains in unmanaged form, even when effective disaster risk reduction measures are in place, and for which emergency response and recovery capacities must be maintained.
41. “Hazard” shall be a process, phenomenon or human activity that may cause loss of life, injury or other health impacts, property damage, social and economic disruption or environmental degradation.
42. “Natural Hazard” shall be a natural process and phenomena that may cause loss of life, injury or other health impacts, property damage, loss of livelihoods and services, social and economic problems or environmental damage.
43. “Monitoring and notification system” shall be a separate system that forecasts and monitors various natural phenomena and human activity, which creates the conditions for a rapid communication with the respective structures and the community related to the imminent threat from an identified hazard, which generally contains the elements of

- advice for the actions to be followed.
44. “Early warning system” shall be an integrated system of hazard monitoring, prognosis and forecasting, disaster risk assessment, communication and preparedness activities systems and processes that enables individuals, communities, governments, businesses and others to take timely action to reduce disaster risks in advance of hazardous events.
 45. “Private entity” shall be an Albanian or a foreign citizen, a natural or legal person registered with the National Business Center and exercising its activity in the Republic of Albania in accordance with the legislation into force.
 46. “Risk assessment” shall be a qualitative or quantitative approach to determine the nature and extent of the risk by analyzing potential hazards and evaluating the existing conditions of exposure and vulnerability that together could harm exposed people, property, services, livelihoods and the environment on which they depend.
 47. “Risk Certification” shall be the document issued by the relevant authority, in accordance with Article 13 herein, certifying the real feasibility of construction, based on its risk analysis, vulnerability and exposure.
 48. “Disaster risk reduction” shall be aimed at preventing new and reducing existing disaster risk and managing residual risk, all of which contribute to strengthening resilience and therefore to the achievement of sustainable development of society.
 49. “Sustainable development” shall be the development that meets current needs without compromising the ability of future generations to meet their needs.

Article 4

Principle of the right to protection in the event of disasters

1. Everyone has the right to protection from natural and other disasters.
2. In the event of natural and other disasters, the protection and saving of people's lives shall have priority over any other civil protection activities.

Article 5

Principle of information

1. Information on hazards and activities of central, local and other institutions responsible for protection from natural and other disasters shall be public.
2. The central and local institutions have the duty to inform the community of a given area that is at risk of being hit by natural or other disasters.

Article 6

Principle of liability

The subjects of this Law shall be in charge of applying the measures of protection from natural and other disasters.

Article 7

Principle of subsidiarity

1. When protection, rescue and assistance are required in a natural or other disaster, the capacities of the disaster-affected local self-government unit shall be used at first.

2. If the capacities of the local self-government unit are insufficient to cope with the situation created by the disaster, additional capacities shall be required from neighboring local self-government units.

3. If the capacities of the disaster-affected and neighboring local self-government unit are insufficient to cope with the situation created by the disaster, the other state capacities, including the State Police and the Armed Forces, shall be required to intervene according to the provisions of this Law and other applicable primary and secondary legal acts.

CHAPTER II

DISASTER RISK REDUCTION

Article 8

Disaster risk reduction

Disaster risk reduction shall include the totality of measures laid down in this Law, other applicable primary and secondary legislation into force, plans, programs and other documents aimed at:

- a) an accurate identification, periodic assessment and monitoring of disaster risks;
- b) reducing the effects of factors causing or increasing disaster risks through an accountable and adequate management of environment, land, water and other natural resources, as well as implementing appropriate technical and other measures;
- c) mitigating the negative consequences of disasters by better understanding and preventing risk, and increasing preparedness for effective response;
- ç) investing in disaster risk prevention and reduction, promoting public and private investments and undertaking structural and non-structural measures;
- d) creating a culture of personal and community safety and resilience capacity to natural and other hazards;
- dh) intensifying the cooperation among all central and local institutions and structures, partnerships with private entities, associations and civil society organizations, as well as citizens, who can contribute to disaster risk reduction;
- e) establishing precise procedures for the exchange of information and experience on risk reduction, the efficient provision and receipt of international operational and humanitarian assistance, elimination of natural and other risks consequences, and starting reconstruction of affected areas.

Article 9

Risk assessment

1. The risk assessment identifies the type, characteristic and background of disaster risks, the level of exposure and vulnerability, the factors that cause or increase the level of risk probability, as well as the potential consequences for human lives, livestock, property, cultural heritage and environment.
2. Risk assessment shall be carried out at central, district and local level, not less than once in every three years.
3. Risk assessment at central level shall be approved by a decision of the Council of Ministers, upon the proposal of the Minister.
4. Risk assessment at district level shall be approved by an order of the Prefect.

5. Risk assessment at local level shall be approved by a decision of the Municipal Council.

Article 10

National Strategy for Disaster Risk Reduction

1. The National Strategy for Disaster Risk Reduction is the corer strategic document of the Republic of Albania that defines the policies and activities of the central and local institutions and structures, and all other entities in disaster risk management, and shall be approved by the Council of Ministers, upon the proposal of the Minister.

2. The National Strategy for Disaster Risk Reduction shall be reviewed, not less than once in every five years, by the Council of Ministers, upon the proposal of the minister.

Article 11

Local strategy for disaster risk reduction

Each local self-government unit shall approve, at least every five years, by a decision of the municipal council, the local strategy for disaster risk reduction, which shall be harmonized with the National Strategy for Disaster Risk Reduction.

Article 12

Harmonization of urban development plans with disaster risk reduction strategies

The central and local urban development planning and development plans shall be in accordance with disaster risk assessment documents and disaster risk reduction strategies.

Article 13

Risk Certification

1. Before being provided with development permits by competent bodies, all entities shall be provided with a Risk Certification.

2. The Risk Certification certifies the construction based on its risk analysis, vulnerability and exposure.

3. Risk Certification shall be issued by the National Territorial Council, where it is the authority responsible for making such decision, in relation to the applications for development permits and construction permits for areas, objects of national importance or that are related to strategic investments for the country's interests.

4. The risk certificate shall be issued by the Mayor, where the Mayor shall be responsible for making such decision in relation to the applications for development permit and construction permit within the administrative territory of the Municipality.

5. Within 45 days from the receipt of development permit related documents from the entities, the National Territorial Council or the Mayor shall, following the assessment provided for in paragraph 2 of this Article:

- a) issue a risk certification;
- b) issue a risk certification with changes;
- c) not issue a risk certification;

6. The decision of the National Territorial Council or the Mayor may be directly appealed before the competent administrative court, within 30 days from the date the certification is issued.

7. The procedure and terms for issuing the risk certification shall be approved by a decision of the Council of Ministers.

Article 14

Civil Emergency Plans

1. Civil Emergency Plans define the measures and activities for prevention and coping with disasters, as well as capacities, engagement and action to be organized in emergencies to protect human lives, livestock, property, cultural heritage and environment.

2. The Civil Emergency Plans shall be approved at central, district and local level and reviewed not less than once in every three years.

3. The Civil Emergency Plans shall take give priority to children, old people, persons with disabilities, vulnerable groups and women.

4. The National Plan for Civil Emergencies shall be approved by a decision of the Council of Ministers, upon the proposal of the Minister.

5. The District Plan for Civil Emergencies shall be approved by an order of the Prefect and shall be in alignment with the National Plan for Civil Emergencies and the Civil Emergency Plans of the neighboring districts.

6. The Local Plan for Civil Emergencies shall be approved by a decision of the Municipal Council and shall be in alignment with the National Plan for Civil Emergencies, the District Plan for Civil Emergencies and the Local Plans for Civil emergencies of neighboring municipalities.

7. The Civil Emergency Plans shall be developed based on disaster risk reduction strategies, disaster risk assessment documents, civil protection capacities, new expert findings, and lessons learnt in disaster management.

8. State institutions and private entities in health, education, social welfare, culture, environment and tourism sectors shall approve the Civil Emergency Plan. The Plan shall be in alignment with the Local Plan for Civil Emergencies and the disaster risk assessment document of the municipalities in territory they are located.

CHAPTER III

CIVIL PROTECTION SYSTEM

Article 15

Civil protection system

Civil protection system is the system that carries out civil protection function and includes skills and activities aimed at protecting human lives, livestock, property, cultural heritage and environment from damage or damage risk resulting from disasters, and is composed of:

- a) central civil protection institutions and structures;
- b) local civil protection institutions and structures;
- c) operational civil protection structures.

Section I
Central civil protection institutions and structures

Article 16
Central civil protection institutions and structures

The central civil protection institutions and structures are:

- a) the Parliament;
- b) the Council of Ministers;
- c) Inter-Ministerial Civil Emergency Committee;
- ç) Civil Protection Committee (CPC) and the office responsible for the situation;
- d) the Minister responsible for civil protection;
- dh) ministries and central institutions;
- e) National Civil Protection Agency;
- ë) Technical Advisory Commission;
- f) District Civil Protection Centers (DCPC).

Article 17
Parliament

The Parliament has the following duties:

- a) to approve the NCPA budget, as part of the budget of the Ministry responsible for civil protection;
- b) to exercise parliamentary control over matters related to civil protection;
- c) to ratify the international agreements on civil protection;
- ç) to decide to extend the state of disaster beyond the 30 days announced by the Council of Ministers.

Article 18
Council of Ministers

The Council of Ministers shall approve and guarantee the application of disaster risk reduction and civil protection policies in the Republic of Albania, and shall have the following duties:

- a) to approve the National Strategy for Disaster Risk Reduction in the Republic of Albania;
- b) to approve the National Plan for Civil Emergencies;
- c) to approve the risk assessment document at central level;
- ç) can declare the state of natural disaster, in part or the entire the territory of the country, for a period no longer than 30 days;
- d) to inform, through the Minister, the Parliament of the Republic of Albania about the situation created, the risks presented and measures taken to manage the situation, and asks approval of the Parliament of the Republic of Albania to extend the state of disaster beyond 30 days.

Article 19
Inter-Ministerial Civil Emergency Committee

1. Where the state of natural disaster is declared, under this Law, the Council of Ministers shall establish an Inter-Ministerial Civil Emergency Committee (ICEC) and

appoints the Chairman, who may be the Prime Minister, Deputy Prime Minister or a Minister, depending on the type of disaster.

2. The Inter-Ministerial Civil Emergency Committee shall be the highest body in charge of coordinating and concerting the actions of state institutions and private entities, as well as material and financial resources to cope with the natural disaster.

3. The Inter-Ministerial Civil Emergency Committee shall exercise its functions and duties for as long as the state of natural disaster persists.

4. The Inter-Ministerial Civil Emergency Committee can ask experts for advice about disaster management.

5. The Inter-Ministerial Civil Emergency Committee shall have the following tasks and duties:

- a) to coordinate the entire activities of the civil protection institutions and structures;
- b) to lay down the methods and procedures for using material and financial resources;
- c) to decide about the allocation of funds for natural disaster recovery;
- ç) to appoint the central manager of the natural disaster management operation;
- d) to carry out any other duty arising from this Law and the special duties assigned by the Council of Ministers to cope with the disaster.

Article 20

Civil Protection Committee and the office responsible for the situation

1. The Civil Protection Committee shall be the highest permanent body responsible for the application of disaster risk reduction and civil protection policies in the Republic of Albania.

2. The office responsible for the situation shall be a structure within the Prime Minister in charge of gathering information on civil emergencies, crises and drafting periodic analytical reports for the Prime Minister, the Council of Ministers and CPC, as well as keeping continuous communication between the Council of Ministers and other structures in charge of civil emergencies and crises functions.

3. The CPC organization and functioning, and the inter-institutional cooperation between the institutions and structures of the civil protection system shall be defined by a decision of the Council of Ministers, upon proposal of the Minister.

Article 21

Minister responsible for civil protection

The Minister responsible for civil protection shall have the following tasks and duties:

- a) defines the strategic guidelines and objectives of the National Civil Protection Agency;
- b) drafts and supervises the application of disaster risk reduction and civil protection policies;
- c) periodically informs the Council of Ministers about disaster risk reduction and civil protection;
- ç) supervises management of the National Civil Protection Agency's budget, according to the applicable financial legislation into force.

Article 22

Ministries and central institutions

1. Each minister and head of central institution shall be responsible for disaster risk reduction and civil protection, within the area of state responsibility or their competences.

2. The ministries and central institutions shall have the following tasks and duties:

a) to draft, approve and update the civil emergency plan, according to the area of state responsibility and send it to the National Civil Protection Agency for analysis and planning purposes;

b) to plan an annual disaster risk reduction and civil protection budget, according to their area of state responsibility. For ministries responsible for civil protection, defense, home affairs, transport, infrastructure, agriculture, health, energy, education, environment and culture, the budget planning should be from 2% to 4% of the total annual budget;

c) to organize and maintain the monitoring, early warning, notification and alarm systems within their scope of activity;

ç) to create, within 2 years from the entry into force of this law, the Disaster Loss Database for their area of responsibility, which they maintain, update and exchange information with NCPA;

d) to inform constantly NCPA about various disaster risk reduction and civil protection activities;

dh) to analyze the existing situation of administrative, technical and financial capacities for civil protection for their continuous improvement and to inform NCPA about them at least once a year;

e) to perform disaster loss assessment, according to their area of responsibility;

ë) to engage all available capacities to cope with disasters.

3. In addition to the obligation to provide financial funds and allocate them on time, to intervene with forces, means and in the obligations arising as a result of the area of state responsibility, in case of disaster, it is necessary:

a) the Ministry responsible for civil protection shall engage uninterruptedly in the protection of human lives, humanitarian aid distribution operations and, through the NCPA, shall coordinate and concert all actions of operational forces, to be in contact with international disaster information centers (as well as with counterpart services of other countries, to manage financial donations granted for civil emergencies and disasters, to create the required quantity of food and industrial goods for the affected areas);

b) the Ministry responsible for internal affairs shall deploy forces and vehicles to the affected areas, and shall coordinate their actions;

c) the Ministry responsible for infrastructure and energy shall take measures for the uninterrupted accessibility of national road axes, to monitor flows in the hydropower plants forebays, in order to prevent the consequences that may result from the forced discharge of the hydropower plants, to ensure the uninterrupted supply of electricity to the pumping stations and affected areas, to monitor and eliminate consequences from disasters in mines or caused by hydrocarbons;

ç) the ministry responsible for agriculture and the municipalities shall keep ready the irrigation, drainage, and flood protection infrastructure and reservoir dams under their administration, and ensure the food base of livestock, in order to prevent losses;

d) the Ministry responsible for health shall have the regional hospitals ready and ensure the normal functioning of health centers in the local self-government units, the medical emergency service, while ensuring also the necessary reserves of medical personnel and medicines and the full supply of affected areas;

dh) the Ministry responsible for environment, forests, pastures and protected environmental zones, in cooperation with its subordinate structures, shall take measures to,

and technically assist in, coping with natural disasters;

e) The Ministry of Defense shall engage the Armed Forces and its other capacities, in order to protect human lives, livestock, property, cultural heritage and environment;

ë) the Ministry responsible for cultural heritage shall engage and coordinate work with specialized subordinated institutions for application of measures for the prevention and protection of cultural property in case of disasters.

f) the Ministry responsible for education shall take any measures required for the uninterrupted provision of the education process.

4. Each Ministry shall have job positions up to sector level in charge of civil protection, whose composition and tasks are approved by a decision of the Council of Ministers, upon proposal of the Minister.

Article 23

National Civil Protection Agency

1. The National Civil Protection Agency (NCPA) shall be a central public legal person, subordinated to the Minister responsible for civil protection and shall be in charge of disaster risk reduction and civil protection, in the entire territory of the Republic of Albania.

2. The Agency shall have its own flag, coat of arms and uniform that shall be approved by a decision of the Council of Ministers, upon proposal of the Minister.

3. NCPA shall exercise coordinating, concerting, managing, technical, supervisory and controlling authority in disaster risk reduction and civil protection.

4. NCPA shall be organized as a general directorate at central level, and on District basis at local level, according to the District Civil Protection Centers.

5. With the exception of the NCPA General Director, the NCPA staff at central and local level shall enjoy the status of civil servant. The employment relationships of NCPA's civil servants, at central and local level, shall be governed by the legislation on the status of civil servant. The employment relationships of NCPA's administrative staff at central and local level shall be governed by the provisions of the Labor Code.

6. The NCPA shall have the following main tasks:

a) to implement the Council of Ministers' policy in disaster risk reduction and civil protection;

b) to implement the strategic guidelines and objectives set by the Ministry responsible for civil protection;

c) to coordinate and concert the work on drafting the National Strategy for Disaster Risk Reduction, the National Plan for Civil Emergencies and disaster risk assessment at central level;

ç) to cooperate with international bodies and international counterpart organizations in civil protection and disaster risk reduction;

d) to plan funds for taking preventive and rehabilitative measures against disasters, in the damaged infrastructure, as well as other activities in the field of civil protection, whose allocation criteria and procedures are established by a decision of the Council of Ministers;

dh) to develop and implement the methodology for drafting plans for civil emergencies;

e) to promote rational forms, methodologies, ways for collecting, recording, processing and disseminating information on disasters;

ë) to carry out, through the National Civil Protection Training Center, the training of state structures, private and voluntary entities;

f) to prepare the training program of central and local civil protection structures;

g) to enter into agreements with domestic and foreign non-profit organizations or other

legal entities in relation to civil protection;

gj) to carry out inspection for the implementation of provisions of this Law on Civil Protection at state institutions and structures and private entities.

7. The NCPA organization and functioning and its other tasks are defined by a decision of the Council of Ministers, upon proposal of the Minister.

8. NCPA's organizational structure and staffing at central and local level are approved by an order of the Prime Minister, upon proposal of the Minister.

9. The NCPA's internal working regulation and staff conduct regulation, at central and local level, are approved by the Minister, upon proposal of NCPA's General Director.

Article 24

NCPA General Director

1. The General Director of National Civil Protection Agency shall be the NCPA's highest administrative authority and shall respond directly to the Minister for the achievement of defined policies and objectives.

2. The NCPA General Director shall be appointed by a decision of the Council of Ministers, upon proposal of the Minister.

3. NCPA General Director shall have the following tasks and duties:

- a) to organize, head and control the NCPA activity;
- b) to manage human resources;
- c) to manage and be accountable for the budget;
- ç) to issue administrative acts in accordance with the Code of Administrative Procedures;
- d) to represent NCPA in relations with other domestic institutions, as well as in bilateral or multilateral technical relationships abroad;
- dh) to carry out any other tasks pursuant to this Law and the legislation into force.

Article 25

Technical Advisory Commission

1. Under the direction of NCPA and within the Ministry responsible for civil protection, the Technical Advisory Commission shall be created and shall operate, and shall give advices on disaster risk reduction.

2. The Technical Advisory Commission shall be headed by the General Director of the National Civil Protection Agency and shall be composed of representatives of structures with responsibilities in the field of civil protection.

3. The tasks, composition and functioning of this Commission shall be approved by a decision of the Council of Ministers.

Article 26

District Civil Protection Centers

1. The District Civil Protection Centers (DCPCs) are structures subordinated to NCPA, with legal seat at each district, and they shall make the specialized institutional network that applies the disaster risk reduction and civil protection tasks in the district.

2. The composition, tasks and functions of the District Civil Protection Centers shall be approved by a decision of the Council of Ministers.

Section II

Local civil protection institutions and structures

Article 27

Local civil protection institutions and structures

The local civil protection institutions and structures shall be:

- a) the District Prefect;
- b) the District and Municipal Civil Protection Commission;
- c) the municipalities;
- ç) the decentralized structures of central civil protection institutions and structures.

Article 28

District Prefect

1. The District Prefect shall have a primary role in disaster risk reduction and civil protection at district level.

2. In addition to the tasks and duties set out in the Law on the District Prefect, the District Prefect shall also have the following duties:

a) to remand budget of successive year of the municipalities within its administrative territory, if the budget funds for disaster risk reduction and civil protection measures are not planned, according to the provisions of Article 65 herein;

b) to carry out, within 2 years from the entry into force of this Law, the risk assessment of the territory of the respective District, by drafting and approving the District disaster risk assessment document, which shall be sent to the National Civil Protection Agency for analysis and planning purposes;

c) to coordinate activities of the bodies, institutions and structures operating at district level for disaster risk reduction and civil protection and, after exhausting all capacities within the district for coping with a civil emergency or disaster, to ask for assistance and intervention the National Civil Protection Agency;

ç) to cooperate with the municipalities for conducting the District's disaster risk assessment, and to inform the public and the community endangered by disasters;

d) to draft, approve and update the District civil emergency plan and send it to the National Civil Protection Agency for analysis and planning purposes;

dh) to collect and process the data needed by municipalities and other structures operating at district level for disaster risk reduction and civil protection, and constantly inform the National Civil Protection Agency;

e) to ensure functioning of the monitoring, early warning, notification and alarm system in the District's territory and to inform timely the endangered community, the Prefects of the neighboring districts, as well as the National Civil Protection Agency for any disaster in the District's territory;

ë) to take the necessary measures to cope with and mitigate the disaster consequences;

f) to coordinate the distribution of international assistance in case of disaster at district level;

g) to define the priorities for needs of the National Civil Protection Agency, the necessary emergency investments at district level, for disaster prevention, protection and

rehabilitation;

gj) to set up, within 2 years from the entry into force of this Law, the District Disaster Loss Database, which shall maintain and update, as well as exchange information with the National Civil Protection Agency and, as appropriate, with the Prefects of the neighboring districts;

h) to coordinate the District operational forces in case of disaster and to appoint the operation leader at district level;

i) to cooperate with the Municipalities of the District and the Prefects of neighboring Districts in application of disaster risk reduction and civil protection tasks, in order to join their capacities to address common issues in this regard;

j) to engage capacities within the region for coping with situations created by disasters, as well as citizens, according to the provisions of Article 26 of the Constitution of the Republic of Albania.

k) in case of civil emergency or disaster, it shall have the duty to disseminate and exchange information with NCPA, local self-government units and Prefects of other affected or endangered districts, as well as to promote and coordinate taking of necessary measures to deal with the situation, monitoring and implementation of emergency services, activation of institutions and administrations for specific interventions;

l) to control the application of disaster risk reduction and civil protection measures taken by Municipalities of the District;

ll) to send a request for support to NCPA, as per the request made by Municipalities.

Article 29

District and Municipal Civil Protection Commission;

1. Under the direction of the District Prefect, a Civil Protection Commission shall be created and shall operate in each district.

2. Under the direction of the Mayor, a Civil Protection Commission shall be created and shall operate in each Municipality.

3. The composition, functioning and duties of these Commissions, according to paragraphs 1 and 2 of this Article, shall be approved by order of the Prefect/Mayor.

Article 30

Municipalities

The municipalities shall have the following tasks and duties:

a) to carry out, within 2 years from the entry into force of this Law, the risk assessment of their territory by drafting and approving the disaster risk assessment document, which is sent to the District Prefect and the National Civil Protection Agency for analysis and planning purposes;

b) to inform the public and endangered community, based on disaster risk assessment document;

c) to develop and review the Disaster Risk Reduction Strategy;

ç) to draft, approve and update the local civil emergency plan and send it to the National Civil Protection Agency and the District Prefect, for analysis and planning purposes.

d) to organize training activities in the field of civil protection for staff and residents in their territory;

dh) to ensure functioning of the monitoring, early warning, notification and alarm system in their territory and inform on time the endangered community, the National Civil Protection

Agency and the District Prefect of any disaster in the District's territory;

- e) to provide, manage and update the necessary data for citizens and private entities, likely to plan and engage in prevention and coping with disaster;
- ë) to set up, within 2 years from the entry into force of this law, the Disaster Loss Database for the Municipality's territory, which they maintain and update, as well as exchange information with the District Prefect and the National Civil Protection Agency;
- f) to make disaster prevention, protection and rehabilitation investments and to inform constantly the District Prefect and the National Civil Protection Agency about these investments.
- g) to appoint the operation manager at Municipality level for coping with the disaster in their territory;
- gj) to carry out the assessment of damage caused by disasters in their territory, the assessment of needs to cope with them, and to compensate citizens for the disasters occurring in their territory;
- h) to cooperate with the neighboring Municipalities in application of disaster risk reduction and civil protection tasks, in order to join their capacities to address common issues in this regard.
- i) to keep fire protection systems ready, uninterrupted passage of rural roads, shelters, and to collect and manage the food reserves for people and livestock.
- j) to activate the capacities of public and private entities within their administrative territory, to cooperate and assist neighboring municipalities and to take any other necessary measures to cope with and mitigate the disasters.
- k) to keep ready the irrigation, drainage, and flood protection infrastructure and reservoir dams under their administration.

Article 31

Decentralized structures of central civil protection institutions and structures

The decentralized structures of central civil protection institutions and structures operating at local level shall be actively engaged in disaster risk reduction and civil protection, and shall be an integral part of the Civil Protection Commissions at district and municipal level.

Section III

Operational civil protection structures

Article 32

Operational civil protection structures

The operational civil protection structures engaged in coping with natural or other disasters shall be:

- a) the Armed Forces;
- b) the State Police;
- c) the Fire Protection and Rescue Service;
- (ç) the Medical Emergency Service and other health service structures;
- d) the Civil Protection Volunteer Service.

Article 33

Tasks of operational civil protection structures

1. To manage disasters, the operational civil protection structures carry out activities separately or in cooperation with one-another, according to the provisions of this Law, the relevant legislation and the National Plan for Civil Emergencies.

2. The operational civil protection structures shall carry out activities related to planning, search and rescue, providing aid and assistance in case of disasters, security and protection of the civil emergency area, recovery of damaged areas, as well as any other activity to cope with the situation created.

3. While participating in the operation, the officers of operational civil protection structures shall be led by their direct superiors, according to the tasks given from the operations manager when the state of natural disaster is declared and NCPA in other cases.

Article 34

Armed Forces of the Republic of Albania

1. In the context of civil protection system, the Armed Forces of the Republic of Albania shall have the following tasks:

a) to engage in disaster management cycle operations, if other available capacities are insufficient for this purpose, supporting central and local institutions, authorities and the community;

b) to enhance interactive capacities needed to cooperate with the Euro-Atlantic Collective Security structures to cope with disasters.

2. Special search and rescue structures of the Armed Forces are engaged in operations to cope with disasters.

3. In case the state of natural disaster is declared, the capacities of Armed Forces shall be engaged to implement the tasks of the Inter-Ministerial Civil Emergency Committee.

4. When Armed Forces units participate in operations, they shall be led by their commanders, according to the tasks they receive from the operations manager.

Article 35

State Police

1. The State Police shall be organized and shall carry out its duties in rescue and relief operations, according to previously drafted plans, as well as joint plans with other institutions for civil protection matters.

2. Its tasks shall include protecting the civil emergency-affected area, keeping public order, the process of identification and information about injured and victims, their removal from the emergency area, as well as other duties arising pursuant to the legislation into force for the State Police.

3. When Police participates in rescue operations and other disaster cases, their forces shall be commanded by their superiors.

Article 36

Fire Protection and Rescue Service

1. The Fire Protection and Rescue Service shall be an integral part of the operational forces permanently standing-by and acts for firefighting, search and rescue of people in civil

emergency-affected areas and to mitigate the consequences of natural or other disasters.

2. Where the firefighting service participates in rescue operations and other disasters, firefighting personnel shall be commanded by their respective managers.

Article 37

Medical Emergency Service and other health service structures

1. The activities of the Medical Emergency Service in the field of civil protection shall be regulated in accordance with the legislation into force on Medical Emergency Service and Health Care in the Republic of Albania.

2. The Medical Emergency Service shall be an integral part of the operational forces and shall act to provide first aid in the civil emergency-affected area and to transport the injured to the hospital centers.

Article 38

Civil Protection Volunteer Service

1. Every citizen of the Republic of Albania shall contribute voluntarily to disaster management and mitigation.

2. The volunteers may be offered individually or in organized groups, as non-profit structures, but in all cases, depending on the situation created and the needs of the civil protection system, their tasks shall be assigned by the central and local civil protection institutions or structures.

3. The treatment of volunteers for their engagement in civil protection activities or disaster prevention and coping operations shall be approved by a decision of the Council of Ministers, upon proposal of the Minister.

CHAPTER IV

STATE OF NATURAL DISASTER AND EXTRAORDINARY MEASURES

Article 39

State of natural disaster

1. The Council of Ministers can declare the state of natural disaster, in part or the entire territory of the country, for a period no longer than 30 days;

2. The extension of the state of natural disaster, as defined in paragraph 1 of this Article, may be made only with the approval of the Parliament.

Article 40

Categorization of civil emergencies

1. Civil emergencies shall be categorized into:

a) local civil emergencies, resulting from disasters occurring in a municipality and can be coped with the actions of its competent structures;

b) regional civil emergencies, resulting from disasters occurring in more than one Municipality which, due to their nature, scale and extent, require the coordinated intervention

of several Municipalities or Districts;

c) national civil emergencies, resulting from disasters that, due to their intensity, scale and extent, require immediate intervention of all central and local civil protection institutions, even with extraordinary measures, if necessary.

2. Regardless of the category of emergency or natural disaster, the National Civil Protection Agency shall have real information on the situation and its expected effects and shall have measures in place, in accordance with the type of emergency, to use in case of exhaustion of all capacities of the authorities responsible for coping with the situation, based on the categorization made in paragraph 1 of this Article.

3. The criteria and procedures for declaring the state of natural disaster shall be approved by a decision of the Council of Ministers, upon proposal of the Minister.

Article 41

Right to compensation

1. The Albanian state shall be responsible for damages caused by the consequences of a disaster.

2. The damages shall be borne by the Municipalities affected by the disaster, through the dedicated civil protection fund.

3. If the municipalities do not have sufficient funds to compensate, they shall plan them for the successive year, to the extent of compensating the injured entities.

4. If the amount of compensation exceeds 8% of the municipal budget, CPC shall decide that compensation is made by NCPA.

5. In any case, when declaring the state of natural disaster, the compensation may be given by a special decision of the Council of Ministers, upon proposal of the Minister.

6. The damage compensation value, procedures, terms, state structures responsible for assessing damages, assets and entities to be compensated shall be approved by a decision of the Council of Ministers.

Article 42

Extraordinary measures

During the state of natural disaster, extraordinary measures can be imposed and implemented to cope with and mitigate the disaster consequences, as follows:

1. The public institutions shall have the following duties:

a) to take organizational and administrative measures to cope with the state of natural disaster;

b) to use financial resources allocated in the annual budget, as well as to make a review of the annual budget, in accordance with the additional contingency expenditure;

c) to make human and logistical resources available;

ç) to assign state facilities under their management responsibility that can be available to accommodate the evacuated population;

d) any other measure that helps coping with and mitigating the disaster consequences.

2. The operational structures of the civil protection system shall have the following duties:

a) to define and implement special measures guaranteeing and increasing the safety of citizens in areas affected by the disaster;

b) where needed, to activate and organize the forced evacuation procedure for the

endangered population;

c) to organize and implement, as appropriate, the quarantine status for the affected population or subjects;

ç) to organize, unilaterally or in cooperation with the community, the control of private dwellings and facilities to find disaster survivors and victims, as well as the mandatory procedures for performing funeral services;

d) to organize, as appropriate, the process of forced disposal and burial of animals and any other material constituting a source of infection, mass epidemic, mass pollution, and radiation.

3. The private entities shall have the following duties:

a) to observe the procedures and measures for the forced evacuation and accommodation of evacuees;

b) to provide information on the data that help the civil protection institutions and structures in coping with the state of disaster;

c) to get engaged in special tasks, in accordance with their preparation, skills and the need for help to overcome the state of natural disaster;

ç) to temporary close activities of private entities, the obligation to perform various services in order to cope with disasters, the obligation to manufacture emergency items. The compensation in such cases shall be made by the state budget, the “Civil Emergencies” program, various donations and other resources.

4. The citizens shall have the following duties:

a) to implement the orders, measures and instructions of the civil protection authorities, and to follow the procedures required, in particular for forced evacuation;

b) to provide information on the data that may help the public institutions and civil protection structures in coping with the state of disaster;

c) to get engaged in special tasks, in accordance with their preparation, skills and the need for help to overcome the state of natural disaster.

CHAPTER V

PROTECTION OF CRITICAL INFRASTRUCTURE AND CULTURAL HERITAGE

Article 43

Critical Infrastructure

1. The critical infrastructure shall be composed of:

a) energy generation, transmission and distribution systems;

b) gas production, refining, treatment, storage and transmission by pipelines;

c) oil and its byproducts production, storage and transmission by pipelines;

ç) telecommunications (networks, systems);

d) water supply;

dh) agriculture, food production and distribution;

e) public health (hospitals, health and ambulatory centers);

ë) transport systems (fuel supply, rail network, airports, ports, inland transport);

f) financial services (banking, clearing);

g) security and defense services.

2. The public institutions, central and local structures or private entities that manage or own critical infrastructure shall:

- a) ensure its normal operation under normal conditions and in case of disaster;
- b) develop and update the disaster risk assessment document, and the civil emergency plan, which is sent to the National Civil Protection Agency for planning and analysis purposes.

Article 44

Critical infrastructure with cross-border impacts

1. In accordance with their area of responsibility, the Ministries shall identify the critical infrastructure with cross-border impacts and inform the National Civil Protection Agency and the respective entity about such categorization.

2. The Albanian State shall inform other states likely to be affected by the disruption or destruction of its critical infrastructure with cross-border impacts, of its identity and the reasons for its designation as such, and shall also engage in bilateral and/or multilateral discussions with such states, and shall timely inform them in case of emergency.

Article 45

Protection of cultural heritage from disasters

Any object that is part of the totality of movable or immovable cultural and historical heritage values shall enjoy, during disasters, State protection in accordance with the legislation into force on cultural heritage.

CHAPTER VI

EARLY WARNING, MONITORING, NOTIFICATION AND ALARM

Article 46

Early warning, monitoring and notification

1. Early warning, monitoring and notification shall be made by certain institutions and structures, whose organization and functioning are regulated by various primary and secondary legislation.

2. In the context of civil protection, these institutions and structures shall cooperate with the institutions and structures of the civil protection system and for this purpose they shall have the following tasks:

- a) to identify, collect, process, analyze, and communicate data on immediate and expected risks;

- b) to identify and monitor phenomena presenting a risk, by notifying the relevant institutions and structures;

- c) to notify and report immediately to the National Civil Protection Agency about any phenomenon and event, according to their area of responsibility, evidenced or likely to occur in a short period of time, which constitute or may turn into risks to the community.

3. The National Civil Protection Agency shall be advised by certain institutions and structures, whose organization and functioning are regulated by various primary and secondary legislation.

Article 47

112 unified emergency call number

1. 112 unified emergency call number shall ensure communication, early warning, notification, alert, information, coordination, decision-making, activation and integrated intervention of operational structures in dealing with accidents and emergency situations that may occur throughout the country.

2. 112 number shall be provided free of charge in public telephone networks, as well as in integrated digital networks services and public mobile services, as the single European emergency call number.

3. The creation and functioning of the unified 112 emergency call number system shall be approved by a decision of the Council of Ministers, upon joint proposal of the Minister responsible for civil emergencies and the Minister responsible for home affairs.

Article 48

Disaster Loss Data Collection and Processing

1. The public institutions and private entities, at the request of the National Civil Protection Agency, shall have the duty to provide disaster risk reduction and civil protection data.

2. The Disaster Loss Database shall be set up and operates within the National Civil Protection Agency, according to the method defined for collecting and managing the disaster loss data, made by a decision of the Council of Ministers, upon proposal of the Minister.

Article 49

Public information

1. The public institutions and central and local structures, defined in this Law, shall inform the public about disasters and measures to cope with them.

2. The state and private entities operating in electricity generation, water management, water systems and waste collection companies shall timely inform and warn the National Civil Protection Agency, the central and local institutions, and the community about the risks from of their activities.

3. The entities operating in production, use, treatment and storage of dangerous substances shall have the duty to take all necessary measures to prevent major accidents and to limit their consequences for human health and environment. In case of an accident, they shall notify and alert to the endangered community and call the 112 unified emergency call number, the National Civil Protection Agency, the other emergency numbers or and the other authorities, according to the law.

4. The early warning, notification and alert capacities of the entities set out in paragraphs 2 and 3 of this Article shall be part of the public early warning, notification and alarm system of the Republic of Albania.

5. The public and private, national and local radio and television operators shall have the duty to collaborate with one another and with state institutions, as well as with non-profit organizations for the use of electronic communication resources to cope with disasters:

- a) making available terrestrial and satellite communications devices;
- b) disseminating disaster notifications, particularly to the community mostly at risk;
- c) suspending their programmes to broadcast important civil protection messages by the authorities defined in this Law.

6. The State shall take all necessary steps to ensure that availability of landline public telephone networks and fixed public services shall be maintained in case of catastrophic

network failures or in cases of force majeure.

7. In case of circumstances referred to in paragraph 6 of this Article, the relevant bodies shall make every effort to maintain the highest level of service to meet any priority set by the competent authorities.

8. In case of disaster, the media and other public information bodies, established by law, shall have the duty to refer to official sources for information concerning the number of victims, list of names and further forecasts for the probability of other events, avoiding, in any case broadcasting sensitive information and creating panic to the public.

9. In any case, when media informs the public about disasters and this information does not refer to official sources, it should cite the source of information.

Article 50

Alarm

1. The alarm signal for early warning of the population to take immediate measures for disaster protection, depending on the degree of risk and territorial extent, shall be activated by the National Civil Protection Agency, the District Prefect or the Mayor.

2. The types of signals shall be tested in order to be easily communicated to the following categories of persons:

- a) persons with hearing impairment, by visual signs;
- b) persons with visual impairment, by means of acoustic and tactile signals;
- c) persons with intellectual limitations, in simple form, through messages with pictograms or plain language in the media.

3. The heads of private entities, who have the duty to install alarm systems and devices at the facilities where they exercise their activity, shall activate them when:

- a) dangerous events are evidenced by their activities, or in the territory where the activity is extended, while at the same time informing the responsible authorities;
- b) this is required by the Mayor of the territory where the respective activity is exercised, the District Prefect or the General Director of National Civil Protection Agency.

4. The types of alarm signals, their number and method of use, in case of disasters, shall be approved by a decision of the Council of Ministers, upon proposal of the Minister.

Article 51

Duty of operation of early warning, monitoring, notification and alert devices and equipment

1. The private entities, identified as appropriate by the responsible structures, shall, for purposes of early warning, monitoring, notification and alert, allow the installation in the facilities owned by them, alert devices and systems and allow access to, for maintenance and observation, for civil protection purposes.

2. The electrical power supply companies shall ensure uninterrupted supply of early warning, monitoring, notification and alert system devices and equipment.

3. The criteria for identification of private entities, the structures responsible for their identification, and the rules for cooperation between them shall be approved by a decision of the Council of Ministers, upon proposal of the Minister.

Article 52

Higher education, research and scientific institutions and various public and private entities

1. Higher education, research and scientific institutions, various public and private

entities, and other organizations engaged in research and scientific work shall have the following duties:

- a) to inform the National Civil Protection Agency about disaster risk reduction and civil protection research and findings;
- b) to carry out scientific research to the interest of civil protection, and, when requested by the National Civil Protection Agency, shall inform the respective institutions about their results;
- c) to engage human and technical capacities to the needs of civil protection structures;
- ç) to promote scientific research in cooperation with other structures of civil protection, in the civil protection service.

2. The National Civil Protection Agency, other civil protection institutions and structures shall promote and, if necessary, provide financial support for disaster risk reduction and civil protection research activities, according to paragraph 1 of this Article.

CHAPTER VII INTERNATIONAL COOPERATION

Article 53

International Cooperation

1. International cooperation in the field of disaster risk reduction and civil protection shall be based on this Law, the ratified international agreements and other documents, and shall include:

- a) sharing disaster risk reduction and civil protection data and information with competent authorities of other countries and international organizations, in particular the countries with which they share common cross-border risks;
- b) timely communicating with all competent authorities and international organizations, as well as communicating with the competent authorities of other countries likely to be affected by a disaster and international organizations, as appropriate, in case of emergencies likely to cause cross-border impacts, as well as seeking and receiving international assistance;
- c) coordinating the crossing of state border in case of receiving and providing international assistance, and in case of various training and exercise;
- ç) coordinating the distribution of international assistance in the territory of the Republic of Albania, in accordance with the legislation into force;
- d) coordinating the activities of international forces in the territory of the Republic of Albania;
- dh) preparation and organization of various international activities;
- e) preparation and implementation of international disaster risk reduction and civil protection agreements;
- ë) identification and creation of other emergency response modules and capacities, maintaining their preparedness and improving their interoperability, taking into account best EU and international practices for their engagement on very short notice to meet priority intervention, or the needs for support of other states in major emergencies.

2. The appeal for assistance to the international bodies and other states, in case the state of natural disaster is declared, is made by the Ministry responsible for foreign affairs and, in any other case, is made by the Ministry.

3. The acceptance of international assistance shall be made by the Ministry in co-operation with the Ministry responsible for foreign affairs.

4. The specified request for assistance and the periodic reports on the situation to the European Emergency Response Coordination Centre, the Euro-Atlantic Disaster Response Coordination Centre, as well as the coordination of assistance provided, shall be made by the

Ministry in coordination with the Ministry responsible for foreign affairs and, as the case may be, with the other ministries.

Article 54

Receipt of international assistance

1. International assistance shall be the support that other states and foreign donors shall provide to prevent and cope with the situation created by disasters.
2. International assistance shall be provided in accordance with the principles of humanism, equality and impartiality.
3. In case of disaster, all central and local institutions shall inform the Minister about all aspects of international assistance.
4. The authority responsible for coordination of host country support, in case a state of natural disaster is declared, shall be the Inter-Ministerial Civil Emergency Committee, whereas in other cases it shall be NCPA.

Article 55

Border crossing

1. Crossing of state borders by domestic or foreign teams, as well as their logistics, in the context of international assistance for prevention and coping with disasters, shall be made through accelerated and facilitated procedures, according to the legislation into force.
2. For the purpose of receiving and providing international assistance, the National Civil Protection Agency shall cooperate with other civil protection institutions and structures, other countries and international organizations for coordinating the state border crossing and third country border crossing.

Article 56

Providing assistance outside the borders of the Republic of Albania

1. Based on international agreements and signed acts, and in accordance with its possibilities and capacities, the Albanian State shall provide disaster management assistance in other countries.
2. Assistance to other countries for prevention and coping with disasters can be provided by teams, food and non-food commodities, technical assistance, equipment, as well as in cash. It may also consist of experts, who may be called to serve in states-affected by an emergency, of an evaluation and/or coordination team. The non-governmental organizations or other private entities may also be used as a source of assistance.
3. Only skilled and trained persons that have accepted participation in writing shall be sent to protection and rescue operations in other countries. Modules consisting solely of state resources or jointly with other states, support and technical assistance groups, other response capacities and their experts, as well as the teams that will participate in international assistance, should be declared and registered as soon as possible with the European Civil Protection Pool.
4. They should be able to perform predefined tasks in response areas, in line with international guidelines, and be able to operate with other international disaster response capacities that support the affected country. For this reason, they should be able to cooperate with other EU bodies and/or international institutions, in particular the United Nations, as appropriate.

CHAPTER VIII

RIGHTS AND DUTIES OF CITIZENS

Article 57

Rights of citizens

1. The citizens have the right to be permanently informed and updated on hazards from disasters, as well as the necessary measures and those taken for their management.

2. Citizens have the right to seek protection of their lives and property from civil protection structures, ensuring living conditions when affected by disaster, until returning normality. The most vulnerable citizens, such as children, the old people, people with disabilities and women shall be treated with priority.

3. The citizens shall have the right to compensation for the private premises and the means made available, losses, as well as damage caused by the execution of works on their immovable properties.

4. The compensation shall be made on case-by-case basis, by decision of the Council of Ministers, upon proposal of the Minister.

Article 58

Duties of citizens

In the context of disaster protection, every citizen shall have the duty:

a) for any disaster identified by him, to inform immediately the 112 unified emergency call number, the National Civil Protection Agency, the other emergency numbers, and any other appropriate manner;

b) to observe the instructions, to implement the orders and measures and follow the procedures required by the civil protection structures;

c) to take measures for self-protection and safeguarding of other persons whose life or health is at risk, while not endangering their life and health;

ç) for civil protection purposes, at the request of the heads of the civil protection institutions or structures, to allow the performance of works in immovable property, and to make available the private facilities and vehicles.

Article 59

Exempted categories

The following groups shall be exempted from the duty to engage in disaster prevention and coping operations:

a) persons with disabilities and the persons caring for them;

b) persons with health problems;

c) pregnant women, mothers with children under the age of 10 and single parents with children under the age of 15;

ç) persons under 18 and over 65 years old.

CHAPTER IX

RIGHTS AND DUTIES OF PRIVATE ENTITIES AND NON-PROFIT ORGANIZATIONS

Article 60

Rights of private entities and non-profit organizations

1. Private entities have the right to be continuously informed on the hazards from disasters, as well as the necessary measures and those taken for their management.

2. Any private domestic or foreign entity has the right to seek protection for itself and its property from civil protection structures in case of disasters.

3. The associations and other civil society organizations, in addition to the right to information on disasters, have also the following rights:

a) to do studies about conduct disaster risk reduction and civil protection;

b) to present conclusions to central and local civil protection institutions and structures

on disaster risk reduction and civil protection studies;

c) to be partners in implementing the disaster risk reduction policies.

4. The associations and other civil society organizations may participate voluntarily in implementation of disaster risk reduction measures and activities, such as disaster management, after the approval of the responsible authority.

Article 61

Duties of private entities

1. The private domestic and foreign entities exercising their activities in the territory of the Republic of Albania shall have the following duties:

a) to develop and update internal civil emergency plans, in alignment with the external plans for civil emergencies of the Municipality, or Municipalities and the District or Districts, as well as internal regulations, according to the level of hazard of technological processes, when they use, produce and store hazardous materials, fuels and their derivatives, energy gases, and carry out activities with hazardous devices;

b) to provide at their own expense alert devices for their employees and the community, and to guarantee their operation, when they have more than 20 employees;

c) to inform their employees of the potential risks, to provide them with conditions and opportunities enabling their protection;

ç) to notify and alert the endangered community and to call the 112 unified emergency call number, the National Civil Protection Agency, the other emergency numbers, or even the other authorities, according to the law, in the case of disasters;

d) to provide training to their employees for disaster prevention and coping with, when they have more than 20 employees;

dh) to cooperate with civil protection structures and local self-government units, where they exercise their activity;

e) to activate the service in response to the situation created by disaster in this area and to assist the other entities;

ë) to make available to the civil protection structures private vehicles, devices, facilities, equipment and energy sources, as required by the civil protection structures;

f) to make available, free of charge, to the National Civil Protection Agency and local self-government units, the data they have and that are necessary for the preparation of the disaster risk assessment and civil emergency plan.

2. The entities carrying out activities, as defined in letter “a” of paragraph 1 of this article, shall:

a) cooperate in public information and keeping this information up to date, in particular of areas in the vicinity of the entity, and in providing this information to the authority responsible for the preparation of external contingency plans;

b) establish civil protection teams, provided with means and trained in accordance with this Law.

3. When they exercise their activity in the national forest and grazing fund, they are obliged to protect these areas from fire by drafting and updating plans for the protection of these areas from fire, in alignment with external plans for civil emergencies of the Municipality or Municipalities and Prefecture or Prefectures, as well as internal regulations in this regard.

CHAPTER X EDUCATION AND TRAINING

Article 62

Education

1. Pre-university education shall provide knowledge on disaster protection and prevention in accordance with their profile.

2. The Ministry responsible for education, in cooperation with the National Civil Protection Agency, shall ensure the inclusion of civil protection knowledge in the curricula.

Article 63

Training

1. The National Civil Protection Agency shall organize civil protection training for state structures, private entities and volunteers, according to the program and modules previously approved by the Minister for this purpose.

2. The civil servants of National Civil Protection Agency, of the respective civil protection structures of Ministries, of the District Prefects and municipalities, shall constantly improve their professional skills through training funded by them or various donors.

CHAPTER XI FUNDING

Article 64

Civil protection budget in central institutions

1. The civil protection budget of central institutions shall be composed of:

a) the State budget;

b) the annual budget of each ministry, allocated as a separate item, on disaster risk reduction and civil protection.

2. The funding sources of the National Civil Protection Agency shall be composed of:

a) the State budget;

b) miscellaneous donations;

c) other sources as permitted by the law.

3. The National Civil Protection Agency accepts, manages and uses financial donations and other financial resources for civil protection, based on the legislation into force.

Article 65

Municipalities budget

1. For disaster risk reduction and civil protection, as well as to carry out their duties pursuant to this Law, the Municipalities shall rely on the minimum allocation of 4 percent of their total annual budget, which shall be provided by conditional state budget funds.

2. The Municipalities may allocate other additional funds from the following financial sources:

a) their own local income;

b) funds coming directly from the allocation of national taxes, local borrowing, donations; and

c) other resources provided by law.

3. The procedures and criteria for allocating and using the conditional state budget fund for civil protection shall be approved by a decision of the Council of Ministers.

Article 66

Solidarity Fund

1. NCPA, through an account at a second-tier bank, shall create a solidarity fund for civil protection, as provided for in this Law.

2. This Fund shall be used to cope with emergency situations, in accordance with the provisions of the public procurement legislation.

3. The Fund created under paragraph 1 of this Article may be transferred to local self-government units, at their request, in accordance with the legislation into force.

CHAPTER XII

INSPECTION AND ADMINISTRATIVE OFFENCES

Article 67

Inspection

1. Inspection of state institutions and structures and private entities for implementation of this Law on Civil Protection shall be carried out by NCPA inspectors, according to the legal provisions into force for inspection.

2. During inspections, the inspectors shall examine in particular:

a) implementation of measures for prevention, responding to and recovering from disasters;

b) approval and updating of disaster risk reduction strategy document, disaster risk assessment document and civil emergency plans;

c) planning of funds from public institutions and central and local structures to take preventive and rehabilitation measures against disasters in their facilities and infrastructure, according to their area of state responsibility;

ç) organization and maintaining the monitoring, early warning, notification and alert systems within their field of activity;

d) creation, maintenance and updating of the Disaster Loss Database in their area of responsibility and the exchange of information with the National Civil Protection Agency;

dh) implementation of the legal obligations, as well as various instructions given by the National Civil Protection Agency.

Article 68

Administrative offenses

1. The violation of one of provisions of letters “a”, “b”, “ç” and “d”, paragraph 1, and letters “a” and “b”, paragraph 2, Article 61 herein, by private entities, when not constituting a criminal offense, shall constitute an administrative offence punishable by a fine from ALL 50,000 (fifty thousand) to ALL 100,000 (one hundred thousand).

2. The violation of one of provisions of paragraph 8, Article 14; letters “a”, “b”, “c”, “ç” and “ë”, paragraph 2, of Article 22; letters “a”, “c”, “ç”, “d”, “ë”, “f”, “gj” and “h” of paragraph 2 of Article 28; letters “a”, “c”, “d”, “dh”, “e”, “ë” “g” and “gj” of Article 30; paragraphs 3 and 4 of Article 42; letter “b” of paragraph 2 of Article 43; paragraphs 2, 3 and 5 of Article 49; paragraphs 1 and 2 of Article 51; letter “ç” of Article 58 herein, by the heads of state institutions or private entities, shall constitute an administrative offense punishable by a fine from ALL 100,000 (one hundred thousand) to ALL 500,000 (five hundred thousand).

Article 69

Ascertaining of violations

1. The violation of provisions of this Law, according to Article 68, shall be ascertained by the National Civil Protection Agency inspector and a respective record shall be kept, according to the provisions of the legislation into force on inspection.

2. The method of ascertaining and reviewing administrative offenses shall be based on the legislation into force on administrative offenses, while the template of violation finding report shall be approved by an order of NCPA General Director.

Article 70

Appeal

1. The administrative appeal against the fine imposed for administrative offense shall be filed and examined, under the provisions of the Code of Administrative Procedures and the legislation into force on inspection, with the Administrative Offence Review Commission of the National Civil Protection Agency.

2. The Commission composition and review procedure shall be approved by an order of the Minister.

3. An appeal may be filed against the Commission's decision, within 30 days, with the court competent for administrative matters, under the legislation into force.

Article 71

Execution of decision

The execution of fines under this Law shall be made according to the legislation into force on administrative offenses.

CHAPTER XIII TRANSITIONAL AND FINAL PROVISIONS

Article 72

Issuing secondary legislation

1. The Council of Ministers shall be in charge of:

a) issuing, within 2 years from the entry into force of this Law, the secondary legislation acts pursuant to Article 9, paragraph 3, Article 10, paragraph 1, Article 14, paragraph 4, Article 22, paragraph 4, Article 23, paragraphs 2 and 6, letter “d”, Article 38, paragraph 3, Article 40 paragraph 3, Article 47 paragraph 3, Article 48 paragraph 2, Article 50 paragraph 4, and Article 51 paragraph 3 herein.

b) issuing, within 1 year from the entry into force of this Law, the secondary legislation acts pursuant to Article 20, paragraph 3, Article 25, paragraph 3, Article 26, paragraph 2, Article 41, paragraph 6, and Article 65, paragraph 2 herein.

c) issuing, within 6 months from the entry into force of this Law, the secondary legislation acts pursuant to Article 13, paragraph 7, and Article 23, paragraph 7 herein.

2. The Minister responsible for civil protection shall be in charge of issuing, within 1 year from the entry into force of this Law, the secondary legislation acts pursuant to Articles 23, paragraph 9, and Article 70, paragraph 2 herein.

3. The District Prefects shall be in charge of issuing, within 3 years from the entry into force of this Law, the secondary legislation acts pursuant to Articles 14, paragraph 5, Article 28, paragraph 2, letter “gj”, and Article 29, paragraph 3 herein.

4. The Municipal Councils shall be in charge of issuing, within 3 years from the entry into force of this Law, the secondary legislation acts pursuant to Articles 11, 14, paragraph 6, and Article 30, letter “a” herein.

5. The mayors shall be in charge of issuing, within 1 year from the entry into force of this Law, the secondary legislation act pursuant to Article 29, paragraph 3 herein.

Article 73

Transitional provisions

1. The General Directorate of Civil Emergencies shall be transformed into the National Civil Protection Agency upon the entry into force of this Law.

2. The General Directorate of Civil Emergencies shall continue its operation, according to the existing structure, until the approval of the organization and functioning of the National Civil Protection Agency, under the provisions of this Law and the approval of the organizational structure, in accordance with the legislation into force.

3. The secondary legislation acts issued pursuant to the Law No. 8756, dated 26.3.2001, “On Civil Emergencies”, as amended, shall be applicable for as long as they are not in conflict with this Law and shall be repealed upon issuance of the secondary legislation acts under this Law.

Article 74

Repeals

The Law No. 8756 dated 26.3.2001, “On Civil Emergencies”, as amended, shall be repealed.

Article 75

Entry into force

This Law shall enter into force 15 days after its publication in the Official Gazette and its financial effects shall commence as of 1.1.2020.

THE SPEAKER

Gramoz RUÇI

Enacted on 18.7.2019