

# THE HOUSE OF REPRESENTATIVES OF THE PARLIAMENT OF THE REPUBLIC OF CROATIA

Pursuant to Article 89 of the Constitution of the Republic of Croatia, I hereby pass the

## DECREE

### **promulgating the Act on Fire Protection**

I hereby promulgate the Act on Fire Protection, adopted by the House of Representatives of the Parliament of the Republic of Croatia at its session on 2 June 1993.

Number: PA4-37/ 1-93

Zagreb, 10 June 1993

President of the Republic of Croatia

**Franjo Tudman, m.p.**

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## ACT

### **on Fire Protection**

#### I. GENERAL PROVISIONS

##### Article 1

(1) For the purpose of protection of human lives and property against fire (hereinafter referred to as: fire protection), measures and activities shall be undertaken for eliminating the cause of fire, preventing the breaking out and spreading of fire, detecting and fighting fire, determining the cause of fire, and providing assistance during the removal of consequences caused by fire.

(2) The provisions of this Act shall correspondingly apply also to technological explosions which are caused by usage of inflammable liquids and gasses as well as other combustible substances which, in combination with the air, may create an explosive mixture.

(3) Fire protection shall be organised and its implementation ensured by owners or users of buildings, parts of buildings and spaces in the manner prescribed by this Act and regulations passed on the basis thereof.

(4) The provisions of this Act shall apply to military buildings, parts of buildings and spaces as well as to buildings, parts of buildings and spaces of special interest for the defence of the state, unless otherwise provided in a special regulation.

## Article 2

(1) Owners or users of buildings, parts of buildings and spaces, as well as other natural persons, shall be obliged to implement the fire protection measures prescribed by law, regulations passed on the basis of law, recognised ordinances on technical practice, fire protection plans and other decisions of state administration bodies, local government and self-government bodies as well as general acts of legal persons.

(2) Legal persons as well as administrative and professional services of national authorities, state administration bodies, bodies of local government and self-government units and administrative bodies of local government and self-government units (hereinafter referred to as: administrative and professional services) shall be obliged, in the manner and under conditions determined by law and regulations passed on the basis of law, to participate in the firefighting and rescuing of people and property endangered by fire, by using their tools, means of transportation, technical and other means, whereas natural persons shall be obliged to participate in the aforementioned activities providing their labour as well.

## II. FIRE PROTECTION ORGANISING

### Article 3

(1) The government of the City of Zagreb, the government of a county, a town or a municipality shall organise fire protection in their area and take care of successful implementation and taking of measures for fire protection improvement.

(2) The representative body of the City of Zagreb, of a district, a town and a municipality shall pass a fire protection plan on the grounds of estimated fire danger, upon a previously obtained opinion of the Ministry of the Interior.

(3) The representative body of a county shall coordinate activities pertaining to the preparation of the fire danger estimation and fire protection plans referred to in paragraph 2 of this Article and it shall pass a County Fire Protection Plan based on the prepared fire protection plans referred to in paragraph 2 of this Article, upon a previously obtained opinion of the Ministry of the Interior.

(4) The representative body referred to in paragraphs 2 and 3 of this Article may pass general acts defining special fire protection measures in its own area, in accordance with this Act.

(5) At the proposal of the Ministry of the Interior, the Government of the Republic of Croatia shall pass the annual action plan for the implementation of special fire protection measures of interest for the Republic of Croatia.

(6) The minister for the interior shall pass regulations pertaining to the manner of preparation and application of methods used for the preparation of the fire danger estimation referred to in paragraph 2 of this Article and Article 7 paragraphs 1 and 2 of this Act.

#### Article 4

The representative body of the City of Zagreb, a town and a municipality shall regulate the organisation and work of chimney-sweep's service, intervals of chimney sweeping and supervision of the work of the chimney-sweep's service.

#### Article 5

(1) The minister for the interior shall pass regulations prescribing the content of the fire protection plan referred to in Article 3, paragraphs 2 and 3 and Article 7, paragraphs 1 and 2 of this Act.

(2) So as to monitor the execution of the fire protection plan, the representative body of the City of Zagreb, a county, a district, a town and a municipality shall, at least once a year, re-examine its content and evaluate the conformity of this plan with new circumstances (regarding town planning, building construction, changes of the purpose of buildings, and similar) and follow up the realisation dynamics of financial means planned to be used for fire protection.

#### Article 6

(1) With the aim of determining the appropriate organisation and implementation of fire protection measures, buildings, parts of buildings and spaces shall be classified into four fire danger categories, depending on the technological process developed in them, the type of material produced, processed or stored in them, the type of plant cover, as well as the type of material that was used for the construction, and its significance.

(2) The minister for the interior shall pass regulations pertaining to conditions, bases and criteria for classification of buildings, parts of buildings and spaces into the corresponding fire danger categories.

(3) The minister for the interior shall, by a Decision, classify buildings, parts of buildings and spaces in the corresponding fire danger categories in line with the conditions, bases and criteria laid down in the regulations referred to in paragraph 2 of this Article, as well as set deadlines for fulfilling the obligations deriving therefrom.

#### Article 7

(1) Owners or users of buildings and spaces classified into the first fire danger category shall pass a fire protection plan based on the fire danger evaluation, to organise a fire protection service with a firefighting unit and an appropriate number of employees for performing the internal control of the implementation of fire protection measures.

(2) Owners or users of buildings and spaces classified into the second fire danger category shall pass a fire protection plan based on the fire danger evaluation and to have an appropriate

number of employees for performing continuous firefighting duty, fire extinguishing and implementation of preventive fire protection measures.

(3) Owners or users of buildings, parts of buildings and spaces classified into the third fire danger category shall have at least one employee in charge of immediate organisation and implementation of preventive fire protection measures.

(4) Owners or users of buildings, parts of buildings and spaces classified into the fourth fire danger category shall have an employee in charge of fire protection activities.

(5) Persons having completed at least a school for professional firemen or a secondary school of technical orientation, and who have passed the professional exam for performing fire protection activities, may be employed at work posts of employees in charge of fire protection activities in legal persons and administrative and professional services.

(6) The minister for the interior shall prescribe the programme of the professional exam for employees referred to in paragraph 5 of this Article, as well as the manner of its taking.

(7) The regulations referred to in Article 6, paragraph 2 of this Act shall determine the minimum number of firemen in a firefighting unit, as well of employees in charge of fire protection activities that shall be employed by legal persons who own or use the buildings and spaces classified into the first and second fire danger category.

#### Article 8

The fire protection plan that shall be passed by owners or users of buildings and spaces classified into the first and second fire danger category shall be in conformity with the fire protection plan of the City of Zagreb or the fire protection plan of a district, town or municipality.

#### Article 9

(1) Legal persons who own or use buildings, parts of buildings and spaces, as well as administrative and professional services shall, taking their own conditions and needs as a starting point, determine measures and activities pertaining to the implementation and improving of fire protection by means of a general act, in line with fire protection regulations.

(2) The minister for the interior shall prescribe the content of the general act referred to in paragraph 1 of this Article in the part pertaining to fire protection.

#### Article 10

(1) Owners or users of buildings, parts of buildings and spaces shall be obliged to ensure the implementation of measures determined by the fire protection plan referred to in Article 7, paragraphs 1 and 2 as well as by the general act referred to in Article 9 of this Act.

(2) Employees of legal persons and administrative and professional services, who have special authorisations and responsibilities, each in his/her scope of competence, shall be responsible for the implementation of fire protection measures, and especially for maintaining of

firefighting equipment and means in working order and for their appropriate use, as well as for informing of employees about fire danger on their work posts.

#### Article 11

For the purpose of eliminating causes which may lead to fire or facilitate its spreading, insurance companies shall be obliged to follow up and analyse fire causes and, depending on the insurance object, envisage measures aimed at the elimination of these causes when determining insurance conditions or concluding contracts with insurees, and they shall be obliged to control the implementation of those measures during the period of insurance.

### III. FIRE PROTECTION MEASURES

#### Article 12

The Ministry of the Interior shall take part in the preparation of physical plans with regard to fire protection whenever this is determined by the Minister of Construction and Environment Protection, in accordance with the Ministry of the Interior.

#### Article 13

(1) Special terms of construction in the process of establishing conditions of space arrangement pertaining to fire protection shall be determined by the competent police department of the Ministry of the Interior (hereinafter referred to as: police department).

(2) By means of an exemption to the provision laid down in paragraph 1 of this Article, special terms of construction shall be determined by the Headquarters of the Ministry of the Interior in matters of buildings for which, pursuant to a special Act, the building permit is issued by the Ministry of Construction and Environment Protection.

(3) The minister for the interior shall pass regulations determining buildings to which paragraph 1 of this Article does not apply.

#### Article 14

(1) If requested so for a building by special terms of construction, legal persons registered for designing shall be obliged to present fire protection measures envisaged by the general design in the manner that the envisaged or chosen fire protection system and its efficiency may be evaluated on the basis of drawings, calculations and textual explanations.

(2) As a condition for issuing a building permit, a description of the envisaged fire protection measures shall be an integral part of the general design referred to in paragraph 1 of this Article. The textual explanation shall contain regulations and recognised rules of technical practice on which the envisaged fire protection system is based.

(3) The legal person registered for designing, that has made the general design, shall check it in the manner determined by the own general act, and after the check has been performed, that person shall issue a document certifying that the fire protection measures applied in the

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general design were made in accordance with this Act, conditions of space arrangement, technical normative provisions and standards.

(4) The certificate referred to in paragraph 3 of this Article shall be an integral part of the general design.

Article 15

(1) A body competent for construction activities may issue a building permit for the construction or reconstruction of a building only after it has obtained a consent of the competent police department that the general design envisages prescribed fire protection measures or those required by special terms of construction, in the cases when issuing of such a consent is stipulated by special terms of construction.

(2) In the cases when issuing of a building permit for constructions built in stages is prescribed by special regulations, the provisions laid down in paragraph 1 of this Article shall correspondingly apply.

(3) When a building permit is issued by the Ministry of Construction and Environment Protection, the consent referred to in paragraphs 1 and 2 of this Article shall be issued by the Headquarters of the Ministry of the Interior.

Article 16

(1) An approval for use of constructed or reconstructed buildings may be issued after it has been established that fire protection measures envisaged by the general design had been implemented.

(2) A fire protection inspector of a police department (hereinafter referred to as: inspector of a police department) shall participate in the work of the commission for technical inspection of the building, which shall be established pursuant to provisions of a special Act.

(3) Apart from activities laid down by a special Act, the commission referred to in paragraph 2 of this Article shall establish whether fire protection measures envisaged by the general design have been implemented.

(4) When an approval for use of a constructed or reconstructed building is issued by the Ministry of Construction and Environment Protection, the activities referred to in paragraph 2 of this Article shall be performed by a fire protection inspector in the Headquarters of the Ministry of the Interior (hereinafter referred to as: inspector in the Ministry Headquarters).

(5) Should it be established during the technical inspection of a building that fire protection measures envisaged by the general design were not implemented during the construction or reconstruction of the building, one shall act in accordance with regulations pertaining to the construction sector.

Article 17

- (1) For final treatment of horizontal and vertical surfaces of exits and exit routes in facilities, only materials with certain fire-resistant properties may be built in.
- (2) The contractor shall be obliged to obtain a certificate on fire-resistant properties of the built-in materials referred to in paragraph 1 of this Article, issued by a competent legal person, and submit it to the commission referred to in Article 16, paragraph 2 of this Act.
- (3) The minister for the interior shall pass regulations on fire protection conditions which are to be met by the materials referred to in paragraph 1 of this Article.

#### Article 18

- (1) Owners of buildings, parts of buildings and spaces shall be obliged to maintain in working order plants, appliances, electrical wiring, gas fittings, ventilation and other installations, chimneys and fire-rooms as well as other devices which may cause fire or its spreading, in accordance with technical normative provisions, standards and manufacturer's instructions, and they shall have documentation regarding the maintenance.
- (2) If the owner referred to in paragraph 1 of this Article cannot be established, the obligations laid down in paragraph 1 of this Article shall be taken over by the user.
- (3) Owners or – if the owner cannot be established – users of buildings, parts of buildings and spaces shall be obliged to maintain in working order appliances, equipment and means for notifying, fire extinguishing and preventing of fire spreading as well as other protective appliances and installations in accordance with technical normative provisions, standards and manufacturer's instructions, and they shall have documentation regarding the maintenance.

#### Article 19

Owners and users of buildings, parts of buildings and spaces may regulate the mutual obligations determined by Article 18 by a contract, in line with provisions of the Civil Obligations Act

#### Article 20

- (1) Regarding fitted stable installations intended for fire extinguishing or notifying, for detection of inflammable gases and fumes, as well as other protective appliances and installations used for prevention of breaking out of fire or spreading of fire and explosions, the contractor shall be obliged to obtain a certificate on proper operation of these installations and appliances issued by an authorised legal person, as well as a protocol on the inspection performed by the authorised legal person. The contractor shall submit these documents to the commission referred to in Article 16, paragraph 2 of this Act.
- (2) Proper operation of the installations referred to in paragraph 1 of this Article shall be inspected at least once a year by authorised legal persons, in accordance with technical normative provisions, standards and manufacturer's instructions. A record shall be kept on the performed inspection, containing the date of the inspection, the name of its performer and the established facts.

- (3) The employees of the authorised organisations referred to in paragraphs 1 and 2 of this Article, who perform the testing, shall have passed a professional exam for performing of the testing.
- (4) The minister for the interior shall prescribe special technical and other conditions to be met by the authorised legal persons referred to in paragraphs 1 and 2 of this Article.
- (5) The minister for the interior shall prescribe the programme and the manner of taking the exam referred to in paragraph 3 of this Article.
- (6) The minister for the interior shall issue the authorisation for performing the activities referred to in paragraphs 1 and 2 of this Article.

#### Article 21

- (1) Production of and trade with appliances, equipment and means intended for fire extinguishing, notifying and preventing of fire spreading, as well as other protective appliances and installations, shall be carried out in line with special regulations.
- (2) If there are no Croatian standards for production, procedures and services in which the appliances, equipment, means and installations referred to in paragraph 1 of this Article are used, foreign standards may be applied, in line with the Standardization Act.
- (3) The appliances, equipment, means and installations referred to in paragraph 1 of this Act, which are imported from abroad, may be placed on the market only provided that the importer has obtained a certificate on the proper operation of these appliances, equipment, means and installations and on their suitability for the intended purpose, issued by an authorised legal person. The importer shall be obliged to obtain the aforementioned certificate for each imported appliance and for each imported quantity of equipment containing parts of the same kind of an appliance or means for fire extinguishing, notifying and preventing of fire spreading, unless otherwise provided in international agreements.
- (4) If a special regulation prescribes that consent of the competent body is required for the placing on the market of the appliances, equipment, means and installations referred to in paragraphs 1 to 3 of this Article, such consent shall be issued by the Ministry of the Interior.
- (5) The provisions laid down in paragraphs 2 and 4 of this Article shall also apply to protective and other personal equipment used by firemen during firefighting and other technical interventions.
- (6) The minister for the interior shall prescribe special technical and other conditions to be met by the legal persons referred to in paragraph 3 of this Article.
- (7) The minister for the interior shall issue the authorisation for performing of the activities referred to in paragraph 3 of this Article.

#### Article 22



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- (1) Owners or users of buildings, parts of buildings and spaces shall be obliged to possess firefighting appliances, equipment and means.
- (2) The type of the appliances, equipment and means referred to in paragraph 1 of this Article, as well as locations where they should be placed, shall be determined by special regulations.
- (3) The minister for the interior shall pass regulations on the choice and determining of the quantity of fire extinguishers, on the conditions to be met by legal persons and shops that perform proper operation control, servicing and maintaining of extinguishers as well as the deadlines for performing the proper operation control and servicing.
- (4) Firefighting appliances, equipment and means shall be used for the specified purpose, be in working order, be specially marked and be always accessible for use.
- (5) The proper operation control and service of the fire extinguishers referred to in paragraph 3 of this Article may be performed by legal persons, shops as well as administrative and professional services which are qualified with regard to technical and personnel requirements, on the basis of an authorisation from the Ministry of the Interior.
- (6) Employees performing the inspection of proper operation and the servicing of fire extinguishers referred to in paragraph 3 of this Article shall have passed a professional exam for performing of these activities.
- (7) The programme and the manner of taking the exam referred to in paragraph 6 of this Article shall be prescribed by the minister for the interior.
- (8) The list of authorised legal persons that perform the activities referred to in Article 20 paragraphs 1 and 2 and Article 21, paragraph 3 of this Act, as well as the entities referred to in paragraph 5 of this Article, shall be published in the Official Gazette.

Article 23

- (1) With the purpose of preventing and eliminating fire danger, a firefighting duty or surveillance and information service and the appropriate firefighting equipment and means shall be ensured:
  1. in buildings during performances, fairs, exhibitions or similar events;
  2. in certain open spaces at the time when fire danger is likable or obvious (harvest and threshing of a larger scale, large building sites, national parks, forests, and similar).
- (2) The firefighting duty or surveillance and information service referred to in paragraph 1, item 1 of this Article shall be ensured by the organiser and those referred to in paragraph 1, item 2 of this Article shall be ensured by the owner or – if the owner of the mentioned buildings and areas cannot be established – by the user.

Article 24

In the area of the City of Zagreb, a town or a municipality where the firefighting duty or surveillance and information service referred to in Article 23 of this Act is not organised, if it is likely that a larger-scale fire might break out, the government of the City of Zagreb, a town or a county shall, on the basis of a fire danger estimation, organise such a duty or service.

#### Article 25

(1) Technological processes during which inflammable liquids and gases or explosive substances are used or produced may be carried out only in buildings or their parts that are separated from other production and warehousing parts of the building by firewalls which prevent fire spreading.

(2) The technological processes referred to in paragraph 1 of this Article, as well as activities involving open flame in the vicinity of inflammable liquids and gases, explosive and other substances which may provoke fire, shall be organised in the manner that the fire danger be eliminated or minimised, depending on the nature and conditions of work.

(3) The buildings referred to in paragraph 1 of this Article shall be constructed only on locations where their construction will not endanger fire safety of the existing buildings or the surrounding area.

### IV. FIREFIGHTING UNITS AND SOCIETIES

#### Article 26

(1) In order to participate in firefighting, rescuing of persons and property endangered by fire and explosion, to provide technical assistance in accidents and dangerous situations, to implement preventive fire protection measures and to perform other activities determined by fire protection plans, firefighting units and volunteer firefighting societies shall be founded.

(2) The firefighting units and societies shall perform the activities referred to in paragraph 1 of this Article regardless of whom the property belongs to, and they shall submit a report on the performed activities to the competent police department.

#### Article 27

Founding, organisation and other issues of importance for the operation of firefighting units, volunteer firefighting societies and their associations shall be regulated by a special Act, regulations passed on the basis of the Act and general acts of citizens' associations.

### V. FIREFIGHTING

#### Article 28

(1) Any person who notices the immediate fire danger or an actual fire shall be obliged to eliminate the danger or extinguish the fire if he/she may do it without endangering him/herself or another person. If that person is not able to do it on his/her own, he/she shall notify the nearest firefighting unit, police department, station or sub-station, a centre for notifying and alerting or another body of a local government or self-government unit.

(2) Owners or users of buildings, parts of buildings and spaces as well as other natural persons shall be obliged to immediately notify the competent police department, station or sub-station of any fire that has broken out in their premises or spaces.

#### Article 29

The system of organising and handling firefighting actions and technical interventions shall be regulated by a special Act.

### VI. SUPERVISION OF IMPLEMENTATION OF FIRE PROTECTION MEASURES

#### Article 30

(1) Supervision of implementation of the fire protection measures regulated by this Act and regulations passed on the basis of the Act shall be performed by inspectors of police departments and inspectors in the Ministry Headquarters.

(2) Supervision of implementation of fire protection measures in forests shall be also performed by forest inspectors who in performing of these activities have the authority of a fire protection inspector of a police department.

(3) Supervision of implementation of fire protection measures on agricultural lands shall be also performed by agricultural inspectors who in performing of these activities have the authority of a fire protection inspector of a police department.

#### Article 31

(1) A Decision of the representative body of the City of Zagreb, a town or a municipality, with a previously obtained consent of the Ministry of the Interior, may prescribe that certain activities related to the supervision of implementation of the fire protection measures prescribed by this Act and regulations passed on the basis of the Act shall be performed by firefighting units and fire departments.

(2) The Decision referred to in paragraph 1 of this Article shall define:

1. the type of buildings, parts of buildings and open spaces to be covered by the control,
2. the manner and procedure of performing control activities,
3. the manner of notifying the competent police department of the flaws established by the control;
4. the conditions to be met by persons performing the control, regarding their professional qualifications.

(3) The minister for the interior shall prescribe the form of an identity card used to identify the person authorised for performing the control, as well as the authorities and the manner of its issuance.

Article 32

- (1) The activities of an inspector in the Ministry Headquarters may be performed by a person with a 4-year university qualification of technical orientation and who has passed the professional exam.
- (2) The activities of an inspector of a police department may be performed by a person with a 4-year or exceptionally 2-year university qualification of technical or other adequate orientation and who has passed the professional exam.
- (3) The minister for the interior shall prescribe the programme and the manner of taking the professional exam for the inspectors referred to in paragraphs 1 and 2 of this Article.

Article 33

- (1) While performing supervision, an inspector of a police department and an inspector in the Ministry Headquarters shall be entitled to check all closed and open spaces, plants and appliances and to undertake other activities necessary to establish whether the prescribed and ordered fire protection measures have been applied.
- (2) While performing supervision, an inspector of a police department and an inspector in the Ministry Headquarters may enter a person's home at the request of an occupant, or in the case of eliminating a serious immediate danger to the lives and health of people or property of a larger scale.
- (3) Owners or users of buildings, parts of buildings and spaces shall enable the performing of inspection activities, submit the prescribed documentation to the fire protection inspector and provide required data and information.

Article 34

- (1) Should an inspector of a police department or an inspector in the Ministry Headquarters establish, during supervision, that fire protection measures envisaged by the general design have not been implemented, he/she shall notify the body competent for construction activities thereof.

Article 35

- (1) Should an inspector of a police department or an inspector in the Ministry Headquarters establish, during supervision, that equipment or means for fire extinguishing and notifying as well as other protective appliances and installations that do not meet the conditions referred to in Article 21 of this Act are placed on the market, he/she shall order by a Decision that the equipment or means in question should be recalled from the market.
- (2) An appeal against the Decision referred to in paragraph 1 of this Article shall not delay its execution.

Article 36

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(1) A fire protection inspector shall make a protocol of the performed supervision.

(2) A copy of the protocol shall be handed to the owner or user of the building, part of the building or space where the supervision was performed.

Article 37

(1) While performing his/her activities, a fire protection inspector shall cooperate with other inspections, legal persons and administrative and professional services.

Article 38

(1) While performing the supervision, a fire protection inspector shall be obliged to keep secret the data which, on the basis of law or a general act, are deemed state, official or business secret.

Article 39

(1) With the purpose of preventing the breaking out and spreading of fire, enabling the rescuing of people and property endangered by fire and enabling the firefighting, the minister for the interior or a competent police department shall, by a Decision, order the owner or user of a building, part of a building or space, to take certain fire protection measures prescribed by law, regulations passed on the basis of law, recognised rules of technical practice, fire protection plans and other decisions of bodies of the Republic of Croatia, the City of Zagreb, a county, district, town or municipality and legal persons. These are especially:

1. to put plants, installations or appliances in working order;
2. to make reconstruction of the building or certain spaces within the building;
3. to remove from closed and open spaces such waste which was created during the working process or has been disposed of on locations prohibited by a special Act;
4. to remove from premises or spaces such objects which might cause breaking out or spreading of fire or disable fast and safe exit from the endangered building or space;
5. to keep all forest roads and paths in the condition which enables access to fire engines at any time;
6. to install stable, semi-stable, mobile and other appropriate appliances and installations for fire notifying and extinguishing as well as other protective appliances and installations;
7. to construct necessary exits from the building or a part of the building in order to enable fast exiting of persons in case of fire;
8. to prevent access to vehicles which during the operation may emit sparks on locations where it would present fire danger;

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9. to put firefighting equipment and extinguishing means in working order or to place them on a certain location;

10. to remove or substitute elements of plants, installations and appliances which may cause fire while being used;

11. to remove inflammable substances built in constructive elements of the building or those used for treatment of horizontal or vertical surfaces of exits and exit routes, if those elements represent danger of fire breaking out or spreading quickly;

12. to prevent throwing of objects from the outside which could cause fire in the building or open space to which access is limited;

13. to acquire a certain quantity and kind of technical equipment and means for fire notifying and extinguishing;

14. to ensure firefighting duties in buildings or open spaces.

(2) The minister for the interior shall, by a Decision, prohibit the following for the reasons of immediate fire danger:

1. keeping of raw materials, finished products or other objects in closed and open storage spaces;

2. usage of open flame in closed and open spaces (smoking, welding, open flame lamps, open fire-rooms, electrical installations which do not comply with safety provisions, and similar);

3. usage of buildings or construction parts of plants, installations or other appliances if they may not be reconstructed in the manner that the flaw which could cause fire be eliminated;

4. usage of appliances, installations and means until measures for the danger elimination have been taken;

5. performing of a certain activity in the building or its part, in a room or premises (lacquering, decanting of inflammable liquids and gases, burning up of weeds, and similar).

(3) An appeal against the Decision referred to in paragraph 2 of this Article shall not delay its execution.

#### Article 40

(1) The Ministry of the Interior shall keep records pertaining to the sector of fire protection for the territory of the Republic of Croatia and a police department shall keep these records for the area within its competence.

(2) The minister for the interior shall prescribe the content of the records referred to in paragraph 1 of this Article as well as the manner of their keeping.

#### Article 41

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(1) The Headquarters of the Ministry shall:

1. analyse the condition of fire protection and take measures aimed at its improvement;
2. take care of professional development and training of inspectors of police departments;
3. perform other activities falling within its competence on the basis of law and other regulations passed on the basis of law.

(2) Inspectors in the Ministry Headquarters may perform any inspection task in the sector of fire protection in the territory of the Republic of Croatia.

Article 42

The minister for the interior may, in order to supervise the implementation of fire protection measures laid down by this Act and regulations passed on the basis of the Act, entrust corresponding scientific organisations or qualified legal persons and institutions with the performing of certain professional and technical tasks (expertise, laboratory testing and similar).

VII. FIREFIGHTING SCHOOL

Article 43

(1) In the fire protection sector, the Firefighting School shall:

1. conduct education and training of firefighting personnel;
2. follow up, develop and implement professional and scientific methods in the fire protection sector;
3. perform professional investigation of causes of fire;
4. participate in the preparation of proposals of standards and other regulations in the fire protection sector;
5. perform other activities pertaining to fire protection.

(2) By arrangement with competent bodies, within its competence, the Firefighting School shall also perform training of employees for civil defence activities and other requirements from the defence sector, according to the programme of the aforementioned bodies.

(3) The Firefighting School shall conduct the education of firefighting personnel in line with regulations pertaining to the sector of secondary education.

Article 44

(1) Firefighting School is an organisational unit of the Ministry of the Interior.

(2) The activities and the manner of work of the Firefighting School shall be regulated by a general act of the Ministry of the Interior.

## VIII. FINANCING

### Article 45

(1) Funds for activities pertaining to the implementation of the special fire protection measures referred to in Article 3, paragraph 5 of this Act shall be provided for in the State Budget.

(2) Funds for the implementation of the fire protection measures determined by a county fire protection plan and a fire protection plan of the City of Zagreb, a district, town or municipality, shall be provided for in the budget of the county, City of Zagreb, district, town or municipality.

(3) The financing of firefighting units, societies and their associations shall be prescribed by a special Act.

### Article 46

In line with the fire protection plan and their own general acts on fire protection, owners or users of buildings, parts of buildings and spaces shall provide for funds for the implementation of fire protection measures.

## IX. PENAL PROVISIONS

### Article 47

(1) Legal persons shall be fined in the Dinar equivalent of DEM 700 – 7 000 for an economic offence if they:

1. issue a document regarding the general design which has not been made according to this Act, conditions of space arrangement, technical normative provisions and standards (Article 14);
2. perform the activities referred to in Articles 20, 21 and 22 without an approval;
3. issue a certificate on proper operation of stable installations intended for fire extinguishing or notifying as well as other protective appliances and installations that do not meet requirements prescribed by technical normative provisions and standards (Article 20, paragraphs 1 and 2, Article 21, paragraph 3);
4. perform proper operation control and service of manual and transportable fire extinguishers without authorisation (Article 22, paragraph 5) or performs these activities contrary to regulations.

(2) Besides, the responsible person of a legal person shall be fined in the Dinar equivalent of DEM 150 – 700 for the economic offences referred to in paragraph 1 of this Article.



Article 48

(1) Legal persons shall be fined in the Dinar equivalent of DEM 210 – 2 100 for an economic offence if they:

1. do not participate in the firefighting and rescuing of people and property endangered by fire (Article 2, paragraph 2);
2. do not pass a general act determining measures and activities regarding the implementation and improving of fire protection or do not implement measures pertaining to the improvement of fire protection system or measures provided for in the general act on fire protection and other general acts (Article 9);
3. do not follow up and analyse causes which may lead to fire or facilitate its spreading (Article 11);
4. as contractors, for final treatment of horizontal and vertical surfaces of exits and exit routes in objects, builds in construction materials which do not possess certain fire-resistant properties (Article 17);
5. do not maintain in working order devices, appliances, electrical wiring, gas fittings, ventilation and other installations, chimneys and fire-rooms as well as other devices which may cause fire or its spreading, or if they do not have documentation regarding the maintenance (Article 18, paragraph 1);
6. do not maintain in working order appliances, equipment and means for firefighting, or if they do not have documentation regarding the maintenance (Article 18, paragraph 3);
7. do not have the installations referred to in Article 20 paragraph 2 inspected at least once a year by an authorised legal person, or if they do not keep records of the performed inspection (Article 20, paragraph 2);
8. place on the market appliances, equipment and means for fire extinguishing, notifying and preventing of fire spreading for which a certificate on proper operation issued by an authorised legal person has not been obtained (Article 21, paragraph 3);
9. place on the market, without consent, appliances, equipment and means intended for fire extinguishing or notifying, for which consent is required (Article 21, paragraph 4);
10. do not possess appliances, equipment and means for firefighting in line with regulations (Article 22);
11. do not ensure firefighting duty or surveillance and information service and the appropriate firefighting equipment and means (Article 23);
12. do not notify a police department, station or sub-station of the fire that has broken out (Article 28);

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13. prevent a fire protection inspector from performing his/her activities, or refuse to submit the prescribed documentation, or do not provide required data and information (Article 33, paragraph 3);

14. do not implement a Decision of an inspector of a police department or an inspector in the Ministry Headquarters (Article 35);

15. do not implement a Decision of the minister for the interior or a police department (Article 39).

(2) Besides, the responsible person of a legal person shall be fined in the Dinar equivalent of DEM 100 – 210 for the economic offence referred to in paragraph 1 of this Article.

Article 49

An individual shall be fined in the Dinar equivalent of DEM 100 – 210 or sentenced to 30 days imprisonment for a misdemeanour if he/she:

1. does not participate in the firefighting and rescuing of people and property endangered by fire (Article 2, paragraph 2);

2. as the owner or user of a building, part of building or space does not maintain in working order the devices, appliances, electrical wiring, gas fittings, ventilation and other installations, chimneys and fire-rooms as well as other devices which may cause fire, or if he/she does not have documentation regarding the maintenance (Article 18, paragraph 1);

3. does not start extinguishing fire or does not notify of the fire that has broken out (Article 28, paragraphs 1 and 2);

4. prevents a fire protection inspector from performing his/her activities, or refuse to submit required data and information (Article 33, paragraph 3);

5. does not implement a Decision of an inspector of a police department of an inspector in the Ministry Headquarters (Article 35);

6. does not implement a Decision of the minister for the interior or a police department (Article 39).

Article 50

The amounts of the fines referred to in Articles 47, 48 and 49 of this Act shall be revalued according to the mean rate of exchange of the Croatian National Bank on the day of the fine collection.

Article 51

(1) If an economic offence referred to in Article 47, paragraph 1, items 3 and 4 of this Act has been committed for the second time, a measure of prohibiting the performance of activities for a period of 6 months shall be pronounced along with the fine.

(2) If an economic offence referred to in Article 47, paragraph 1, items 3 and 4 of this Act has been committed for the third time, a measure of permanent prohibition of the performance of activities shall be pronounced along with the fine.

## X. TRANSITIONAL AND FINAL PROVISIONS

### Article 52

The minister for the interior, within the competences determined by law, may define misdemeanours and prescribe penalties for those misdemeanours by means of implementing regulations.

### Article 53

(1) Regulations the passing of which, pursuant to this Act, falls within the competence of the Ministry of the Interior, shall be passed within one year from the day of entering into force of this Act.

(2) The minister for the interior, in agreement with the competent Minister and within the authorisations prescribed by law, shall pass regulations on safety and fire protection conditions for public buildings, residential buildings, office buildings and other buildings, forests, crops and other constructions where there exists an increased fire danger.

### Article 54

(1) The representative body of the City of Zagreb, a county, district, town or municipality shall be obliged to harmonise the fire protection plan (Article 3) with provisions of this Act within 6 months from the day of entering into force of the implementing regulation referred to in Article 5, paragraph 1 of this Act.

(2) Legal persons, as well as administrative and professional services, shall be obliged to harmonise the general fire protection acts (Article 9) with provisions of this Act within 6 months from the day of entering into force of the implementing regulation referred to in Article 9, paragraph 2 of this Act.

(3) The authorised organisations referred to in Article 20, paragraphs 1 and 2, Article 21, paragraph 3 and Article 22, paragraph 5 of this Act shall, within 6 months from the day of entering into force of the subordinate legislation regulating the conditions for performing the testing, be obliged to harmonise their operation with provisions of that subordinate legislation.

### Article 55

The fire protection inspectors who are in service on the day of the entering into force of this Act, and who do not have the professional qualification prescribed by Article 32 of this Act, may continue working at their former posts provided that they acquire that qualification within three years from entering into force of this Act.

### Article 56

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(1) On the day of entering into force of this Act, provisions of the Act on Fire Protection (OG 11/91 – consolidated text and 14/91) shall cease to be valid, except the provisions pertaining to the organisation, work, status and financing of firefighting units, societies and associations for firefighting.

(2) Regulations passed for the purpose of the enforcement of the Act referred to in paragraph 1 of this Article shall remain in force until the passing of regulations for the enforcement of this Act, unless contrary to the provisions of this Act.

Article 57

This Act shall enter into force on the eighth day from its publication in the Official Gazette.

Class: 214-01 /92-01/02

Zagreb, 2 June 1993

THE HOUSE OF REPRESENTATIVES  
OF THE PARLIAMENT OF THE REPUBLIC OF CROATIA

**President of the House of Representatives of the Parliament**

**Stjepan Mesić, m.p.**