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Emergency Act

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RT I 2009, 39, 262
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Amended by the following acts

Passed	Published	Entry into force
26.11.2009	RT I 2009, 62, 405	01.01.2010
22.04.2010	RT I 2010, 22, 108	01.01.2011 enters into force on the date determined by the Decision of the Council of the European Union on abrogation of a derogation established in respect of the Republic of Estonia on the basis of Article 140 (2) of the Treaty on the Functioning of the European Union, Council Decision No. 2010/416/EU of 13 July 2010 (OJ L 196, 28.07.2010, pp. 24–26).
05.05.2010	RT I 2010, 24, 115	10.06.2010
21.10.2010	RT I, 08.11.2010, 3	18.11.2010
27.01.2011	RT I, 17.02.2011, 2	01.01.2012
08.12.2011	RT I, 29.12.2011, 1	01.01.2012
13.06.2012	RT I, 10.07.2012, 2	01.04.2013 the word “kaitsevägi” (the Defence Forces) has been substituted for the word “Kaitsevägi” throughout the Act
17.10.2012	RT I, 30.10.2012, 1	01.01.2013, partially01.01.2014
19.02.2014	RT I, 13.03.2014, 2	23.03.2014
13.02.2014	RT I, 13.03.2014, 1	23.03.2014, partially01.04.2014
19.02.2014	RT I, 13.03.2014, 4	01.07.2014
07.05.2014	RT I, 21.05.2014, 2	31.05.2014, partially01.07.2014
19.06.2014	RT I, 12.07.2014, 1	01.01.2015
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, titles of ministers replaced on the basis of § 107 ³ (4) of the Government of the Republic Act
03.12.2014	RT I, 16.12.2014, 9	17.12.2014
18.02.2015	RT I, 12.03.2015, 3	22.03.2015

Chapter 1 GENERAL PROVISIONS

§ 1. Scope of application of Act

(1) This Act provides the legal bases for crisis management, including for preparing for an emergency and resolving an emergency as well as ensuring the continuous operation of vital services. This Act also regulates the declaration, the resolving and the termination of an emergency situation and the use of the Defence Forces and the Defence League in resolving an emergency, performing rescue work and ensuring security.

(2) This Act is applied during a state of emergency and a state of war insofar as not otherwise provided by the State of Emergency Act and the War-Time National Defence Act.

(3) This Act does not regulate preparing for and resolving an emergency arising from a military threat.

(4) The competence and powers, provided for in other legislation, of state and local government authorities (hereinafter *authority*) and persons also apply upon preparing for an emergency and resolving an emergency, unless otherwise provided by this Act.

§ 2. Emergency and crisis management

(1) An emergency is an event or a chain of events which endangers the life or health of many people or causes major proprietary damage or major environmental damage or severe and extensive disruptions in the continuous operation of vital services and resolving of which requires the prompt co-ordinated activities of several authorities or persons involved by them.

(2) Crisis management is a system of measures which includes preventing an emergency, preparing for an emergency, resolving an emergency and mitigating the consequences of an emergency.

§ 3. Crisis committee of the Government of the Republic

(1) The Government of the Republic shall form a permanent crisis committee of the Government of the Republic.

(2) The crisis committee of the Government of the Republic shall:

- 1) monitor and analyse the organisation of national crisis management, including the preparation for emergencies, resolving of emergencies and ensuring the continuous operation of vital services;
[RT I 2010, 24, 115 - entry into force 10.06.2010]
- 2) analyse the probability of the occurrence of emergencies and make proposals to the Government of the Republic and competent authorities in respect of preparing for emergencies, resolving emergencies and organising the continuous operation of vital services;
- 3) assist, if need be, authorities resolving an emergency with a national effect or of particular severity in the organisation of exchange of information and in the co-ordination of resolving the emergency;
- 4) assist, if need be, the head of emergency situation in the co-ordination of resolving the emergency due to which an emergency situation was declared and in the organisation of exchange of information, and perform other duties assigned by the head of emergency situation;
- 5) provide an opinion on the guidelines for preparing an emergency risk assessment;
- 6) provide an opinion on the guidelines for preparing a risk assessment of continuous operation;
- 7) provide an opinion on the guidelines for preparing an emergency response plan;
- 8) provide an opinion on the guidelines for preparing a continuous operation plan;
- 9) approve a summary of emergency risk assessments;
- 10) provide an opinion to the Government of the Republic on the need to declare or terminate an emergency situation;
- 11) make, if need be, a proposal to the Government of the Republic and the head of emergency situation to implement, during an emergency situation, measures provided for in legislation;
- 12) make, if need be, a proposal to the Government of the Republic to apply for international assistance for resolving an emergency;
- 13) inform the public of an emergency on the bases of and pursuant to the procedure established by the Government of the Republic;
- 14) fulfil other duties arising from the law and the statutes.

(3) The chairman of the crisis committee of the Government of the Republic shall be the minister responsible for the field.

(4) The statutes of the crisis committee of the Government of the Republic shall be established and the composition thereof shall be approved by the Government of the Republic.

§ 4. Regional crisis committee

(1) The minister responsible for the field shall form four permanent regional crisis committees.
[RT I, 29.12.2011, 1 - entry into force 01.01.2012]

(2) A regional crisis committee shall:

- 1) monitor and analyse the organisation of crisis management, including the preparation for emergencies, resolving of emergencies and ensuring the continuous operation of vital services in the region;
[RT I 2010, 24, 115 - entry into force 10.06.2010]
- 2) analyse the probability of the occurrence of emergencies and make proposals to the crisis committee of the Government of the Republic and competent authorities in respect of preparing for emergencies, resolving emergencies, ensuring the safety of the inhabitants and organising the continuous operation of vital services in the region;
- 3) review the part of an emergency risk assessment which pertains to the area of activity of the crisis committee;

- 4) assist, if need be, the head of emergency situation in the co-ordination of resolving the emergency due to which an emergency situation was declared and in the organisation of exchange of information, and perform other duties assigned by the head of emergency situation;
- 5) assist, if need be, authorities resolving an emergency with a regional effect in the organisation of exchange of information and in the co-ordination of resolving the emergency;
- 6) decide the organisation of a regional crisis management exercise;
- 7) inform the public of an emergency on the bases of and pursuant to the procedure established by the Government of the Republic;
- 8) form, if need be, a territorial crisis committee by appointing its chairman, establishing its statutes and approving its composition;
- 9) fulfil other duties arising from the law and the statutes.

(3) A regional crisis committee shall be headed by the head of the Rescue Centre of the Rescue Board.
[RT I, 29.12.2011, 1 - entry into force 01.01.2012]

(4) The statutes of a regional crisis committee shall be established and the composition thereof shall be approved by the minister responsible for the field.

§ 5. Crisis committee of local government

(1) A rural municipality or city government shall form a permanent crisis committee of the local government to operate in the territory of the local government.

(2) A local government with less than 40,000 inhabitants may form a joint crisis committee with one or several local governments.

(3) A crisis committee of a local government shall:

1) monitor and analyse the organisation of crisis management, including the preparation for emergencies, resolving of emergencies, ensuring the continuous operation of vital services and functioning of the duties and competence provided for in section 6 of the Local Government Organisation Act in an emergency in the local government;

[RT I 2010, 24, 115 - entry into force 10.06.2010]

2) analyse the probability of the occurrence of emergencies and make proposals to the crisis committee of the Government of the Republic, the regional crisis committee and competent authorities in respect of preparing for emergencies, resolving emergencies, ensuring the safety of the inhabitants and organising the continuous operation of vital services in the local government;

3) review the part of an emergency risk assessment which pertains to the area of activity of the crisis committee;

4) assist, if need be, the head of emergency situation in the co-ordination of resolving the emergency due to which an emergency situation was declared and in the organisation of exchange of information, and perform other duties assigned by the head of emergency situation;

5) assist, if need be, authorities resolving an emergency in the organisation of exchange of information and in the co-ordination of resolving the emergency;

6) decide the organisation of a crisis management exercise in the local government;

7) inform the public of an emergency on the bases of and pursuant to the procedure established by the Government of the Republic;

8) fulfil other duties arising from the law and the statutes.

(4) The chairman of the crisis committee of a local government shall be the rural municipality mayor or the city mayor.

(5) The statutes of a crisis committee of a local government shall be established and the composition thereof shall be approved by the rural municipality government or the city government. The draft statutes and the composition of a crisis committee shall be co-ordinated with the Rescue Board.

[RT I, 29.12.2011, 1 - entry into force 01.01.2012]

Chapter 2 ORGANISATION OF PREPARING FOR EMERGENCY

Division 1

Organisation of Preparing Emergency Risk Assessment

§ 6. Emergency risk assessment

(1) An emergency risk assessment is a document which describes the following on the national and, if need be, on the regional and local government level:

- 1) the emergency;
- 2) the threats and hazards causing the emergency;
- 3) the probability of the emergency;
- 4) the consequences of the emergency;
- 5) other important information related to the emergency;
- 6) references to models, source materials and other such information on the basis of which the risk assessment is prepared.

(2) The Government of the Republic shall establish by an order a list of those emergencies concerning which a risk assessment shall be prepared, and shall appoint competent authorities of executive power to prepare the emergency risk assessment. The Government of the Republic shall assess at least once in every two years the need to amend the list of those emergencies concerning which a risk assessment needs to be prepared.

(3) A competent authority shall have the right to obtain from other authorities and persons information necessary for preparing an emergency risk assessment.

(4) An emergency risk assessment shall be approved by a decree of the head of the authority that lead the preparation thereof.

(5) The authority that lead the preparation of a risk assessment shall submit the emergency risk assessment to the Ministry of the Interior.

(6) The authority that lead the preparation of an emergency risk assessment shall assess at least once in every two years the up-to-date value of the emergency risk assessment and make amendments as necessary. The amendments shall be approved by the Ministry of the Interior.

(7) The guidelines for preparing an emergency risk assessment shall be established by the minister responsible for the field by a regulation.

(8) An emergency risk assessment shall be taken into account in the preparation of development plans of relevant authorities.

Division 2 Organisation of Preparing Emergency Response Plan

§ 7. Emergency response plan

(1) An emergency response plan is a document which describes the following on the national and, if need be, on the regional and local government level:

- 1) the organisation of resolving an emergency;
- 2) the management structure of resolving an emergency;
- 3) the duties of the authorities or persons participating in resolving an emergency;
- 4) the organisation of exchange of information between authorities or persons participating in resolving an emergency;
- 5) the organisation of informing the public of an emergency;
- 6) the organisation of international co-operation in resolving an emergency;
- 7) other important issues related to resolving an emergency.

(2) The Government of the Republic shall establish by an order a list of those emergencies concerning which an emergency response plan shall be prepared, and shall appoint competent authorities of executive power to prepare the emergency response plan. The Government of the Republic shall assess at least once in every two years the need to amend the list of those emergencies concerning which an emergency response plan needs to be prepared.

(3) A competent authority shall have the right to obtain from other authorities and persons information necessary for preparing an emergency response plan.

(4) An emergency response plan shall be established by the Government of the Republic by an order.
[RT I 2010, 24, 115 - entry into force 10.06.2010]

(5) The authority that lead the preparation of an emergency response plan shall assess at least once a year the up-to-date value of the emergency response plan and make, if need be, a proposal to the Government of the Republic to amend the plan.

(6) The guidelines for preparing an emergency response plan shall be established by the minister responsible for the field by a regulation.

Division 3 Exercises

§ 8. Exercises

(1) For the purposes of this Act, exercise means crisis management exercises which are organised with the aim of assessing the procedures and capability of resolving one or more emergencies, and which include all the competent authorities and consist of:

- 1) command-post exercises and field exercises;
- 2) command-post exercises or
- 3) field exercises.

[RT I 2010, 24, 115 - entry into force 10.06.2010]

(2) National emergency exercises shall be organised at least once in every four years.

(3) The time and the organiser of national emergency exercises and the emergencies, the procedures for and the capabilities of resolving of which are being assessed, shall be approved by the crisis committee of the Government of the Republic in co-ordination with the authority planned to be the organiser of the exercises.

(4) The time and the organiser of regional emergency exercises and the emergencies, the procedures for and the capabilities of resolving of which are being assessed, shall be approved by the regional crisis committee in co-ordination with the authority planned to be the organiser of the exercises.

(5) The time and the organiser of local government emergency exercises and the emergencies, the procedures for and the capabilities of resolving of which are being assessed, shall be approved by the crisis committee of the local government in co-ordination with the authority planned to be the organiser of the exercises.

(6) The minister responsible for the field shall establish by a regulation the requirements set for the conduct of exercises and for the frequency of organising regional and local government exercises.

[RT I 2010, 24, 115 - entry into force 10.06.2010]

(7) The expenses related to organising exercises shall be covered from the budget of the authority organising the exercises.

(8) The expenses of the authorities involved in the exercises incurred in the participation in the exercises shall be covered from their own funds.

Chapter 3 ORGANISATION OF RESOLVING OF EMERGENCY

Division 1 Notifying of Emergency and Obligations of Possessor of Media

§ 9. Notifying of emergency

(1) A natural person shall be obligated to immediately notify the common emergency phone number 112 of an emergency or an impending risk of emergency that has come to his or her knowledge, unless there is reason to believe that the authority competent to resolve the emergency has already been notified.

(2) An authority or a legal person shall be obligated to immediately notify the Ministry of the Interior of an emergency that has occurred in the fulfilment of their responsibilities or in their area of activity or of an impending risk of such emergency.

(3) The public shall be immediately notified of an impending risk of the occurrence of an emergency, of an emergency and the resolving of the emergency if failure to inform may endanger the life or health of people, cause major proprietary damage or otherwise significantly disrupt the ordinary way of life.

(4) The procedure for fulfilling the obligations provided for in subsection (2) of this section, the requirements for the information to be communicated as well as the organisation of exchange of information between the

authorities and persons resolving an emergency shall be established by the Government of the Republic by a regulation.

(5) The procedure for fulfilling the obligations provided for in subsection (3) of this section and the requirements for the information to be communicated shall be established by the Government of the Republic by a regulation.

§ 10. Obligations of possessor of media upon notifying of emergency

A possessor of the media shall, in unaltered form and free of charge, announce notices of the Government of the Republic, crisis committees, heads of emergency situations, heads of emergency situation work and ministries or other authorities resolving an emergency concerning an impending risk of the occurrence of an emergency, an emergency and the resolving thereof, including notices concerning the declaration, alteration or termination of an emergency situation. A notice shall be announced without delay or at the time determined by the person who presented the notice.

§ 11. Organisation of psychological defence

(1) For the purposes of this Act, psychological defence means the activities of the state aimed at ensuring the prevention of the spread of incorrect information and moods causing panic arising from an emergency or a risk of emergency.

(2) The psychological defence plan shall be developed by the Government Office and approved by the Government of the Republic by an order.

§ 12. Management of resolving of emergency

(1) Resolving of an emergency shall be co-ordinated by the authority or official of executive power appointed in the emergency response plan.

(2) The authority or person co-ordinating the resolving of an emergency shall have the right to assistance from other authorities and officials of executive power for resolving the emergency on the bases of and pursuant to the procedure established in the emergency response plan.

Division 2 Emergency Situation

Subdivision 1 Declaration and Termination of Emergency Situation

§ 13. Basis and conditions of declaration of emergency situation

(1) The Government of the Republic may declare an emergency situation for resolving an emergency arising from a natural disaster, catastrophe or spread of a communicable disease if resolving the emergency without implementing the command organisation or measures provided for in this Division is not possible.

(2) For the purposes of this Act, a catastrophe means a large-scale accident or emergency or another incident with a similar effect, above all:

[RT I, 12.03.2015, 3 - entry into force 22.03.2015]

- 1) an extensive chemical, biological or radioactive contamination of the environment;
- 2) an extensive fire or explosion;
- 3) an accident with severe consequences involving a ship, aircraft, train or other means of transport;
- 4) a long-term interruption, with severe consequences, in the continuous operation of the vital services specified in clauses 34 (2) 1)–3), 10¹) and 11)–14), in clauses 34 (3) 3) and 6), in clauses 34 (4) 2) and 4), in clause 34 (8) 2) and in clauses 34 (9) 1)–3) of this Act.

[RT I, 12.03.2015, 3 - entry into force 22.03.2015]

(3) For the purposes of this Act, a communicable disease means a communicable disease within the meaning of the Communicable Diseases Prevention and Control Act and an infectious animal disease within the meaning of the Infectious Animal Disease Control Act.

§ 14. Procedure for declaration of emergency situation

(1) In order to decide the declaration of an emergency situation, the Prime Minister or the minister substituting for the Prime Minister in his or her absence shall immediately convene a session of the Government of the Republic where the opinion of the crisis committee of the Government of the Republic concerning the need to declare an emergency situation will be heard.

(2) A draft order of the Government of the Republic concerning the declaration of an emergency situation shall be presented for deciding to the Government of the Republic by the Prime Minister or the minister substituting for the Prime Minister in his or her absence.

(3) The Government of the Republic shall declare an emergency situation in the entire country or in the territory of one or several counties or local governments (hereinafter the *emergency situation area*).
[RT I, 29.12.2011, 1 - entry into force 01.01.2012]

§ 15. Order of the Government of the Republic regarding declaration of emergency situation

(1) An order of the Government of the Republic regarding the declaration of an emergency situation shall provide for:

- 1) the declaration of the emergency situation;
- 2) the reason for declaring the emergency situation;
- 3) the emergency situation area;
- 4) the head of emergency situation;
- 5) the authorities and persons, fulfilling public administration duties, who shall be obligated to implement measures to resolve the emergency due to which the emergency situation was declared and follow the orders of the head of emergency situation;
- 6) other measures to be taken by the Government of the Republic to resolve the emergency due to which the emergency situation was declared;
- 7) the obligation of possessors of the media to announce the order immediately and in unaltered form.

(2) An order of the Government of the Republic regarding declaration of an emergency situation shall enter into force on signing, unless a later date has been provided for in the order itself. The order shall be immediately published in the media.

§ 16. Procedure for changing conditions of emergency situation

(1) The Government of the Republic may decide by an order to change the conditions of an emergency situation provided for in clauses 15 (1) 3)–7) of this Act. A change in the conditions of an emergency situation shall not be considered declaration of a new emergency situation.

(2) An order of the Government of the Republic regarding the changing of the conditions of an emergency situation shall enter into force on signing, unless a later date has been provided for in the order itself. An order regarding a change in the emergency situation area or the use of measures restricting the fundamental rights of persons shall be immediately published in the media.

§ 17. Procedure for termination of emergency situation

(1) The Government of the Republic shall decide the termination of an emergency situation after the resolving of the emergency due to which the emergency situation was declared, having previously heard the opinion of the crisis committee of the Government of the Republic.

(2) An order of the Government of the Republic regarding termination of an emergency situation shall enter into force on signing, unless a later date has been provided for in the order itself. The order shall be immediately published in the media.

Subdivision 2 Co-ordination of Resolving of Emergency Situation and Emergency Situation Work

§ 18. Head of emergency situation

(1) Upon declaring an emergency situation, the Government of the Republic shall appoint a minister to direct and co-ordinate the resolving of the emergency due to which the emergency situation was declared (hereinafter the *head of emergency situation*).

(2) The head of emergency situation shall have the right to issue orders, for resolving an emergency arising from an event due to which an emergency situation was declared, to the head of emergency situation work and the state and local government authorities appointed by the Government of the Republic and to other persons fulfilling public administration duties, taking account of the competence and powers of these authorities and persons.

(3) The head of emergency situation shall be subordinate and accountable to the Government of the Republic. The head of emergency situation shall make proposals to the Government of the Republic for the performance

of those duties and the implementation of those measures related to resolving the emergency situation which are outside his or her competence.

(4) The head of emergency situation shall issue, within his or her competence, orders in the form of administrative acts.

(5) If an emergency situation is declared during a state of emergency, the head of emergency situation shall be subordinate to the head of state of emergency.

§ 19. Emergency situation work and head of emergency situation work

(1) Emergency situation work is:

- 1) emergency, rescue and recovery work in the event of a natural disaster and catastrophe;
- 2) work for preventing the spread of communicable diseases;
- 3) work in the provision of assistance to victims in the event of a natural disaster and catastrophe, and in preventing the spread of communicable diseases.

(2) The head of emergency situation shall appoint one or several heads of emergency situation work who shall direct the performance of emergency situation work in the emergency situation area, co-ordinate ensuring of public order and road safety, and fulfil other duties given by the head of emergency situation.

(3) In the fulfilment of his or her duties, the head of emergency situation work shall be subordinate to the head of emergency situation.

(4) The head of emergency situation work shall issue, within his or her competence, orders in the form of administrative acts.

(5) The head of emergency situation work shall be liable for the safety of performing the work directed by him or her in resolving an emergency situation and, if possible, ensure the implementation of measures for the preservation and protection of the nature and objects protected under heritage conservation.

§ 20. Financing of resolving of emergency situation

The Government of the Republic shall establish by a regulation the bases of and the procedure for financing the resolving of the emergency due to which an emergency situation was declared.

Subdivision 3 Measures Implemented During Emergency Situation

§ 21. Obligation to work

(1) The head of emergency situation, the head of emergency situation work or other official appointed by the head of emergency situation may during an emergency situation obligate a natural person to perform emergency situation work if competent authorities or persons involved by them on a voluntary basis are unable to perform it or are unable to perform it in a timely manner.

(2) A person may be imposed the obligation to work if he or she is at least 18 years of age and capable of performing the work by his or her knowledge, skills and state of health.

(3) The obligation to work shall end at the time determined by the head of emergency situation, the head of emergency situation work or other official appointed by the head of emergency situation, but no later than upon the termination of the emergency situation. A person may not be imposed the obligation to work for longer than 30 days.

(4) The following shall not be obligated to perform emergency situation work:

- 1) a person with a moderate, severe or profound disability and his or her caregiver;
- 2) a pregnant woman and a mother of a child up to 3 years of age;
- 3) a person raising a child with a moderate, severe or profound disability;
- 4) one parent or caregiver of a child under 12 years of age;
- 5) a female person under 30 years of age if the work is performed in the area of ionising radiation hazard;
- 6) a military serviceman in active service.

[RT I, 10.07.2012, 2 - entry into force 01.04.2013]

(5) The Government of the Republic may establish by a regulation during an emergency situation a more specific procedure for the imposition of the obligation to work with regard to natural persons.

§ 22. Expropriation of movable

(1) The head of emergency situation or the head of emergency situation work may decide the expropriation of fuel, food, medicinal products or other consumable movable into state ownership if the movable is strictly

necessary for resolving the emergency situation or for eliminating the consequences thereof and other possibilities for its timely acquisition are non-existent or would be unreasonably burdensome.

(2) Money or property, belonging to a person, against which a claim for payment cannot be made in enforcement proceedings shall not be expropriated pursuant to the procedure provided for in this section.

§ 23. Duty to grant use of thing

(1) The head of emergency situation or the head of emergency situation work may decide the imposition of the duty to grant use of an immovable or a part thereof, a building, vehicle, machinery, equipment or other movable not specified in section 22 of this Act if using the thing is strictly necessary for resolving the emergency situation or for eliminating the consequences thereof and other possibilities for the timely use of the thing are non-existent or would be unreasonably burdensome.

(2) The duty to grant use of a thing shall end at the time determined by the head of emergency situation or the head of emergency situation work, but no later than upon the termination of the emergency situation.

§ 24. Procedure for expropriation or duty to grant use of thing

(1) A thing shall be expropriated or the duty to grant use of a thing shall be imposed by an official appointed by the head of emergency situation or the head of emergency situation work.

(2) The head of emergency situation, the head of emergency situation work or the official performing the expropriation of a thing may obligate the owner or possessor of the thing which is expropriated or with regard to which the duty to grant use of is imposed to deliver the movable to the location determined for the transfer thereof.

(3) A report concerning the expropriation of a thing or the duty to grant use of a thing shall be prepared in two copies. One copy of the report shall be given to the owner or possessor of the thing.

(4) The Government of the Republic may establish by a regulation a more specific procedure for the expropriation of things and for the duty to grant use of things during an emergency situation.

§ 25. Entry into premises

(1) The head of emergency situation, the head of emergency situation work or other person appointed by the head of emergency situation or the head of emergency situation work may, without the consent of the possessor, enter an immovable, building or room on his or her premises in an emergency situation area, including open doors, gates or eliminate other obstacles if this is necessary for resolving the emergency due to which an emergency situation was declared.

(2) The head of emergency situation or the head of emergency situation work may decide the performance of emergency situation work in the emergency situation area without the consent of the possessor in his or her immovable, building or room, including perform demolition work, cut down trees and block water bodies.

(3) If the identity of the possessor can be established, he or she shall be notified at the first opportunity of the entry into the fenced or marked immovable, building or room or of the performance of emergency situation work on the premises.

(4) A report shall be prepared concerning the entry into a fenced or marked immovable, building or room if this involved damage to the property on the premises, as well as concerning the performance of emergency situation work on the premises.

§ 26. Prohibition on stay and other restrictions on freedom of movement

(1) The Government of the Republic, the head of emergency situation, the head of emergency situation work or an official appointed by the head of emergency situation may obligate a person to leave the emergency situation area or a part thereof and prohibit him or her from staying in the emergency situation area or a part thereof if this is necessary for resolving the emergency due to which an emergency situation was declared (prohibition on stay). If possible, a person's access to his or her dwelling or place of work shall be maintained.

(2) If a prohibition on stay is imposed in respect of an undetermined number of persons (as a general order), the person deciding the application of the prohibition on stay shall ensure the designation of the place of the prohibition on stay in a comprehensible manner. Information regarding a prohibition on stay imposed in respect of an undetermined number of persons and covering an area exceeding 1 km² shall be immediately published in the media.

(3) The Government of the Republic or the head of emergency situation may impose by an order restrictions not specified in subsection (1) of this section on the freedom of movement in the emergency situation area if this is necessary for resolving the emergency due to which an emergency situation was declared. The order shall be immediately published in the media.

(4) An order of the Government of the Republic concerning establishment of a prohibition on stay or other restriction on the freedom of movement shall enter into force on signing, unless a later date has been provided for in the order itself.

(5) The prohibition on stay or other restriction on the freedom of movement specified in subsection (1) or (3) of this section shall remain in force until the time determined by the person applying it, but not for longer than until the termination of the emergency situation.

§ 27. Restrictions on holding public meetings and public events

(1) The Government of the Republic or the head of emergency situation may restrict by an order the holding of public events and meetings in an emergency situation area or prohibit the holding of public events and meetings in an emergency situation area if it is strictly necessary for resolving the emergency due to which an emergency situation was declared.

(2) An order specified in subsection (1) of this section shall enter into force on signing, unless a later date has been provided for in the order itself. The order shall be immediately published in the media.

(3) An order specified in subsection (1) of this section shall remain in force until the time prescribed therein, but not for longer than until the termination of the emergency situation.

§ 28. Isolation and treatment of persons suffering from communicable disease during emergency situation

(1) The isolation and treatment of persons suffering from a communicable disease, including involuntary treatment in an emergency situation area, shall be carried out on the bases of and pursuant to the procedure provided for in the Communicable Diseases Prevention and Control Act.

(2) For the purposes of specifying the procedure provided for in subsection (1), the Government of the Republic may establish by a regulation the procedure for the involuntary hospitalisation and isolation of persons suffering from a communicable disease during an emergency situation.

§ 29. Infectious animal disease control during emergency situation

For the purposes of infectious animal disease control in an emergency situation area, the measures provided for in the Infectious Animal Disease Control Act shall be applied in addition to the measures provided for in this Act.

§ 30. Responsibilities of the police in ensuring measures imposed during emergency situation

The police shall render to the head of emergency situation, the head of emergency situation work or other competent official professional assistance, pursuant to the procedure provided for in the Administrative Co-operation Act, for ensuring the measures provided for in this Division by applying coercion.

Division 3

Use of Defence Forces or Defence League in Resolving of Emergency, in Rescue Work and in Ensuring Safety

§ 31. Use of Defence Forces or Defence League in resolving of emergency, in rescue work and in ensuring safety

(1) The Defence Forces or the Defence League may be used for the performance of the following duties:

- 1) performance of rescue work and emergency situation work;
- 2) regulation of traffic during an emergency situation and ensuring of safety in an emergency situation area;
- 3) prevention or countering of the criminal offences specified in section 237 (acts of terrorism), 240 (entry into the official premises of a state or local government agency), 246 (attack against life or health of persons enjoying international immunity) and 248 (entry into a territory, building or premises enjoying diplomatic immunity) of the Penal Code;
- 4) prevention or countering of damage to an object with high risk of attack;
- 5) temporary restriction on or suspension of crossing of the state border in the event specified in section 17 of the State Borders Act.

[RT I 2009, 62, 405 - entry into force 01.01.2010]

(2) The procedure for the use of the Defence Forces or the Defence League for the performance of the duties specified in clause (1) 1) of this section shall be established by the Government of the Republic by a regulation.

(3) The use of the Defence Forces or the Defence League for the performance of the duties specified in clauses (1) 2)–5) of this section shall be decided by the Government of the Republic by a regulation with the approval of the President of the Republic.

(4) A proposal to use the Defence Forces or the Defence League for the performance of the duties specified in clauses (1) 2)–5) of this section shall be made to the Government of the Republic by the Minister of the Interior. The proposal shall be previously approved by the Minister of Defence.

(5) For the performance of the duty specified in clause (1) 2) of this section the Government of the Republic may decide to use the Defence Forces or the Defence League until the termination of the emergency situation.

(6) In the cases specified in clauses (1) 3)–5) of this section, the Government of the Republic may not decide to use the Defence Forces or the Defence League for longer than 30 days from the date of making of the decision. In the cases specified in this subsection, the Government of the Republic may not decide to use the Defence Forces or the Defence League again for resolving the same case.

(7) The use of the Defence Forces or the Defence League for the performance of the duties specified in clauses (1) 2)–5) of this section is allowed only in case a competent authority is unable to perform the duty or is unable to perform the duty in a timely manner and there are no other means for performing the duty.

§ 32. Content of decision

An order specified in subsection 31 (3) shall set out:

- 1) the duty for the performance of which the Defence Forces or the Defence League is used;
- 2) the number or maximum number of the military servicemen or the active members of the Defence League used;
- 3) the term for the use of the Defence Forces or the Defence League;
- 4) the territory in which the Defence Forces or the Defence League perform their duty;
- 5) the official or officials who the military servicemen or the active members of the Defence League used shall be subordinate to;
- 6) other conditions, if necessary.

§ 33. Procedure for use of Defence Forces or Defence League

(1) An order specified in subsection 31 (3) of this Act shall be immediately submitted to the Commander of the Defence Forces or the Commander of the Defence League who shall subordinate a unit of the Defence Forces or of the Defence League, through the head of the unit, in issues related to the performance of the duty specified in subsection (1) to the official appointed by the Government of the Republic.

(2) The Board of the Riigikogu and the chairman of the National Defence Committee of the Riigikogu shall be immediately notified of an order specified in subsection 31 (3) of this Act.

(3) During the performance of the duties specified in clauses 31 (1) 2)–5), an active member of the Defence League or a military serviceman shall wear a uniform together with a safety jacket with easily visible designation “*KORRAKAITSE*” (law enforcement). A vehicle of the Defence Forces or the Defence League used for the performance of duties shall be designated with a sticker “*KORRAKAITSE*” (law enforcement). The description of the safety jacket and the sticker shall be established by the minister responsible for the field by a regulation.

(4) In the performance of the duties specified in clauses 31 (1) 2)–5), a military serviceman and an active member of the Defence League may use force on the bases and pursuant to the procedure prescribed in Chapter 5 of the Law Enforcement Act for the police for applying direct coercion.
[RT I, 16.12.2014, 9 - entry into force 17.12.2014]

(5) The duties specified in clauses 31 (1) 2)–5) of this Act shall be performed by military servicemen and active members of the Defence League who have completed the relevant training.

Chapter 4 ORGANISATION OF CONTINUOUS OPERATION OF VITAL SERVICES

§ 34. Vital service, continuous operation thereof and organiser of continuous operation

(1) The continuous operation of a vital service is the capability of consistent functioning of the organiser of the vital service and the ability to restore the consistent functioning after an interruption.
[RT I 2010, 24, 115 - entry into force 10.06.2010]

(1¹) The Ministry of Justice shall organise the execution of imprisonment as continuous operation of a vital service.

[RT I, 08.11.2010, 3 - entry into force 18.11.2010]

(2) The Ministry of Economic Affairs and Communications shall organise the continuous operation of the following vital services:

- 1) functioning of electricity supply;
- 2) functioning of gas supply;
- 3) functioning of liquid fuel supply;
- 4) functioning of airports;
- 5) functioning of air navigation services;
- 6) functioning of management of public railway;
- 7) functioning of rail transport, including public passenger carriage;

[RT I, 13.03.2014, 1 - entry into force 01.04.2014]

- 8) functioning of ice breaking activities;
- 9) functioning of ports;
- 10) functioning of vessel traffic management system;
- 10¹) functioning of passenger ferry traffic between the mainland and large islands of Estonia;

[RT I, 12.03.2015, 3 - entry into force 22.03.2015]

- 11) functioning of maintenance of main and basic roads in the country;
- 12) functioning of telephone network;
- 13) functioning of mobile telephone network;
- 14) functioning of data communication network;
- 15) functioning of marine radio communication network;
- 16) functioning of cable network;
- 17) functioning of broadcasting network;
- 18) functioning of postal network;
- 19) functioning of uninterrupted communication.

[RT I, 17.02.2011, 2 - entry into force 01.01.2012]

(3) The Ministry of the Interior shall organise the continuous operation of the following vital services:

- 1) functioning of maintenance of public order;
- 2) functioning of rescue work;
- 3) functioning of processing of emergency accident messages;
- 4) functioning of air and sea rescue;
- 5) functioning of marine pollution monitoring and control;
- 6) functioning of operational radio communication network;
- 7) ensuring the functioning of the work of the Riigikogu, the Government of the Republic and the President of the Republic.

(4) The Ministry of Social Affairs shall organise the continuous operation of the following vital services:

- 1) functioning of in-patient specialised medical care;
- 2) functioning of emergency medical care;
- 3) functioning of drinking water safety control;
- 4) functioning of blood service.

(5) The Ministry of the Environment shall organise the continuous operation of the following vital services:

- 1) functioning of air surveillance and early warning;
- 2) functioning of hydrological and meteorological monitoring and early warning;
- 3) functioning of system for early warning of a risk of radiation.

(6) The Ministry of Agriculture shall organise the continuous operation of the functioning of the control of food safety as a vital service.

(7) The Ministry of Finance shall organise the continuity of payment and clearing operations, including the operation of payments of state authorities, as a vital service.

(8) The Bank of Estonia shall organise the continuous operation of the following vital services:

- 1) payment services;
- 2) cash circulation.

[RT I, 30.10.2012, 1 - entry into force 01.01.2013]

(9) A local government shall organise the continuous operation of the following vital services in its administrative territory:

- 1) functioning of district heating system and network;
- 2) functioning of maintenance of rural municipality roads and city streets;
- 3) functioning of water supply and sewerage, including waste water treatment plants;
- 4) functioning of waste management;
- 5) functioning of public transport in the rural municipality or city.

§ 35. Obligations of authority or person organising continuous operation of vital service

An authority or person organising the continuous operation of a vital service shall:

- 1) co-ordinate the ensuring of the continuous operation of the vital service and advise providers of vital services;
- 2) perform itself or appoint its subordinate establishment to perform supervision over ensuring the continuous operation of vital services;
- 3) submit, once in every two years, to the Ministry of the Interior an overview of the status of the organisation of the continuous operation of the vital service. If there are more than two providers of the same vital service, the overview shall contain a description of the measures for mitigating the consequences of a partial or complete interruption of the service as a whole and the measures for restoring the continuous operation of the service;
[RT I 2010, 24, 115 - entry into force 10.06.2010]
- 4) if need be, establish by a regulation the description of the vital service;
[RT I, 30.10.2012, 1 - entry into force 01.01.2013]
- 5) establish by a regulation the requirements for the continuous operation of the vital service.
[RT I, 30.10.2012, 1 - entry into force 01.01.2013]

§ 36. Obligations of Ministry of the Interior in co-ordinating organisation of continuous operation of vital services

In addition to fulfilling the obligations of an organiser of vital services specified in subsection 34 (3) of this Act, the Ministry of the Interior shall:

- 1) co-ordinate the fulfilment of the obligations provided for in section 34 of this Act by the authorities organising the continuous operation of vital services;
- 2) develop the policy on ensuring the continuous operation of vital services;
- 3) advise authorities in organising the continuous operation of vital services;
- 4) present, once in every two years, to the Government of the Republic and the crisis committee of the Government of the Republic an overview of the status of the organisation of the continuous operation of vital services.

§ 37. Provider of vital service

(1) A provider of a vital service is a state or local government authority or a legal person whose competence includes the fulfilment of a public administration duty defined as a vital service in section 34 of this Act or a person operating as an entrepreneur providing a vital service in the case specified in subsection (2) of this section.

(2) The conditions in case of fulfilment of which a person operating as an entrepreneur is considered a provider of a vital service shall be determined and the obligations of the entrepreneur in ensuring the continuous operation of the vital service shall be established by law.

(3) A provider of a vital service shall be obligated to:

- 1) prepare a risk assessment of the continuous operation of the vital service provided by him or her (hereinafter *risk assessment of continuous operation*);
- 2) prepare a plan for ensuring the continuous operation of the vital service provided by him or her (hereinafter *continuous operation plan*);
- 3) immediately notify the authority organising the vital service or the authority appointed thereby of an event significantly disturbing the continuous operation of the vital service or of an impending risk of the occurrence of such an event;
- 4) give to the authority organising the vital service or the authority appointed thereby for performing supervision over the continuous operation of the vital service information concerning the provision of the vital service upon the authority's request;
- 5) fulfil other obligations imposed on him or her by legislation for ensuring the continuous operation of the vital service.

§ 38. Risk assessment of continuous operation

(1) A risk assessment of continuous operation is a document describing:

- 1) the risks causing a partial or complete interruption in the provision of a vital service;
- 2) the probability of a partial or complete interruption in the provision of a vital service;
- 3) the possible consequences of a partial or complete interruption in the provision of a vital service;
- 4) other important information.

(2) A risk assessment of continuous operation shall be approved by the head of the authority providing the vital service or, in the case of a legal person, the management board or a substituting body.

(3) The authority or person that prepared a risk assessment shall submit the risk assessment to the authority organising the vital service or a subordinate establishment appointed by the authority organising the vital

service. The authority organising the vital service shall maintain the confidentiality of forwarded information which the person has, upon forwarding, designated as a business secret.

(4) The authority or person that has prepared a risk assessment of continuous operation shall assess at least once in every two years the up-to-date value of the risk assessment and make amendments as necessary. The amendments shall be made in accordance with the provisions set forth in subsections (2) and (3) of this section.

(5) The guidelines for preparing a risk assessment of continuous operation shall be established by the minister responsible for the field by a regulation.

§ 39. Continuous operation plan

(1) A continuous operation plan is a document describing:

- 1) the measures that need to be taken to prevent a partial or complete interruption in the provision of a vital service;
- 2) the measures that need to be taken to mitigate the consequences of a partial or complete interruption in the provision of a vital service;
- 3) the measures that need to be taken to restore the continuous operation of a vital service in case of a partial or complete interruption in the provision of the vital service;
- 4) other important issues.

(2) A continuous operation plan shall be approved by the head of the authority providing the relevant service or, in the case of a legal person, by the management board or a substituting body.

(3) The authority or person that prepared a continuous operation plan shall submit the continuous operation plan to the authority organising the vital service or a subordinate establishment appointed by the authority organising the vital service. The authority organising the vital service shall maintain the confidentiality of forwarded information which the person has, upon forwarding, designated as a business secret.

(4) The authority or person that has prepared a continuous operation plan shall assess at least once in every two years the up-to-date value of the continuous operation plan and make amendments as necessary. The amendments shall be made in accordance with the provisions set forth in subsections (2) and (3) of this section.

(5) The guidelines for preparing a continuous operation plan shall be established by the minister responsible for the field by a regulation.

§ 40. Ensuring electronic security of provision of vital service

(1) A provider of a vital service shall be obligated to ensure the constant application of security measures in regards to the information systems used for the provision of the vital service and the related information assets.

(1¹) If information systems ensuring the operation of a vital service are located in a foreign country, the provider of the vital service is required to ensure the continuous operation of the vital service also in a manner and by means not dependent on information systems located in foreign countries.
[RT I, 30.10.2012, 1 - entry into force 01.01.2014]

(2) The security measures for vital service information systems and for the related information assets shall be established by the Government of the Republic by a regulation.

§ 41. Object with high risk of attack

(1) An object with high risk of attack is a territory, building or equipment which is used for the provision of a vital service, and physical damage to or destruction of which significantly disturbs the continuous operation of the entire vital service and which is therefore highly likely to be attacked.

(2) A list of objects with high risk of attack shall be established by the Government of the Republic by an order.

(3) A possessor of an object with high risk of attack shall be obligated to:

- 1) ensure the constant application of a physical protection measure on the site;
- 2) include in the risk assessment of continuous operation the risk of a physical attack on the object;
- 3) take account of the physical protection measures of the object in the continuous operation plan;
- 4) immediately notify the police of circumstances on the site or in the near vicinity thereof which may indicate a risk of a physical attack.

(4) The physical protection measures of an object with high risk of attack shall be established by the Government of the Republic by a regulation.

§ 42. State operation stockpile

(1) A state operation stockpile means physical or contractually secured resource to be used in an emergency for mitigating the consequences of the emergency or for mitigating the consequences of an interruption in the continuous operation of a vital service.

(2) The following shall be formed to mitigate the consequences of an emergency:

- 1) the state health care stockpile;
- 2) the state food stockpile.

(3) The Government of the Republic may decide the formation of a state operation stockpile not specified in subsection (2) of this section for ensuring the continuous operation of a vital service or for mitigating the consequences of an emergency.

(4) The state health care stockpile shall be formed by the Ministry of Social Affairs or an authority within the area of government of the Ministry of Social Affairs appointed by a decree of the minister responsible for the field. The state food stockpile shall be formed by the Ministry of Agriculture or an authority within the area of government of the Ministry of Agriculture appointed by a decree of the minister responsible for the field. Other operation stockpiles shall be formed by the state authority appointed by an order of the Government of the Republic. The person forming the state operation stockpile shall be liable for the organisation of the storage, use, control and renewal of and reporting concerning the stockpile.

(5) A state operation stockpile shall be formed as a physical or contractually secured resource. A state operation stockpile shall be formed as a physical resource if the timely and smooth utilisation of the stockpile as a contractually secured resource would not be possible considering the emergency risk assessment and the response plan. A contract for securing resource shall be concluded by the authority forming the state operation stockpile.

(6) The list and quantities of the resources included in a state operation stockpile shall be determined by the head of the authority forming the state operation stockpile in agreement with the crisis committee of the Government of the Republic.

(7) The procedure for the storage, use, control and renewal of and reporting concerning a state operation stockpile shall be established by the Government of the Republic by a regulation.

§ 42¹. Uninterrupted communication

(1) Uninterrupted communication means electronic communications services for the Riigikogu, the President of the Republic, the Government Office, the Ministry of Justice, the Ministry of Defence, the Ministry of the Interior, the Ministry of Foreign Affairs, the Police and Border Guard Board, rescue service agencies, prisons, and authorities and persons determined by the Government of the Republic for the uninterrupted and reliable forwarding of messages necessary for ensuring the continuous operation of vital services.

[RT I, 29.12.2011, 1 - entry into force 01.01.2012]

(2) The list of authorities and persons determined by the Government of the Republic and specified in subsection (1) of this section, and the detailed list and security class of objects of all authorities and persons specified in subsection (1) shall be approved by the Government of the Republic by an order. The authorities and persons specified in subsection (1) of this section and the authorities and persons determined under this subsection shall fulfil the requirements for uninterrupted communication.

(3) The requirements for uninterrupted communication and the procedure for ensuring uninterrupted communication shall be established by the Government of the Republic by a regulation.

[RT I, 17.02.2011, 2 - entry into force 01.01.2012]

Chapter 5 COMPENSATION FOR EXPENSES AND SOCIAL GUARANTEES OF PERSON

§ 43. Conditions for compensating for damage incurred during emergency situation

(1) The state shall compensate a person for expenses incurred due to the expropriation or the duty to grant use of his or her property during an emergency situation.

(2) The state shall not compensate for:

- 1) the damage caused by the effects of a natural disaster, a catastrophe or the spread of a communicable disease;
- 2) the expenses of an owner or possessor at fault for the event due to which an emergency situation was declared;
- 3) the value of substances and materials which belonged to an owner if such substances and materials were used to save property owned by the owner;
- 4) the damage caused by the work specified in subsection 25 (2) of this Act.

(3) The procedure for compensating a person for expenses incurred due to expropriation or duty to grant use of his or her property during an emergency situation shall be established by the Government of the Republic by a regulation.

§ 44. Remuneration of natural person engaged during emergency situation

(1) The state shall pay a natural person engaged in emergency situation work on a voluntary or compulsory basis (hereinafter *person engaged in emergency situation work*) wages for the amount of time worked.

(2) The extent of and procedure for the payment of wages to a person engaged in emergency situation work shall be established by the Government of the Republic by a regulation.

(3) Subsections (1) and (2) of this section are not implemented if the employer continues to pay the current wages of the employee while the employee is engaged in fulfilling the obligation to work.

§ 45. Social guarantees of natural person engaged during emergency situation

(1) In case a person engaged in emergency situation work is killed or dies as a result of an injury suffered in emergency situation work, the state shall pay the family members who were maintained by him or her a single benefit in an amount equal to ten years' wages of the person.

(2) For conducting the funeral of a person who has been killed due to being engaged in emergency situation work or as a result of an injury suffered in emergency situation work, the state shall pay an allowance to the family members of the person and to the persons who were maintained by him or her on the bases of and pursuant to the procedure prescribed in the Family Law Act.

(3) In case a person engaged in emergency situation work is declared incapacitated for work, the person shall be paid a single benefit as follows:

- 1) in case of partial loss of capacity for work – his or her two years' wages;
- 2) in case of total loss of capacity for work – his or her seven years' wages.

(4) Upon the payment of benefits, one month's wages shall be calculated based on the average wages calculated on the basis of the Wages Act. Upon the calculation of the annual wages, the monthly wages are multiplied by 12.

(5) The amount of benefit for a person engaged in emergency situation work shall be calculated on the basis of the minimum wage applicable at the time of granting the benefit if the person was not employed in the period preceding the grant of the benefit.

(6) The benefit shall be paid to the beneficiary in equal parts over up to three years.

(7) The provisions set forth in section 58 of the State Budget Act shall be applied to applying for and granting the benefits payable in case a person engaged in emergency situation work is killed and declared permanently and partially incapacitated for work.

[RT I, 13.03.2014, 2 - entry into force 23.03.2014]

(8) If a person engaged in emergency situation work has been injured or fallen ill, his or her medical treatment expenses and costs of medicinal products shall be borne by the state.

(9) The procedure for the calculation, grant and payment of the benefits and expenses prescribed in this section shall be established by the minister responsible for the field by a regulation.

(10) The provisions of subsections (1) through (9) of this section shall not be applied if the natural person engaged in emergency situation work caused him or her being killed or damage to his or her health by:

- 1) intoxication by alcohol, narcotic drugs or psychotropic substances;
- 2) suicide or attempted suicide;
- 3) intentional self-injury which is not in a cause-and-effect relationship with a medical condition.

§ 46. [Repealed – RT I 2010, 24, 115 – entry into force 10.06.2010]

Chapter 6 SUPERVISION

§ 47. Supervisory competence

(1) Supervisory control over compliance with this Act and legislation issued on the basis thereof shall be exercised pursuant to the procedure provided for in the Government of the Republic Act and in other legislations.

(2) In addition to what has been provided for in subsection (1) of this section, administrative or state supervision over compliance with this Act and legislation established on the basis thereof shall be exercised as follows:

1) administrative or state supervision over compliance with sections 37 to 39 and the legislation established on the basis thereof shall be exercised by an authority organising a vital service or by a subordinate establishment thereof. With regard to subjects of financial supervision, administrative or state supervision over compliance with sections 37 to 39 and the legislation established on the basis thereof shall be exercised by the Financial Supervision Authority;

2) administrative or state supervision over compliance with section 40 and the legislation established on the basis thereof shall be exercised by the Information System Authority;

3) administrative or state supervision over compliance with section 41 and the legislation established on the basis thereof shall be exercised by the Security Police.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 47¹. State supervision

In order to exercise the state supervision provided by this Act, law enforcement agencies may apply the special state supervision measures provided for in sections 30, 31, 32, 49, 50, 51, 52 and 53 of the Law Enforcement Act on the bases of and pursuant to the procedure provided by the Law Enforcement Act.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 48. Powers of supervisory authority

[Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 49. Precept and penalty payment

(1) In case of a violation of this Act and the requirements established on the basis thereof or in case of obstruction of exercise of supervision, a supervisory official shall have the right to issue the authority or person providing a vital service a precept to eliminate the violation or cease the obstruction of exercise of supervision.

(2) Upon failure to comply with the precept provided for in subsection (1) of this section, the supervisory agency may apply penalty payment pursuant to the procedure provided for in the Substitutive Enforcement and Penalty Payment Act. The upper limit for a penalty payment for each imposition thereof is 2000 euros.

[RT I 2010, 22, 108 - entry into force 01.01.2011]

Chapter 7 LIABILITY

§ 50. Violation of requirements of preparation for emergency

Failure, by an employee or servant of a competent authority, to perform obligations related to preparing an emergency risk assessment or an emergency response plan, organising exercises or organising a vital service – is punishable by a fine of up to 100 fine units.

§ 51. Violation of obligations of provider of vital service

(1) Failure to perform the obligations established for a provider of a vital service in clauses 37 (3) 1) through 4) of this Act by an employee or servant of the provider of the vital service – is punishable by a fine of up to 100 fine units.

(2) The same act, if committed by a legal person, – is punishable by a fine of up to 6400 euros.

[RT I 2010, 22, 108 - entry into force 01.01.2011]

§ 52. Violation of requirements of electronic security in provision of vital service

(1) A violation, by an employee or servant of a provider of a vital service, of the requirements of electronic security in the provision of the vital service – is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, – is punishable by a fine of up to 20,000 euros.

[RT I, 30.10.2012, 1 - entry into force 01.01.2013]

§ 53. Violation of requirements of physical protection of object with high risk of attack

(1) A violation of the requirements of physical protection of an object with high risk of attack by an employee or servant of the provider of a vital service – is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, – is punishable by a fine of up to 6400 euros.
[RT I 2010, 22, 108 - entry into force 01.01.2011]

§ 54. Unlawful use of state operation stockpile

(1) Unlawful use of a state operation stockpile by an employee or servant of the keeper of the state operation stockpile – is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person, – is punishable by a fine of up to 20,000 euros.
[RT I 2010, 22, 108 - entry into force 01.01.2011]

§ 55. Violation of requirements established during emergency situation

(1) Disregarding a lawful order of the head of emergency situation, the head of emergency situation work or the person appointed by the head of emergency situation, or a violation of an obligation established in an emergency situation area on the basis of sections 21–25 of this Act, or a violation of the requirements of communicable disease control or infectious animal disease control – is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person, – is punishable by a fine of up to 20,000 euros.
[RT I 2010, 22, 108 - entry into force 01.01.2011]

§ 55¹. Violation of requirements of uninterrupted communication

(1) A violation of the requirements of uninterrupted communication by an employee or servant required to fulfil the requirements of uninterrupted communication – is punishable by a fine of up to 200 fine units.

(2) The same act, if committed by a legal person, – is punishable by a fine of up to 6400 euros.
[RT I, 17.02.2011, 2 - entry into force 01.01.2012]

§ 56. Proceedings

(1) [Repealed -RT I, 12.07.2014, 1 - entry into force 01.01.2015]

(2) The body conducting extra-judicial proceedings pertaining to the misdemeanours provided for in sections 50, 51, 54 and 55 of this Act is the Police and Border Guard Board.
[RT I, 21.05.2014, 2 - entry into force 31.05.2014]

(3) The body conducting extra-judicial proceedings pertaining to the misdemeanour provided for in section 53 of this Act is the Security Police.

(4) The body conducting extra-judicial proceedings pertaining to the misdemeanour provided for in section 55¹ of this Act is the Technical Surveillance Authority.
[RT I, 17.02.2011, 2 - entry into force 01.01.2012]

(5) The body conducting extra-judicial proceedings pertaining to the misdemeanour provided for in section 52 of this Act is the Estonian Information System's Authority.
[RT I, 21.05.2014, 2 - entry into force 31.05.2014]

Chapter 8 IMPLEMENTING PROVISIONS

Division 1

Amendments in Other Acts

§ 57.–§ 91.[Omitted from this text.]

Division 2 Declaration of Invalidity and Entry into Force

§ 92.–§ 93.[Omitted from this text.]

§ 94. Entry into force of Act

(1) This Act shall enter into force pursuant to the general procedure.

(2) Sections 40–41 and 51–52 of this Act shall enter into force on 1 January 2011.
[RT I 2010, 24, 115 - entry into force 10.06.2010]

(3) A provider of a vital service shall be obligated to fulfil the obligations arising from clauses 37 (3) 1) and 2) of this Act by no later than 1 January 2011, except for the Ministry of Justice who is required to fulfil the said obligation by no later than 1 July 2011.
[RT I, 08.11.2010, 3 - entry into force 18.11.2010]