

REPUBLIC OF LITHUANIA

law on fire safety

5 December 2002 – No IX-1225

(As last amended on 4 November 2010 – No XI-1095)

Vilnius

## CHAPTER I GENERAL PROVISIONS

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#### Article 1. Purpose of the Law

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This Law shall establish the legal basis for ensuring and organising fire safety in the Republic of Lithuania, the system of ensuring fire safety, the functions of state and municipal institutions and agencies and the rights and duties of residents, enterprises, agencies and organisations in the field of fire safety.

#### Article 2. Definitions

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1. “Conformity assessment” means activities whereby it is directly or indirectly established whether products produced and services provided conform to the requirements of the legal acts of the Republic of Lithuania regulating fire safety.
2. “Fire” means uncontrolled combustion occurring outside a designated area,

posing a threat to persons, property or environment.

3. “Fire site” means a site wherein a fire emerges and territories falling within the fire hazard area. The boundaries of the fire site shall be set by the fire fighting commander.

4. “Facility posing fire hazard” means any facility at which hazardous substances, their waste or components are constantly or temporarily produced, processed, kept, transferred, used, stored or neutralised, as well as any facility at which a large number of people are present at a time and at which the emerging fire poses a sudden and grave hazard to the life or health of people working or located therein or those in the vicinity as well as to the property and environment or causes death and mutilation of people or property losses.

5. “Fire fighting” means active actions taken to rescue people and property and fight fire.

6. “Fire prevention” means the totality of legal, technical and organisational measures preventing the emergence and spread of fire and reducing the possible consequences thereof.

7. “Facility” means immovable and movable property in respect of which fire safety requirements have been established.

8. “Declaration of conformity of the facility with legal acts regulating fire safety” means an action performed in accordance with the procedure established by the Fire and Rescue Department under the Ministry of the Interior (hereinafter referred to as the “the Fire and Rescue Department” ) whereby the head of an enterprise, agency or organisation declares that the facility conforms to the legal acts regulating fire safety.

9. “Fire safety” means activities whereby fire prevention and fire fighting and rescue of people and property are implemented during fires.

10. “Fire safety regime” means the totality of fire safety requirements established by legal acts for a specific facility necessary for the safe operation thereof.

11. “State Fire and Rescue Service” means the Fire and Rescue Department and the bodies subordinate thereto.

12. “State fire supervision” means special state supervision carried out by state fire supervision officers the aim of which is to control the conformity in the territory of the Republic of Lithuania with the requirements of legal

acts ensuring fire prevention and to prevent violations of these requirements.

13. “State fire supervision officer” means a statutory civil servant of the State Fire and Rescue Service authorised to carry out state fire supervision.

## **Article 3. Fire Safety System, Its Objectives and Tasks**

Article 3. Fire Safety System, Its Objectives and Tasks

1. The fire safety system shall comprise fire, rescue and other forces and legal, organisational, economic, social, scientific and technical measures intended for fire prevention and fire fighting and rescue of people and property during fires.

2. The main objective of the fire safety system shall be the protection of people and property against fire.

3. The tasks of the fire safety system shall be as follows:

1) organisation and supervision of fire prevention;

2) fire fighting;

3) rescue of people and property during fires.

## **Article 4. Restrictions on Individual Rights and Freedoms in Ensuring Fire Safety**

Article 4. Restrictions on Individual Rights and Freedoms in Ensuring Fire Safety

A person's freedom of movement, rights to property and inviolability of dwelling may be restricted when carrying out fire prevention, fire fighting and rescue of people and property during fires in the cases and in accordance with the procedure laid down by this Law and other laws.

# CHAPTER II FUNCTIONS OF STATE AND MUNICIPAL INSTITUTIONS AND AGENCIES IN THE FIELD OF FIRE SAFETY

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## Article 5. Government

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When participating in the shaping of and when implementing state policy in the field of fire safety, the Government shall:

- 1) set the standards for ensuring fire safety;
- 2) approve the State Fire Supervision Regulations;
- 3) promote research and implementation of research projects in the field of fire prevention;
- 4) draw up and submit to the Seimas for consideration draft laws and other legal acts regulating fire safety, adopt legal acts necessary for ensuring fire safety.

## Article 6. Ministry of the Interior

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When implementing this Law, the Ministry of the Interior shall:

- 1) within the scope of its competence, coordinate the implementation of state policy in the field of fire safety;
- 2) (repealed as of 1 March 2010);
- 3) within the scope of its competence, adopt legal acts ensuring the implementation of laws and Government resolutions in the field of fire safety;

4) control the activities of the Fire and Rescue Department, carry out management supervision and take part in drafting the standards of activities thereof;

5) ensure the organisation of fire safety in the entire territory of the Republic of Lithuania.

## Article 7. Fire and Rescue Department

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When implementing this Law, the Fire and Rescue Department shall:

1) within the scope of its competence, organise and manage operations relating to fire fighting, rescue of people and property and reduction of the consequences of fire;

2) organise state fire supervision;

3) within the scope of its competence, draft and adopt legal acts regulating fire safety;

4) approve fire safety training programmes and training procedure for the heads of enterprises, agencies and organisations and persons in charge who have been assigned to control fire safety at the facility and take measures to meet fire safety requirements;

5) set the minimum requirements for fire safety training programmes following which civil servants and employees of enterprises, agencies and organisations are trained;

6) establish the procedure for declaration of conformity of the facility with legal acts regulating fire safety;

7) establish the procedure for conducting inspections of conformity of the facility with legal acts regulating fire safety;

8) inform the public about the issues relating to fire safety;

9) apply scientific and technical innovations in the field of fire safety, coordinate the conformity assessment of fire and rescue equipment and fire safety equipment, fire fighting tools and automatic fire suppression systems;

10) promote the activities of residents, associations, volunteer fire fighters in the field of fire safety;

11) perform other functions specified by legal acts.

## **Article 8. Ministries and Other State Institutions and Agencies**

### Article 8. Ministries and Other State Institutions and Agencies

When implementing this Law, the ministries and other state institutions and agencies shall:

1) organise and control the activities of their subordinate institutions, agencies and enterprises in implementing fire prevention measures;

2) provide information to state fire supervision officers necessary for carrying out their tasks and performing their functions;

3) upon coordination with the Fire and Rescue Department, within the scope of their competence, draft and adopt legal acts regulating fire safety;

4) submit proposals for improving legal acts regulating fire safety;

5) take part in implementing fire prevention programmes.

## **Article 9. Municipal Institutions**

### Article 9. Municipal Institutions

When implementing this Law, the municipal institutions shall:

1) within the scope of their competence, have the right to set more stringent fire safety requirements in the territory of the municipality than those established in legal acts regulating fire safety;

2) take part in implementing fire prevention, fire fighting and research programmes;

3) provide information to state fire supervision officers necessary for the

implementation of fire prevention measures and assistance in educating in the field of fire safety;

4) organise the provision of information to residents of the municipality on the issues relating to fire safety;

5) promote the activities of residents, associations and volunteer fire fighters of the municipality in the field of fire safety and, within the scope of their competence, implement in the territory of the municipality the requirements of legal acts regulating fire safety and other fire prevention measures.

## **CHAPTER III RIGHTS AND DUTIES OF RESIDENTS, ENTERPRISES, AGENCIES AND ORGANISATIONS IN THE FIELD OF FIRE SAFETY**

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### **Article 10. Rights and Duties of Residents in the Field of Fire Safety**

Article 10. Rights and Duties of Residents in the Field of Fire Safety

1. Residents of the Republic of Lithuania shall have the right to:

1) protection of life, health and property in case of fire;

2) compensation for damage incurred during a fire in accordance with the procedure laid down by the Civil Code and other laws;

3) take part, in accordance with the procedure laid down by legal acts, in establishing the causes of the fire which has resulted in damage to their health or property;

- 4) obtain information relating to fire safety issues;
  - 5) take part in ensuring fire safety, also to set up and join volunteer fire fighting units.
2. Residents of the Republic of Lithuania must:
- 1) comply with the requirements of legal acts regulating fire safety;
  - 2) in case of fire, take action to rescue people, protect tangible valuables and fight the fire unless this poses serious danger to their own life or health or the life or health of other persons;
  - 3) follow the lawful instructions of officers of the State Fire and Rescue Service and the fire fighting commander;
  - 4) know how to use the primary fire fighting tools;
  - 5) inform the State Fire and Rescue Service about the noticed fire and violations of fire safety requirements posing a threat of fire;
  - 6) in cases established by law, allow officers of the State Fire and Rescue Service to inspect and carry out checks of the production, utility, living and other premises, structures and territory belonging to them;
  - 7) grant access to water bodies, water supply systems, natural resources (sand, grit, etc.) and means of transport and communication belonging to them for the purpose of fire fighting or organising fire fighting, as well as any other items necessary for fire fighting or organising fire fighting, regardless of the fire origin site.

## **Article 11. Rights and Duties of the Heads of Enterprises, Agencies and Organisations in the Field of Fire Safety**

Article 11. Rights and Duties of the Heads of Enterprises, Agencies and Organisations in the Field of Fire Safety

1. Enterprises, agencies and organisations operating in the Republic of Lithuania shall have the right to:



1) in accordance with the procedure set forth by legal acts, establish, transform, reorganise and liquidate units maintained from their own funds or the funds allocated to them, intended for fire fighting and carrying out primary rescue operations of people and property during fires;

2) compensation for damage incurred during fires in accordance with the procedure laid down by the Civil Code and other laws.

2. The heads of enterprises, agencies and organisations operating in the Republic of Lithuania shall have the right to:

1) submit proposals to state and municipal institutions and agencies in relation to ensuring fire safety;

2) investigate the causes and conditions of fires which have occurred at the facility without disturbing the investigation carried out by the competent bodies;

3) establish economic and social measures which would promote the ensuring of fire safety at the facility;

4) obtain information relating to fire safety issues from state and municipal institutions and agencies.

3. The heads of enterprises, agencies and organisations operating in the Republic of Lithuania must:

1) ensure the implementation of legal acts regulating fire safety at the facility and establish the fire safety regime therein;

2) follow the lawful instructions of state fire supervision officers;

3) in cases established by law, allow officers of the State Fire and Rescue Service to inspect and carry out checks of the production, utility and other premises as well as structures and territory of the enterprise, agency and organisation headed by them;

4) forthwith eliminate the established fire safety violations, inform thereof civil servants and employees of the enterprise, agency and organisation;

5) discontinue the works carried out where they can cause a fire or an explosion;

6) organise fire safety instruction, training and certification of civil servants and employees of the enterprise, agency and organisation and, within

the scope of their competence, draft and approve fire safety instructions;

7) equip the facility with all the necessary fire fighting tools;

8) ensure that fire equipment, automatic fire suppression systems and fire fighting tools installed at the facility are in good working order;

9) in the cases prescribed by legal acts, carry out a threat and risk analysis of the facility;

10) develop action plans in case of fire for civil servants and employees and organise training at the facility for learning them;

11) provide information to officers exercising state fire supervision necessary for establishing fire prevention measures at the facility;

12) in case of fire at the facility, take action to fight it, be in charge of fire fighting and evacuation of people and property before the arrival of fire and rescue forces, and upon arrival of the forces of the State Fire and Rescue Service, follow the instructions of the fire fighting commander;

13) if need be, assign civil servants and employees to fire fighting at the facility and evacuation of tangible valuables;

14) grant access to water bodies, water supply systems, natural resources (sand, grit, etc.), fire fighting equipment and means of transport and communication belonging to the enterprise, agency or organisation or located in the territory thereof for the purpose of fire fighting or organising fire fighting, as well as any other items necessary for fire fighting or organising fire fighting, regardless of the fire origin site;

15) not, by act or omission, provide conditions for a fire to emerge and spread;

16) declare the conformity of the facility with legal acts regulating fire safety in accordance with the procedure established by the Fire and Rescue Department.

4. The heads of enterprises, agencies and organisations shall be in charge of fire safety at the facilities. In performing this duty, the head must take all the necessary fire protection measures in respect of the facility and people located or likely to be located therein. The head of the enterprise, agency and organisation may assign an employee of the enterprise, agency or organisation headed by him to control fire safety at the facility and take

measures to comply with fire safety requirements.

5. The head of an enterprise, agency and organisation which conforms to the criteria established by the Minister of the Interior or an employee of such an enterprise, agency and organisation assigned by its head to control fire safety at the facility and to take measures to comply with fire safety requirements must complete a fire safety training programme.

6. Measures for ensuring fire safety at all types of enterprises, agencies and organisations shall be financed from their own funds or the funds allocated to them.

7. Repealed as of 2 October 2010.

## **CHAPTER IV REQUIREMENTS, MEASURES AND ENTITIES ENSURING**

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THE IMPLEMENTATION OF FIRE PREVENTION

### **Article 12. Ensuring of Fire Prevention**

Article 12. Ensuring of Fire Prevention

In order to ensure fire prevention, requirements for designing of construction works, territorial planning and operation of facilities shall be set out to prevent fires and create conditions for fire fighting and rescue of people and property. These requirements shall be set out in compliance with laws and other legal acts, taking into consideration the experience in the field of fire prevention and fire fighting as well as fire hazard of objects, materials, technological processes, products, structures and construction works.

### **Article 13. Main Fire Prevention Requirements**

## Article 13. Main Fire Prevention Requirements

1. In order to ensure fire prevention, the following main requirements shall be set out for enterprises, agencies, organisations:

1) producers, processors and suppliers of objects, materials, products and equipment must specify in relevant technical documents the fire safety indices of those objects, materials, products and equipment as well as the necessary fire safety measures for their use;

2) fire safety measures which are being prepared and implemented must provide for solutions ensuring safe evacuation of people and property during fires;

3) enterprises, agencies and organisations in which more than 100 individuals are working or are present on a regular basis must prepare action plans for civil servants and employees in the event of fire so that the safety of people would be ensured;

4) industrial facilities in which more than 50 employees are working on a regular basis must set up fire technical commissions (risk management groups) which would control fire safety of the facility and take measures to implement the fire safety requirements and must organise training of civil servants and employees on fire safety issues. Other enterprises, agencies and organizations must appoint a responsible person in charge to exercise the functions of a fire technical commission;

5) fire and rescue units (departmental fire forces) must be established in facilities posing fire hazard, so that they would timely and adequately respond to a possible fire, or agreements must be concluded to that end with the Fire and Rescue Department. The criteria according to which an obligation to establish a fire and rescue unit (departmental fire forces) arises for the owner (manager) of such a facility, or the cases where a contract is concluded to that end with the Fire and Rescue Department shall be set by the Government or an institution authorised by it, taking into consideration fire hazard of a particular facility and the scope of possible consequences;

6) the conformity of construction works which are the subject of co-ownership right with the legal acts regulating fire safety shall be controlled by the administrator appointed by the co-owners.

2. Other fire prevention requirements shall be set out by the Government or an institution authorised by it in compliance with the provisions of this Law.

# Article 14. Implementation of State Fire Supervision

## Article 14. Implementation of State Fire Supervision

1. State fire supervision shall be implemented in the following manner:

- 1) by controlling the conformity of the facility with the legal acts regulating fire safety;
- 2) by controlling the compliance of the implemented design and technical solutions with the requirements of the legal acts regulating fire safety which ensure protection from fires of facilities and people working or present in them;
- 3) repealed as of 2 October 2010;
- 4) by assessing the conformity of products and services;
- 5) by setting, with the purpose of fire prevention, in the territories in which an emergency has occurred more stringent fire safety requirements than those set in the legal acts regulating fire safety;
- 6) by means of other measures defined by laws and other legal acts.

2. For the implementation of fire prevention, the state fire supervision officers, authorised for that purpose, shall have the right:

- 1) to inspect, regardless of the form of ownership of facilities, whether the latter are in conformity with the fire safety requirements. It shall be allowed to inspect the conformity of living premises with the fire safety requirements only with the consent of their owner, and in the absence of such consent only by the court's decision. Premises of diplomatic missions and consular posts shall be inspected in accordance with the procedure laid down by the legal acts regulating diplomatic and consular relationships;
- 2) to issue written compulsory instructions to terminate violations of the legal acts regulating fire safety;
- 3) to prohibit natural and legal persons to operate construction works, separate premises (except living premises), equipment, installations, to suspend building, reconstruction, repair of construction works, manufacturing of equipment, use of processing lines if there are violations of the legal acts regulating fire safety (laws, technical construction regulations,

construction norms, standards, rules and other legal acts which set fire safety requirements for facilities which are being built, reconstructed, repaired and operated) which may cause fire, explosion, and also if the safety of people present in these and the surrounding facilities is not ensured or if written instructions of state fire supervision officers are not fulfilled.

3. State fire supervision officers shall enjoy other rights set out in laws and the State Fire Supervision Regulations.

4. The procedure for implementing the state fire supervision measures specified in paragraph 1 of this Article shall be set out by the State Fire Supervision Regulations and other legal acts.

## **Article 15. State Fire Supervision Entities and Officers**

Article 15. State Fire Supervision Entities and Officers

1. State fire supervision entities shall comprise structural units of the State Fire and Rescue Service which are assigned to carry out state fire supervision.

2. Functions, powers, duties and liability of state fire supervision entities and officers shall be regulated by this Law, the State Fire Supervision Regulations and other legal acts.

3. Lawful instructions of state fire supervision officers shall be compulsory to all state, municipal institutions, enterprises, agencies, organisations as well as other persons.

# **CHAPTER V ORGANISATION OF FIRE FIGHTING**

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## **Article 16. Fire and Rescue Forces**

Article 16. Fire and Rescue Forces

1. Fire and rescue forces shall comprise the State Fire and Rescue Service,

municipal fire prevention services, departmental fire forces and voluntary firemen units.

2. Municipal fire prevention services shall be a part of the civil protection and rescue system in the state of constant readiness used for fire fighting, carrying out primary people and property rescue operations. Activities of municipal fire prevention services shall be regulated by this Law and other legal acts.

3. Departmental fire forces shall be the units formed at individual facilities posing fire hazard, also at other enterprises, agencies and organisations for fire fighting and carrying-out of primary people and property rescue operations during fires. Their activities shall be regulated by this Law and other legal acts.

4. A voluntary firemen unit shall be an association whose purpose shall be fire fighting and rescue of people and property during fires.

5. The Fire and Rescue Department and the bodies subordinate to it shall provide methodological assistance to fire forces and shall, within the scope of their competence, control the preparedness of such forces to respond when fighting fires.

## **Article 17. Organisation of Fire Fighting**

### Article 17. Organisation of Fire Fighting

1. The duty of fire forces shall be to fight fires. Fire forces must arrive at a fire site and participate in fire fighting.

2. In order to timely respond to reports of fires, the Government or an institution authorised by it shall set within the whole territory of the Republic of Lithuania the general telephone number for calling fire forces.

3. The procedure for organising fire fighting, principles of interaction of fire forces during fires and the response of fire prevention forces to the reports of fires shall be laid down by the Minister of the Interior or an institution authorised by it.

4. In order to eliminate the danger, a civil servant or an employee of the fire forces participating in fire fighting shall have the right to enter without the participation of the owner the premises and territories of natural or legal persons at any time only within the fire site. It shall be allowed to

enter living premises without the owner's consent only when it is necessary to rescue the life, health and property of people.

5. Where fires turn into an emergency, in order to fight those fires and deal with their consequences the forces of the civil protection and rescue system, the army, specialists from the mobilisation reserve, ministries, other state and municipal institutions and agencies, organizations may be engaged and the resources belonging to them, volunteers may be used in accordance with the procedure laid down by the Law on Civil Protection and other legal acts. Decisions concerning the attribution of a fire to an emergency shall be taken by the fire fighting commander.

## Article 18. Management of Fire Fighting Operations

### Article 18. Management of Fire Fighting Operations

1. Fire fighting operations shall be directly managed by the fire fighting commander who is a statutory civil servant of the State Fire and Rescue Department holding the highest post among those present at the fire site. Where other fire forces are the first to arrive at the fire site, until the arrival of the forces of the State Fire and Rescue Department the fire fighting shall be managed by a civil servant or employee of the municipal fire prevention service or departmental fire prevention forces authorised to do so.

2. The fire fighting commander shall directly manage all forces participating in the fire fighting during the fire, regardless of their subordination. The fire fighting commander shall lay down the procedure, methods, measures to be used in fire fighting and people and property rescue operations, as well as the scope of such operations.

3. Instructions of the fire fighting commander and officers of other fire and rescue forces during the fire fighting shall be compulsory for all people present at the fire site. During the fire fighting no one may interfere with actions of the fire fighting commander or other civil servants and employees of fire forces. Only the fire fighting commander may recall his own instructions.

4. Where the fire poses danger to people's health, life, property or environment, the fire fighting commander may impose a temporary restriction on entry into a certain territory or premises, issue an instruction on the evacuation of the people present therein, suspension of works carried out, disconnecting of electrical or other equipment, restriction or prohibition of



vehicle traffic, remove obstacles preventing from accessing the fire site and fighting the fire.

5. The fire fighting commander shall be responsible for the rescue of people, property and fire fighting, the safety of civil servants and employees of fire forces as well as other persons participating in fire fighting.

## **CHAPTER VI STATE ACCOUNTING OF FIRES AND RESCUE OPERATIONS. EDUCATION OF PEOPLE IN THE FIELD OF FIRE SAFETY**

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### **Article 19. State Accounting of Fires and Rescue Operations**

Article 19. State Accounting of Fires and Rescue Operations

For the analysis of its activities the Fire and Rescue Department shall collect and summarize statistical data on fires and rescue operations, killed and injured people, and shall furnish these data to the Lithuanian Department of Statistics in accordance with the procedure laid down by legal acts.

### **Article 20. Education in the Field of Fire Safety**

Article 20. Education in the Field of Fire Safety

1. Primary fire safety information must be provided when implementing and organising the teaching process in accordance with general curricula. The scope of primary fire safety information in curricula shall be set out by the Ministry of Education and Science together with the Ministry of the Interior.

2. Provision of information to people on the issues of fire prevention must be carried out through the press, radio, television and other mass media.

# CHAPTER VII FINAL PROVISIONS

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### Article 21. Proposals to the Government

Article 21. Proposals to the Government

By 1 April 2003, the Government shall:

- 1) draw up and submit to the Seimas draft laws related to the implementation, amendment and/or supplementing of the Law on Fire Safety;
- 2) draw up and approve legal acts related to the implementation of the Law on Fire Safety.

### Article 22. Entry into Force of the Law

Article 22. Entry into Force of the Law

With the exception of Article 21, this Law shall enter into force on 1 July 2003.