

## ***Quick Response Request***

*Submitted by: Association of Kosovo Municipality*

*Date: August 2010*

*Subject: Information from the region on how the Fire-fighter Service and Civil State Service are regulated (whether they are managed by local or central government and what are the institutions dealing with them).*

### **1. Summary of Results**

NALAS collected answers from 7 members and it shows that there are different models for providing these services. The Fire-fighter service is a local competence in Montenegro, Macedonia, Republic of Srpska, whilst in Romania, Bulgaria, Albania it is a central governments competence. In some countries, like Slovenia, both central and local governments have a contribution and shared responsibilities in delivering these services. The Civil State service is delivered by municipalities in Romania, Montenegro and Republic of Srpska, but in Romania, Slovenia and Macedonia it is a competence of the central government. In Bulgaria this is a shared competence.

### **2. Analytical/Detailed Information**

#### **A) Macedonia**

1. The Firefighter Service in The Republic of Macedonia is managed completely by the local self-government. Firefighting services are provided through territorial fighting units, such units form the city of Skopje and municipalities: Bitola, Veles, Gevgelija, Gostivar, Kocani, Kumanovo, Ohrid, Prilep, Strumica, Tetovo, Stip, Resen, Kavadarci, Valandovo, Debar, Berovo, Vinica, Delcevo, Kriva Palanka, Kratovo, Struga, Kicevo, Krusevo, Makedonski Brod, Radovis, Sveti Nikole, Probistip, Demir Hisar and Negotino as larger municipalities but besides these other municipalities can form its own firefighting unit based on distance to 20km from the listed municipalities. With the process of decentralization all of these services are provided at the local level.
2. Birth and death certificates and marriage certifications are issued by the ministry of Justice while personal documents like Passport, Citizenship or personal ID card are issued by the Ministry of Interior.

#### **B) Croatia**

1. Law on Fire Protection in Croatia provides that the executive head of the local government organizes fire protection in territory he/she is responsible for, cares about the successful implementation and takes steps to improve fire protection. Local representative body brings out the plan of fire protection based on threat assessment of fire and the prior opinion of the Ministry of Interior.

Some local governments have state funded professional fire protection and the majority have only voluntary fire brigades. There are 1818 Volunteer Fire Companies (DVD) with 53.567 voluntary firefighters and 61 professional fire department (in 3 municipalities out of 429 and in 58 cities out of 127) with 2304 professionals financed from the state budget.

For the remaining local government units (495) central government provides only technical transfer of the activities of fire protection and fire fighting but resources necessary to successfully perform this decentralized functions have not been transferred. They finance themselves with 5 % of the local budget income. If they are too small to do anything substantial with that money, they have the

possibility to join forces among themselves. In that case they get the right on the additional share of the income tax of 1.3% from the state budget, but that shall be paid on account of local government budget with the highest proportion of co-financing.

Some local government have established the fire departments only to realize subsidy from the state budget and thus unload local budget, and in places where there is no operational justification for it. So now Croatia has disproportional number of professional firefighters in relation to the population. Also we have absurd situation that municipalities with barely a thousand or two people have their fire protection based solely on professional fire fighting, like no other country in Europe.

Consequently, according to the opinion of the Croatian Association of Municipalities, there was a violation of the constitutional principle of equality in relation to the funding of fire protection in the Republic of Croatia. Specifically, the legislator put in a privileged position some local governments and volunteer fire departments. Therefore, the proposal was submitted to the Constitutional Court to review the constitutionality of the Law on Financing of Local and Regional governments in the firefighting sector.

2. In Croatia the Civil State services mentioned (birth certificates, marriage certificates, death certificates) are conducted under the authority of Ministry of Public Administration in the municipality offices on the local level.

### **C) Albania**

1. In Albania the Firefighter Service is managed by Central Government.

### **D) Republic of Srpska**

In Republic of Srpska both the Firefighter Service and Civil State Office are managed by local governments

### **E) Bulgaria**

In view of the first Question: Fire-fighter services in BG are provided by the Directorate General "Fire safety and rescue" / DG FSR/. The Directorate is one of the 15 Directorates in the structure of the Ministry of Interior, i.e. the service is managed by the central government. Their role is regulated according the Law for the Ministry of Interior. DG FSR has central office- /here to I attached the short presentation on the central office- total they are 200 people in the central office/ and regional units/ on NUTS III level, and management units / on LAU IV level/ and area units. The number of the total staff is not available, because as they are part of the system of interior, this data is considered as state secret.

On the second question the Civil state is regulated by the Law of the Civil Registration. The competences are divided between the state and the local authorities. On central level we have Directorate General " Civil registration and administrative services" that are part of the Ministry of regional development and public works. They also have the so called Regional Units on NUTS III level. They maintain the database on state/regional level for all items concerning the civil state. On municipal level the mayor of the municipality is principal officer on civil state, i.e. all acts on civil state are issued by the mayor of the municipality on which territory the events arise.

### **F) Montenegro**

1. Firefighter Services are established by municipalities as special protection and rescue operations units. Funds for their operations and staff are provided in the municipal budgets.
2. Civil State in sector of Marriage Licensing is managed by local level. It is managed by civil bureaus. Other sectors, such as birth and death and citizenship registration, are

managed by state level. Sectors of birth, death and citizenship registration have been centralized from January 2010.

## **G) Romania**

1. the Firefighter Service – is managed by central government by General Inspectorate for Emergency Situations under the Ministry of Administration and Interior subordination.
2. the Civil State service - is managed by local government through the Local Council.

## **H) Slovenia**

*The firefighter service is in Slovenia managed on first stage by the government in form of 2 laws: The law about firefighter service and the Law about natural accidents protection.*

*It is handled at second stage from the local government – the firefighter service is (professional and voluntary) financially mostly covered by local government but supported by the state government (for the acquisition of equipment), the salary for the professional firefighters come from local government. In case of a big natural catastrophe the execution is handed over to the national government again.*

*Civil office in Slovenia is **handled by the government - by the Law about Register of Deaths, Births and Marriages Act.***

*Register of Deaths, Births and Marriages Act is a computer managed data base, in which are entered: birth, marriage/divorce, death of Slovene and foreign citizens (living in Slo.) and other facts lead by law. Among the above mentioned data, they also enter registration of homosexual partner relationships (and its cancellation).*

*The administrative office is responsible for entering the data into the register. These are territorial bureaus, established based on Administration Act. Basic responsibility of the administrative office is decision-making about administrative affairs at 1. stage. Registry office officials are responsible for entering the data into Register of Deaths, Births and Marriages.*

## **I) Moldova**

**The national legislation of the Republic of Moldova applied to offer the quick response:**

1. Law on protection against fire № 267/09.11.94
2. Law on local public administration № 436/28.12.2006
3. Government Resolution № 82/31.01.2008 on Civil State Service

### **Regulation of Firefighter Service**

Art. 14 of Law on protection against fire № 267/09.11.94 stipulates that rescuers and firefighter service is a state body whose function is to extinguish fire, execution of intervention activities, release and rescue in case of fire, exercise of state supervision on ensuring protection against fire and other prevention and extinction activities.

Rescuers and firefighter service is a part of Civil Protection and Exceptional Situations Service of the Ministry of Internal Affairs and is constituted of directions, detachments, units of rescuers and firefighters, specialized subunits.

Bodies of state supervision of measures against fire are constituted from central body and local bodies. Central body of state supervision of measures against fire is the Department of rescuers and firefighters, and local bodies are the sections and services of state supervision against fire,

subunits of service of rescuers and firefighters from communities, as well as from objectives, subordinated to Department of rescuers and firefighters.

Chief of Civil Protection and Exceptional Situations Service of the Ministry of Internal Affairs is Senior State Inspector of the Republic of Moldova for supervision of measures against fire, and chief of Department of rescuers and firefighters is deputy of Senior State Inspector of the Republic of Moldova for supervision of measures against fire, and also, ex officio, is deputy chief of Civil Protection and Exceptional Situations Service.

Chiefs of departments and sections of exceptional situations, as well as subunits commanders are superior state inspectors (of rayon, municipality, city, sector) for supervision against fire. Other employees of local bodies of state supervision against fire are the state inspectors (of the city, sector, rayon) for supervision against fire.

Financial and technical – material insurance of rescuers and firefighter service is made on the account of:

- a) state budget and administrative-territorial units budgets;
- b) resources received on contract basis or obtained from provision of other services, upon request of legal entities or physical persons, as established by the Government;
- c) other resources according to legislation.

Employees of rescuers and firefighter service are ensured with equipment and meal on the account of state budget resources.

Department firefighter service is created within ministries, departments and economic units and is composed of subunits having staff, fire intervention technique and technical equipment designed for fire extinction.

Financial and technical – material insurance of department firefighter service is made on the account of ministries, departments and correspondent economic units.

### **Regulation of Civil State Service**

According to Government Resolution № 82/31.01.2008 the Civil State Service is a public institution with a status of legal entity, which is subordinated to Ministry of Justice and it is lead by general director appointed and dismissed by the minister of justice.

Art. 39 of Law on local public administration № 436/28.12.2006, stipulates as an attribution of the town hall secretary – to organize, coordinate and to be held responsible for activity of civil state services.

In the Republic of Moldova, every rayon (district) has a civil state service office. Civil State Service is subordinated to central government, but it collaborates and performs its activity within territorial-administrative unit, collaboration with local government authorities.