

# Law on Crisis Management

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CONSOLIDATED TEXT 1Law on Crisis Management ("Official Gazette of the Republic of Macedonia" nos. 29/2005, 36/2011, 41/2014, 104/2015, 39/2016 and 83/2018).

## I. GENERAL PROVISIONS

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### Article 1

This Law shall regulate the crisis management system in the Republic of Macedonia, that is: the organization and functioning, decision making and utilization of resources, communication, coordination and cooperation, assessment of the threat to the security of the Republic, planning and financing, as well as other issues related to the crisis management system.

The crisis management system shall be organized and implemented for the purposes of preventing, early warning and dealing with crisis that pose risks to the goods, health and life of people and animals, and are caused by natural disasters and epidemics, or other risks and dangers that directly threaten the constitutional order and security of the Republic of Macedonia (hereinafter: the Republic) or part of it, but do not bring about conditions for declaring martial law or state of emergency.

The crisis management system shall also include collection of information, assessment, analysis of the situation, definition of the goals and tasks, development and implementation of the necessary activities for prevention, early warning and dealing with crisis.

### Article 2

The crisis management system shall be implemented by the state administration bodies and state authorities (the Assembly, the President and the Government), the military forces such as the Army of the Republic of Macedonia (hereinafter: the Army), the protection and rescue forces and the bodies of the municipalities and the City of Skopje (hereinafter: the municipalities and the City of Skopje).

The public enterprises, public institutions and services and trade companies may participate in the prevention, early warning and dealing with crisis in accordance with this Law.

The citizens, the citizens' association and the Red Cross of the Republic of Macedonia, the non-governmental and humanitarian organizations, the mass media and other legal entities which are not covered by paragraphs 1 and 2 of this Article, may participate in the prevention, early warning and dealing with crisis voluntarily and contractually on the basis of law and ratified international agreements regulating this issue.

## Article 2-a

Unless otherwise regulated by this Law, the provisions of the Law on Inspection Supervision ("Official Gazette of the Republic of Macedonia" no. 50/10) shall apply to the procedure for conducting inspection supervision.

## Article 3

The terms used in this Law shall have the following meaning:

1. "Threat to the security of the Republic" is a threat caused by risks and dangers to the goods and environment, health and life of people and animals and plants, property and other material goods to a greater extent, stability, functioning of the state and its order as laid down in the Constitution, but are not reasons for declaring martial law or state of emergency;
2. "Risks and dangers" are possible manifestations of nationalism and religious intolerance and hatred; forms and activities related to international terrorism, organized crime, illegal trade with drugs, weapons and people, consequences of mass destruction weapons; possession of large quantities of illegal weapon; corruption; urban terrorism; grave crime, including blackmails, manslaughter and attacks on citizens and their property; activities of foreign special services directed towards deterioration of the security situation; consequences caused by conflict of interests of using the strategic energy sources and routes, as well as impeding and blocking their import in the Republic; natural and other disasters, technical and technological catastrophes, epidemics of quarantine and other infectious diseases of people and animals, as well as large-scale degradation and destruction of environment;
3. "Resources" means citizens, facilities, motor vehicles, material and technical means, equipment and funds available to the Republic;
4. "Crisis" means an event which endangers the basic values, the permanent and vital interests and goals of the state, that is the constitutional order and security of the Republic;
5. "Crisis situation" means a situation caused by risks and dangers that jeopardize the goods, health and life of people and animals and the security of the Republic, and requires larger quantities of resources to be prevented and/or dealt with, and
6. "Prevention" means a set of planned, organized and institutionally conducted activities aimed at decreasing or completely avoiding the unfavorable influences arising from the risks and dangers and related accidents, disasters, crisis and crisis situations thereto.

## II. SPECIAL PROVISIONS

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### Article 4

The ministries and other state administration bodies shall participate in the prevention, early warning and dealing with the crisis situation in accordance with the law that regulates their competences.

The ministries and other state administration bodies, the municipalities and the City of Skopje, the public enterprises, the public institutions and services, as well as the trade companies the operation of which during a crisis situation is of special importance and which are determined by the Government of the Republic of Macedonia (hereinafter: the Government), shall prepare themselves for execution of their functions, that is tasks for prevention and dealing with crisis.

#### Article 5

The municipalities and the City of Skopje, within the framework of their competencies determined by law, shall have an obligation, for their own needs, and for the purposes of efficient prevention and early warning of potential crisis situation, to assess the risks and dangers at local level, to determine the needs and to plan the resources.

When dealing with crisis, the municipalities and the City of Skopje shall perform the following activities:

- monitor the situation and activities and events which may lead to occurrence of a crisis within the territory of the municipality and the City of Skopje,
- adopt an assessment of the threat of a crisis situation occurrence caused by risks and dangers within the territory of the municipalities and the City of Skopje,
- adopt a program for revitalization of the municipalities and the City of Skopje upon elimination of the crisis,
- implement the decisions adopted by the Government regarding the crisis management within the territory of the municipalities and the City of Skopje, and
- decide on the amount of the crisis management funds in the budget of the municipalities and the City of Skopje.

The assessment referred to in paragraph 2 line 2 of this Article shall be prepared by the regional crisis management centers.

When dealing with crisis, the mayors of the municipalities and the City of Skopje shall provide coordination among the participants in the crisis management system at local level.

#### Article 6

The Army may participate in a crisis situation with part of its forces, under conditions and in the manner determined by this Law.

#### Article 7

The protection and rescue forces established in accordance with the Law on Protection and Rescue shall participate in elimination of the consequences of the crisis.

## Article 8

When preventing and dealing with a crisis situation, the public enterprises, public institutions and services, as well as trade companies the operation of which during a crisis situation is of special importance, shall have an obligation to protect and rescue the employees, the persons who happen to be at their premises and the material goods, as well as to eliminate the consequences of the crisis situation.

## Article 9

The ministries and the other state administration bodies, the bodies of the municipalities and the City of Skopje, the public institutions and services, as well as the trade companies the operation of which during a crisis situation is of special importance, shall have an obligation to establish job positions for preparation and performance of working tasks related to prevention and dealing with a crisis situation in their organization and systematization acts.

## Article 10

The ministries and other state administration bodies, public enterprises, as well as trade companies the operation of which during a crisis situation is of special importance, and municipalities and the City of Skopje, shall have an obligation to participate in the training, exercises and other activities for prevention and dealing with a crisis situation.

The manner of participation in the activities referred to in paragraph 1 of this Article and the amount of the compensation shall be regulated by an agreement with the Crisis Management Center.

## Article 11

International organizations, institutions and individuals may participate in the prevention of, dealing with and early warning of possible crisis situation in accordance with international agreement acceded to or ratified by the Republic, law and other regulations.

## III. ORGANIZATION AND FUNCTIONING OF THE ORGANS AND BODIES IN THE CRISIS MANAGEMENT SYSTEM

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### Article 12

For the purposes of proposing decisions and providing continuous consultations, coordination, timely response, efficiency and appropriate use of available resources in case of a crisis situation, as well as of providing timely, quality and realistic assessment of the threat to the security of the Republic from risks and dangers, a Steering Committee and an Assessment Group shall be formed and a Crisis Management Directorate shall be established within the crisis management system.

# 1. Steering Committee

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## Article 13

The Steering Committee shall be a body of the Government for coordination and management of the crisis management system.

The Steering Committee shall be consisted of the ministers of interior, health, transport and communications, defense, foreign affairs and the head of the Assessment Group. If the composition of the steering Committee does not reflect the equitable representation of communities, the composition of the Steering Committee shall be extended with other members of the Government.

Other heads of state administration bodies may be included in the work of the Steering Committee depending on the crisis situation, and if needed.

One representative from the Committee on Defense and Security of the Assembly of the Republic of Macedonia (hereinafter: the Assembly) from among the members of the Committee that belong to the biggest political party in opposition and one representative from the Cabinet of the President of the Republic of Macedonia (hereinafter: the President), shall participate in the work of the Steering Committee.

## Article 14

Depending on the crisis situation, the President of the Government shall appoint a person from the Steering Committee to manage the work of the Steering Committee.

Depending on the crisis situation, experts may be invited to the Steering Committee if needed and as support.

The decision on participation of experts shall be reached by the responsible person referred to in paragraph 1 of this Article.

## Article 15

Proposal for determination of a crisis situation may be submitted to the Steering Committee by an official who heads a state administration body, a member of the Steering Committee, the head of the Assessment Group and the director of the Crisis Management Center.

The Steering Committee shall review the proposal referred to in paragraph 1 of this Article and shall propose to the Government to determine an existence of a crisis situation and the area affected by the crisis situation and shall accordingly give a proposal for activation of mechanisms for its resolution in compliance with this Law.

## Article 16

The state administration bodies, municipalities and the City of Skopje and other participants in the crisis management system, within the framework of their competencies determined by law, shall be obliged to implement the recommendations and the other measures and activities of the Steering Committee reached in accordance with this Law.

## 2. Assessment Group

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### Article 17

The Assessment Group shall be a body of the Government which continuously performs assessment of the risks to the security of the Republic and proposes measures and activities for their prevention, early warning and dealing with a crisis situation.

### Article 18

The Assessment Group shall consist of the directors of the Public Security Bureau, the Security and Counterintelligence Directorate, the Intelligence Agency; the directors and deputy directors of the Crisis Management Center and the Protection and Rescue Directorate; the deputy Chief of General Staff of the Army, as well as the head of the Security and Intelligence Service within the Ministry of Defense.

The composition of the Assessment Group shall reflect the equitable representation of the communities.

A person from the Assessment Group appointed by the President of the Government shall manage the work of the Assessment Group.

If needed, and if decided so by the responsible person referred to in paragraph 3 of this Article, other representatives of the state administration bodies, the municipalities and the City of Skopje and experts in particular areas shall be invited to the Assessment Group.

### Article 19

The assessment group shall submit analysis, recommendations and conclusions to the Steering Committee, the President of the Government, the President of the Republic of Macedonia and the President of the Assembly.

The President of the Government, if needed, shall submit the analysis, recommendations and conclusions referred to in paragraph 1 of this Article to other heads of the state administration bodies.

## 3. Crisis Management Directorate

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### Article 20

An independent state administration body with a status and function of a directorate and as a legal entity shall be established within the crisis management system.

The name of the independent state administration body referred to in paragraph 1 of this Article shall be a Crisis Management Center (hereinafter: the Center).

The headquarters of the Center shall be in Skopje.

#### Article 21

The Center shall perform the following activities related to the crisis management:

- provision of continuity in the interdepartmental and international cooperation, consultations and coordination in the crisis management;
- preparation and up-dating of a single assessment of the treat of all risks and dangers to the security of the Republic;
- proposal of measures and activities for resolving a crisis situation, and
- execution of other activities determined by law.

The Center shall provide the overall support (expert, organizational, administrative, etc.) to the Steering Committee and the Assessment Group.

#### Article 22

When performing the activities referred to in Article 21 of this Law, the Center shall cooperate with representatives from the United Nations (UN), the Organization for Security and Cooperation in Europe (OSCE), the European Union (EU), NATO, the foreign embassies in the country, the International Committee of Red Cross and the International Federation of Red Cross and Red Crescent Societies and other international humanitarian organizations.

The Center shall cooperate with other crisis management centers from other countries.

#### Article 23

For the purposes of informing, monitoring of the situation, exchanging data and information, and submitting proposals for crisis situation management and preparing the assessment, regional crisis management centers shall be established within the Center (hereinafter: the regional centers).

The regional centers shall have their headquarters in the municipalities of: Berovo, Bitola, Valandovo, Veles, Vinica, Gevgelija, Gostivar, Debar, Delcevo, Demir Hisar, Kavadarci, Kicevo, Kocani, Kratovo, Kriva Palanka, Krusevo, Kumanovo, Makedonski Brod, Negotino, Ohrid, Prilep, Probistip, Radovis, Resen, Sveti Nikole, Struga, Strumica, Tetovo, Stip, Gazi Baba, Karpos, Kisela Voda, Center, Cair and the City of Skopje.

The area covered by the regional centers referred to in paragraph 1 of this Article shall be determined by the Government.

#### Article 24

Main Headquarters shall be established within the Center as an operational and expert body which shall manage the activities for prevention and dealing with crisis situations.

The Main Headquarters shall consist of representatives from the ministries referred to in Article 13, paragraph 2 of this Law. The members of the Headquarters shall be also the head of the medical emergency service in Skopje, the director of the Protection and Rescue Directorate, as well as representatives from the Army, the Intelligence Agency, Directorate for Security of Classified Information and the Red Cross of the Republic of Macedonia.

The composition of the Main Headquarters shall reflect the equitable representation of the communities.

The director of the Center shall manage the Main Headquarters.

#### Article 25

Regional headquarters shall be founded within the regional centers as operational and expert bodies managed by the head of the regional center. The head of the regional center shall be appointed by the director of the Center.

The regional headquarters in the regional centers shall consist of representatives from the regional units of the ministries and the other state administration bodies referred to in Article 13 paragraph 2 of this Law, as well as of a representative from each municipality and the City of Skopje the areas of which are covered by the regional center.

The composition of the regional headquarters in the regional centers shall reflect the equitable representation of the communities on the area covered by the regional center.

The regional headquarters shall be activated by a decision of the director of the Center.

#### Article 26

The Center shall be headed by a director appointed and dismissed by the Government of the Republic of Macedonia for a term of office of four years.

The director shall have a deputy who is appointed and dismissed by the Government of the Republic of Macedonia for a term of office of four years.

The director and the deputy director shall be selected at a public announcement which is published in three daily newspapers that are printed on the whole territory of the Republic of Macedonia one of which is a newspaper printed in a language spoken by at least 20% of the citizens who speak an official language other than the Macedonian.

A person who meets the following requirements may be appointed as a director and a deputy director:

- 1) to be a citizen of the Republic of Macedonia;



- 2) not to be issued an effective injunction banning him/her from exercising a profession, business or office;
- 3) to have at least 240 credits under ECTS or completed VII/1 degree;
- 4) to have at least five years of work experience,
- 5) to hold one of the following internationally recognized certificates for active knowledge of the English Language which is not older than five years:
  - TOEFL IBT - at least 74 points,
  - IELTS - at least 6 points,
  - ILEC (Cambridge English: Legal) - at least B2 level,
  - FCE (Cambridge English: First) - passed,
  - BULATS - at least 60 points, or
  - APTIS - at least B2 level.

The deputy director shall replace the director in the cases of his/her absence or when due to illness or other reasons he/she is not able to perform his/her duties, and shall have all his/her management powers and responsibilities.

#### Article 27

The director of the Center shall adopt rulebooks on organization and operation and on systematization of the jobs in the Center.

The rulebook on systematization of the jobs in the Center shall determine the positions of the persons employed in the Center and the positions of the persons employed in the state administration bodies referred to in Article 4 of this Law, as well as in the Public Security Bureau, Security and Counterintelligence Directorate, the Intelligence Agency, Security and Intelligence Service of the Ministry of Defense and Protection and Rescue Directorate who, if needed, are assigned to perform tasks in the Center on a temporary basis.

#### Article 28

Person who meets the general conditions prescribed by the Law on Civil Servants may be employed in the Center.

The employees in the Center shall exercise their rights, duties and responsibilities in accordance with the Law on Civil Servants, unless otherwise prescribed by this Law.

The employees in the Center and the persons assigned to work in the Center shall be obliged to keep a state secret and information classified as strictly confidential and confidential in the manner and under conditions determined by law and by any other regulation for ten years after the termination of the employment.

#### Article 29

For the purposes of successful performance of its competencies, a training center shall be formed within the Center that will organize, prepare and carry out training, exercises and other activities for the persons who perform tasks in the Center and for the other participants in the crisis management system.

The training and exercises shall be carried out for the purposes of improving the coordination, efficiency and timely response of the participants in the crisis management system, for which the Center shall issue certificates.

The Government, by a decree, shall prescribe the organization, planning and performance of the training and exercises, the form and content of the training and exercises certificates, as well as the procedures which are to be carried out obligatorily within the crisis management system.

The funds for implementation of the activities referred to in paragraph (1) of this Article shall be provided from the budget of the Republic of Macedonia.

## IV. DECISION MAKING AND UTILIZATION OF RESOURCES

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### Article 30

Crisis situation shall be declared for the purpose of dealing with a crisis situation which poses risk to the goods, health and life of people and animals or danger to the security of the Republic or part of it.

The seriousness of the risk should be of such a nature of coverage of an area or goods, health and life of people and animals or danger to the security of the Republic or part of it as not to bring about conditions for declaring martial law or state of emergency.

### Article 31

The Government shall reach a decision for existence of a crisis situation, shall determine the area affected by the crisis situation and shall appropriately activate the mechanisms for resolving the crisis situation. The Government shall immediately inform the Assembly and the President of the Republic of Macedonia about the decision reached.

The Government shall inform the Assembly and the President about the activities relating to the decision referred to in paragraph 1 of this Article in a period of 48 hours orally, and once a week in a written form.

The Government shall prepare and submit a written report to the Assembly and the President within a period of 30 days after the completion of the activities determined by the decision referred to in paragraph 1 of this Article the latest.

The decision on the existence of a crisis situation referred to in paragraph 1 of this Article cannot be valid for more than 30 days.

If the crisis situation lasts longer than 30 days, the Government has to require an approval from the Assembly to prolong the term or to propose a declaration of martial law or state of emergency.

The Assembly and the President, at any time, may request for an oral or written report about the situation in the area of crisis management.

## Article 32

The Government shall reach a decision on utilization of resources of state administration bodies, bodies of the municipalities and the City of Skopje, as well as on their management in case of a crisis situation.

The utilization of the resources for carrying out the activities referred to in paragraph 1 of this Article should be:

- proportional, according to the nature and intensity of the crisis situation;
- reasonable, according to the crisis characteristics, and
- serious, according to the strength and range of the crisis.

The decision referred to in paragraph 1 of this Article shall be executed by the heads of the state administration bodies, bodies of the municipalities and the City of Skopje.

## Article 33

In case of a crisis situation, the resources from the public enterprises, institutions and services, as well as from the trade companies the operation of which during a crisis situation is of special importance may be also used, in accordance with law.

In case of a crisis situation, on request of the Government and on the basis of an agreement concluded with the Center or voluntarily, the resources of the citizens and other legal entities not covered by paragraph 1 of this Article may be used as well.

The daily compensation for using the resources referred to in paragraph 1 and 2 of this Article shall amount up to 30% of the average monthly net salary per worker in the Republic published by the State Statistical Office in the month prior to the utilization of the resources, and the compensation for their damage or destruction can not be lower than the market value of the means, which they had at the time of damaging or destroying, determined on the basis of the elements by which, according to the customs and depending on the time and place of the market, the market price is determined.

The Center shall keep records of the resources referred to in paragraph 1 and 2 of this Article.

The Government shall adopt more detailed regulations about the type of the resources referred to in paragraph 1 and 2 of this Article, about the manner of keeping records and more detailed determination of the amount of compensation for their utilization, damage and destruction.

The citizens, public enterprises, trade companies and other legal entities may waive the compensation for utilization of resources on their own request and by virtue of a written statement.

#### Article 34

Decision for utilization of resources of the territorial firefighting units of the Republic and of the republic protection and rescue forces shall be adopted by the Protection and Rescue Directorate.

In case of a crisis situation, the decision referred to in paragraph 1 of this Article shall be adopted on request of the Main Headquarters of the Center.

#### Article 35

Part of the Army shall participate as a support to the police in cases when the crisis situation threatens the security of the Republic, and the state administration bodies do not have the appropriate resources and means to prevent it and to deal with it.

Proposal to the Government on the need for participation of the Army, in accordance with the Strategic Defense Review of the Republic, shall be given by the Steering Committee.

The proposal referred to in paragraph 2 of this Article, shall contain in particular:

- the type and number of forces and capacities of the army unit,
- the purpose and tasks for which they are requested for, and
- the time period of the activity and engagement of the army unit.

Upon a proposal by the Government, the President shall decide on the participation of part of the Army in dealing with a crisis situation.

The President may, at any time, re-evaluate the need for participation of part of the Army.

The manner of participation of part of the Army in the crisis situation shall be set out by a regulation adopted by the President.

#### Article 36

For the purposes of ensuring the necessary preparedness, training and exercises for possible participation of part of the Army as a support to the police in case of a crisis situation, Guidelines for Operational and Other Activities of the Army Acting as a Support to the Police shall be adopted.

The Guidelines referred to in paragraph 1 of this Article shall be adopted by the Minister of Defense in concurrence with the Minister of Interior.

## V. COMMUNICATION, COORDINATION AND COOPERATION

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### Article 37

For the purposes of taking measures and activities for prevention and early warning, as well as for managing already existing risks, dangers, crisis, crisis situations, accidents and disasters, all participants in the crisis management system, in accordance with the laws and other regulations, shall be obliged to provide continuous and mutual communication, coordination and cooperation in gathering data and information, their analysis, submission and informing about the risks and dangers which may threaten the security of the Republic.

The participants in the crisis management system shall be also obliged to continuously communicate, exchange data and information and cooperate and, if needed and in the manner determined by this and other law, coordinate their activities with the Center.

The Government shall by a decree determine the operational procedures for mutual communication, coordination, cooperation and acting of the entities in the crisis management system.

### Article 37-a

For the purpose of performing the activities referred to in Article 37 paragraph 1 of this Law, a Geographic Information System shall be organized and developed by the Center.

All participants in the crisis management system and the Agency for Immovable Property Cadastre. shall be obliged, for the needs of the Geographic Information System, free of charge, to submit to the Center and to exchange all data, maps, recordings, photos and other relevant materials in an electronic form. 2

### Article 38

For the purposes of early warning, that is monitoring of the situation, timely identification of the events and processes which pose risks and dangers to the security of the Republic and/or which may lead to a crisis situation, and for the purposes of informing the participants in the crisis management system and the population through the Center, informing and alerting shall be organized.

### Article 39

The Center shall perform the alerting of the population.

The Government, by a decree, shall prescribe the alerting signs, the manner and procedures of alerting and the action of the population.

The alert signs shall be unified.

The owners of personal alerting systems shall be obliged to ensure connecting to the single alerting system of the Republic.

For the purpose of alerting the population, on request of the director of the Center, the owners of facilities shall be obliged to permit positioning and connecting the alert devices on these facilities.

The costs for positioning and maintenance of the alert devices, as well as the compensation for the damage made during the positioning and maintenance of the devices shall be born by the Center.

#### Article 40

For the purposes of continuous and efficient performance of tasks referred to in Article 37 of this Law, a central communication-information system with a single number for calling in cases of risks, dangers and other accidents for the whole territory of the Republic, (E-112), shall be set up.

The central communication and information system shall work 24 hours each day during the week.

#### Article 41

The owners and the users of the communication networks for transferring data and information important for the crisis management and for communication, as well as for coordination and cooperation shall be obliged to apply the crypto, electronic and other protection measures prescribed by the Government by a decree.

#### Article 42

The Center shall analyze and process the data and information referred to in Article 37 of this Law and shall submit them to the participants in the crisis management system.

The Government, by a decree, shall prescribe the type of the data and information referred to in paragraph 1 of this Article, as well as the manner and procedure for their submission to the Center.

#### Article 43

In accordance with a ratified international agreement, law or other regulation, and for the purpose of protecting the interests of the Republic, upon a decision by the Government, international organizations, institutions and individuals may participate in a crisis situation.

In accordance with a ratified international agreement, law or other regulation, as well as on the basis of the recommendations and directions of the Steering Committee and the Assessment Group, the Center shall perform the coordination and cooperation with the entities referred to in Article 11 of this Law in a crisis situation.

#### Article 44

A special approval – pass shall be issued to the participants in the crisis management system as well as to the participants from the international and other organizations and institutions referred to in Articles 11 and 43 of this Law for moving and working in the area affected by a crisis situation.

The approval – pass shall be issued by the director of the Center.

The design and the content of the form of the approval-pass and the manner of its issuing shall be prescribed in a rulebook by the director of the Center.

## VI. ASSESSMENT OF THE THREAT TO THE SECURITY OF THE REPUBLIC OF MACEDONIA

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#### Article 45

Assessment of the threat to the security of the Republic of all risks and dangers (hereinafter: the Assessment) shall be prepared and adopted for the purpose of planned, timely, appropriate and coordinated reaching of decisions, directions and recommendations for taking prevention measures, as well as for the most optimal dealing with a crisis situation.

The Assessment referred to in paragraph 1 of this Article shall be adopted by the Government.

The Government, by a decree, shall prescribe the methodology for preparation of the Assessment, its content, structure, manner of keeping and updating, as well as the determination of entities within the crisis management system which shall be delivered the whole or part of the Assessment.

#### Article 46

The Assessment, upon a proposal of the Assessment Group, shall be prepared by the Center and it shall be submitted to the Steering Committee for review.

Upon a proposal of the Center, the Assessment shall be adopted by the Government.

The decisions reached in accordance with the Assessment referred to in paragraph 2 of this Article, shall be obligatory for all participants in the crisis management system, except for the Assembly and the President.

## VII. PLANNING AND FINANCING

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### Article 47

The planning of the development, the operational and ongoing planning in a short, middle and long term of the crisis management system shall be carried out and implemented according to the principles, standards and procedures effective in the system of planning, programming and budgeting.

The planning referred to in paragraph 1 of this Article shall be made by the entities referred to in Article 2 of this Law, within the framework of their competencies.

The Government, by a decree, shall prescribe the type of the plans, programs, sub-programs, activities and necessary resources for their implementation, including funds as well, and the manner of their preparation, content and structure.

### Article 48

The funds necessary for the crisis management system of the Republic shall be provided from the budget of the Republic of Macedonia.

The funds necessary for the crisis management system may be provided by other sources in accordance with law.

The funds for the state administration bodies necessary for the crisis management system shall be provided from the budget of the Republic of Macedonia within the framework of the funds of those bodies.

The funds for the bodies of the municipalities and the city of Skopje necessary for the crisis management system shall be provided from their funds in accordance with law and the Budget of the Republic of Macedonia.

The public enterprises, institutions and services as well as trade companies the operation of which during a crisis situation is of special importance, shall provide their funds from their own sources and from the budget of the Republic of Macedonia.

## VIII. INSPECTION SUPERVISION

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### Article 49

The Center shall carry out the inspection supervision of the enforcement of this Law and the other regulations adopted on the basis of this Law through the crisis management inspectors.



The inspection supervision referred to in paragraph 1 of this Article within the state administration bodies, municipalities, public enterprises, public institutions and services as well as within trade companies the operation of which during a crisis situation is of special importance shall be carried out in accordance with this Law.

#### Article 50

Crisis management inspector may be a person employed in the Center having higher education degree.

The crisis management inspectors shall have an identity card.

The design and the content of the form of the identity card and the manner of its issuance and revocation shall be prescribed by the director of the Center.

#### Article 51

When carrying out the inspection supervision referred to in Article 49 of this Law, the inspectors shall be authorized:

- to carry out inspection of the enforcement of this Law and the other regulations in the field of crisis management,
- to propose measures for elimination of the determined irregularities and faults within a determined period of time,
- to check the identification documents of persons in order to confirm their identity in accordance with law,
- to ask for a professional opinion whenever necessary for the carrying out of the inspection supervision, and
- to provide other necessary evidence.

While carrying out the supervision, the inspector shall be obliged to give assistance in the enforcement of the laws and the other regulations in the field of crisis management to the entities under supervision.

#### Article 51-a

In the course of conducting the inspection supervision, in accordance with law, the crisis management inspector shall be obliged:

- to act upon initiatives for conducting inspection supervision procedure and to notify the submitter of the initiative thereof,
- to identify him/herself in front of the entity under supervision, i.e. in front of the responsible or other authorized person of the entity under supervision,
- to prepare minutes on the completed inspection supervision,
- to keep the classified information as a secret,
- to act in a legal, timely manner and in accordance with the Civil Servants Code of Ethics,

and

- to notify the responsible person of the entity under supervision of the legal basis for carrying out the supervision.

#### Article 51-b

For the purpose of removing the established irregularities, the crisis management inspector, in accordance with law, shall have the following rights and obligations towards the entity under supervision:

- to point to the established irregularities and determine time period for their removal,
- to order undertaking of appropriate measures and activities in a time period determined by the inspector,
- to file a motion for initiation of a misdemeanor procedure, and
- to file criminal charges or initiate other corresponding procedure.

#### Article 52

The inspectors shall be obliged to prepare minutes of the inspection supervision made, and to submit it to the responsible person in the entity under inspection supervision and to the director of the Center.

The actual situation and the proposed measures and deadlines for elimination of the irregularities and faults shall be written down in the minutes. The responsible person referred to in paragraph (1) of this Article shall be obliged to act according to the minutes and to inform the inspector about the measures taken.

If, in the course of the supervision, the inspector considers that the violation of the regulations is a misdemeanor or criminal act, he/she shall be obliged to file a request, that is motion for initiation of appropriate procedure with the competent body.

#### Article 53

The inspectors of the inspection supervision shall prepare minutes and adopt a decision.

An appeal against the decision referred to in paragraph 1 of this Article can be filed with a special commission composed of three members, formed by the director of the Center, in a period of eight days from the day of the receipt of the decision.

Two members of the commission referred to in paragraph 2 of this Article shall be elected from among the expert-administrative civil servants employed at the Center, and the president shall be elected from among the managerial civil servants employed at the Center who have not been included in the inspection supervision.

#### Article 53-a

The director of the Center shall adopt an annual work program for the crisis management inspectors by January 31st for the current year, at the latest.

The Center shall prepare quarterly reports for the completed controls by the crisis management inspectors that shall be published on the web site of the Center on a unified quarterly summery.

## IX. MISDEMEANOR PROVISIONS

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### Article 54

Fine in the amount of Euro 500 to 1.000 in Denar counter-value shall be imposed for misdemeanor on the responsible person in the entity participant in the crisis management system, if:

- it fails to implement the decisions, directions, recommendation and other measures and activities of the Government, the Steering Committee and the Center (Articles 44 paragraph 1, 16 and 21 paragraph 1 line 3);
- it fails to implement the measures for crypto, electronic and other protection measures prescribed by a decree of the Government (Article 41);
- it fails to implement the recommendations and conclusions referred to in the Assessment (Articles 45 and 46);
- it fails to act according to the minutes of the completed inspection supervision and does not notify the inspector about the undertaken measures (Article 52 paragraph 2),
- it fails to determine job positions in the acts on systematization of the jobs for operation in a crisis situation (Article 9) and
- it fails to asses the risks and danger on local level and does not establish the needs and plan the resources for its need in order to provide efficient prevention and early warning of potential crisis situation (Article 5 paragraph 1).

### Article 55

Fine in the amount of Euro 200 to 400 in Denar counter-value shall be imposed for a misdemeanor on a natural person, owner of facility, if:

- upon a request of the director of the Center he/she fails to permit positioning and connecting the alert devices to the facility he/she owns (Article 39 paragraph 5).

### Article 56

Fine in the amount of Euro 500 to 1.000 in Denar counter-value shall be imposed for misdemeanor on the legal entity owner of the facility, if:

- upon a request of the director of the Center it fails to permit positioning and connecting the alert devices to the facility it owns (Article 39 paragraph 5).

### Article 56-a

The misdemeanor procedure for the misdemeanors determined in Articles 54, 55 and 56 of this Law shall be conducted, and the misdemeanor sanction imposed by the Center.

The misdemeanor procedure referred to in paragraph 1 of this Article before a

misdemeanor body shall be conducted by the Commission for Deciding upon Misdemeanors (hereinafter: the Commission), formed by the director of the Center.

The Commission shall be composed of a president and two members.

The president of the Commission shall be a law graduate, having passed the judiciary exam and has working experience of five years in the related field, and the members shall hold a university degree and have working experience of five years in the related field.

In addition to the members of the Commission, the director of the Center may appoint a secretary of the Commission to perform the administrative activities for the Commission and deputy-members who, by exception, in case of absence of any of the members, shall participate in the work of the Commission .

The Commission shall adopt Rules of Procedure regarding its operation.

#### Article 56-b

The Commission shall have the right to exhibit evidence and collect data necessary for determining the misdemeanor, as well as to perform other activities and undertake activities established by this Law, the Law on Misdemeanors or another law.

The Commission shall be autonomous and independent in its work and shall decide on the basis of professional knowledge and individual belief.

The Commission shall operate in a council, and shall decide with majority of the votes of the total number of members.

A lawsuit for initiation of an administrative dispute with a competent court may be filed against the decision of the Commission imposing a misdemeanor sanction.

The Commission shall keep single records of the misdemeanors, imposed sanctions and adopted decisions in the manner prescribed by the director of the Center.

#### Article 56-c

The Commission shall be obliged to propose settlement procedure to the perpetrator of the misdemeanor before filing the motion for initiation of misdemeanor procedure with the Misdemeanor Commission, in accordance with the Law on Misdemeanors.

#### Article 56-d

The Misdemeanor Commission referred to in Article 56-a of this Law shall be obliged to immediately, and within a period of five days after filing the motion for initiation of misdemeanor procedure by the crisis management inspectors at the latest, to review it.

## X. TRANSITIONAL AND FINAL PROVISIONS

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### Article 57

The Center shall start to operation upon the appointment of the director of the Center.

The Government shall appoint the director of the Center, within a period of 30 days from the day this Law enters into force.

The director shall adopt the organization and operation acts and acts on systematization of the jobs in the Center within a period of 30 days from the day of the appointment of the director.

### Article 58

Until the commencement of operation of the Center, but within a period of 60 days from the day of the appointment of the director of the Center the longest, the inspection supervision within the field of crisis management shall continue to be carried out by the inspectors from the Ministry of Defense in accordance with the provisions of the Law on Defense.

### Article 59

The employees in the Ministry of Defense who perform tasks in the Republic Information Center, the monitoring service, the information centers throughout the Republic, in the field of crypto protection and defense preparation, shall be transferred to the Center within a period of 90 days from the day this Law enters into force in a number which corresponds to the required number of employees according to the organization and systematization acts of the Center.

The equitable representation of communities shall be taken into consideration when transferring the persons referred to in paragraph 1 of this Article.

The facilities and the equipment of the Republic Information Center, the monitoring service, the information centers throughout the Republic and the equipment for crypto protection, the vehicles, the achieve and the documentation which are related to the performance of the tasks in the field of crisis management, shall be transferred from the Ministry of Defense to the Center as of the day of transferring the employees.

### Article 60

Upon the appointment of the director of the Center, a Commission shall be established within the Government for the purpose of carrying out the process of transferring the employees, equipment, whole documentation and archive referred to in Article 59 of this Law, consisted of a representative from each, the Ministry of Defense, Ministry of Interior,

Ministry of Finance and a representative from the Center. The Commission shall carry out the process of transferring within a period of 90 days from the day this Law enters into force.

The Government shall decide on any possible disputes which the Commission referred to in paragraph 1 of this Article cannot resolve.

#### Article 61

The Government shall provide the working premises for the Center.

#### Article 62

The by-laws prescribed by this Law shall be adopted within a period of one year from the day of the application of this Law.

#### Article 63

This Law shall enter into force on the eight day of its publication in the "Official Gazette of the Republic of Macedonia" and shall be applied from 1 June 2005.

### **PROVISIONS OF OTHER LAWS**

Law Amending the Law on Crisis Management ("Official Gazette of the Republic of Macedonia" no. 36/2011):

#### **Article 19**

The bylaws the adoption of which is anticipated by this Law, shall be adopted by the director of the Center in a period of 30 days as of the day this Law enters into force.

Law Amending the Law on Crisis Management ("Official Gazette of the Republic of Macedonia" no. 36/2011):

#### **Article 20**

The provisions of Articles 9, 10, 11, 12 and 13 of this Law shall apply as of the commencement of the application of the Law on Inspection Supervision.

Law Amending the Law on Crisis Management ("Official Gazette of the Republic of Macedonia" no. 41/2014):

#### **Article 2**

The director and the deputy director of the Center who have been appointed before the beginning of application of Article 1 of this Law, shall continue to exercise the office until the expiry of the term of office for which they have been appointed.

Law Amending the Law on Crisis Management ("Official Gazette of the Republic of Macedonia" no. 41/2014):

#### **Article 3**

The provisions of Article 1 of this Law shall start to apply within a period of one year as of

the day of entry into force of this Law, except the provisions that refer to the requirement for knowledge of a foreign language which shall start to apply two years as of the day of entry into force of this Law.

Law Amending the Law on Crisis Management ("Official Gazette of the Republic of Macedonia" no. 104/2015):

**Article 2**

The Center shall be obliged to connect electronically to the Agency for Immovable Property Cadastre within a period of three months as of the day of entry into force of this Law.

Law Amending the Law on Crisis Management ("Official Gazette of the Republic of Macedonia" no. 39/2016):

**Article 2**

This Law shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia".

Law Amending the Law on Crisis Management ("Official Gazette of the Republic of Macedonia" no. 83/2018):

**Article 2**

The provision of Article 26 paragraph 4 point 5) of the Law on Crisis Management ("Official Gazette of the Republic of Macedonia" nos. 29/2005, 36/11, 41/14, 104/15 and 39/16) and the provision of Article 1 of this Law which adds a new line 6 in Article 26 paragraph 4 point 5) shall not apply in the period between the day of entry into force of this Law and 1 September 2018.

Law Amending the Law on Crisis Management ("Official Gazette of the Republic of Macedonia" no. 83/2018):

**Article 3**

The director and the deputy director who are appointed in the period between the day of entry into force of this Law and 1 September 2018 shall be obliged to meet the requirement for knowledge of a foreign language within a period of one year as of the day of their appointment at the latest.

The term of office of the director and the deputy director who are not going to meet the requirement for knowledge of the English language within the deadline set out in paragraph 1 of this Article shall terminate.

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