



Law on Fire Safety of the Azerbaijan Republic

Chapter I. General provisions

Article 1. Key definitions used in this Law

Following definitions are applied for the purposes of this Law:

- 1) Fire - uncontrolled burning that results in property damage, presents threats to human health and life, and environment.
- 2) Fire protection - the system of agencies, forces and resources established for implementation of works on organisation of fire prevention and fire fighting, with emphasis on emergency response and rescue activities.
- 3) *Fire control - a special type of government monitoring activities aimed at preventing violations of the norms, standards and regulations in the field of fire safety.*
- 4) Fire safety - combination of organisational, economic, social, scientific, educational and propaganda measures that provide the safety of industrial facilities and areas, buildings, installations, ~~administrative~~-territorial units, cities, regions and other settlements, prevention of fire occurrence and spread, efficient location and liquidation of fire, protection of human health and life, liquidation of hazardous factors of fire on people and environment, protection of assets and items of national heritage from fire destruction.
- 5) Requirements on fire safety - special social and technical conditions established under legislation of the Azerbaijan Republic for the purposes of provision of fire safety.
- 6) Violation of requirements on fire safety - failure to apply or incomplete application of fire safety requirements.
- 7) System on provision of fire safety - complex of resources, as well as organisational, legal, economic, social and scientific measures directed on fire fighting.
- 8) Fire safety regime - rules for human behaviour, procedure on organisation of production and maintenance of buildings (areas) for the prevention of fire safety requirement violations and fire fighting.
- 9) Measures on fire safety - activities in the area of fire safety provision, including satisfaction of fire safety requirements.

10) Fire fighting - activities directed at rescue of human life and property, liquidation of fires.

11) Main rescue and emergency response measures aimed at fire fighting-operations implemented by fire safety department on rescue of human life, property, provision of first aid to victims of fire.

12) Fire fighting equipment products - dedicated technical equipment stipulated for provision of fire safety, including fire fighting equipment, tools, substances and life protection means, communication and management networks, computer software and databases, as well as other means on fire prevention.

13) Fire safety garrison - combined network of fire protection units and authorities, technical, research facilities and fire safety education schools.

Article 2. Law scope

This Law defines legal basis and principles on organisation of *state fire protection* and state fire control, enforced for the provision of fire protection on the territory of the Azerbaijan Republic of human life and health, national treasures, all types of property.

This law is regulates public relations on establishment of legal basis for participation of state authorities, agencies, enterprises and organisations independent of form of ownership, on fire prevention and fighting, protection from fire of human life and health, protection of all types of property and personal belongings of citizens, natural resources, as well as enforcement of law in this area.

Article 3. Legislation on fire safety

Legislation on fire safety comprised of Constitution of the Azerbaijan Republic, this Law and legislative acts of the Azerbaijan Republic.

Article 4. Issues resolved by relevant executive authorities of the Azerbaijan Republic in the area of fire safety

Following are the issues resolved by relevant executive authorities of the Azerbaijan Republic:

- 1) development and implementation of state policy in the area of fire safety (Cabinet of Ministers of the Azerbaijan Republic);
- 2) development, organisation of execution and funding of national programs (Cabinet of Ministers of the Azerbaijan Republic);
- 3) acceptance of state fire safety standards, regulations, rules and legislative acts on fire safety and provision of control over their execution (Cabinet of Ministers of the Azerbaijan Republic);
- 4) planning and implementation of budgetary funds expenditure on fire safety, including budgets on fire service (Cabinet of Ministers of the Azerbaijan Republic);

- ~~5) establishment, reorganisation and liquidation of authorities, fire safety units, fire technical and research facilities and fire educational schools funded from budget (Cabinet of Ministers of the Azerbaijan Republic);~~
- 6) organisation of state fire control (Cabinet of Ministers of the Azerbaijan Republic);
- 7) determination of general principles for provision of fire safety, including social and economic motivation for production and sales of fire fighting products, and participation of population in fire fighting (Cabinet of Ministers of the Azerbaijan Republic);
- 8) determination of the number of employees of fire service *and fire control structures* funded by state budget (Cabinet of Ministers of the Azerbaijan Republic);
- 9) determination of the list of fire service enterprises, including mandatory structures funded by the state budget (Cabinet of Ministers of the Azerbaijan Republic);
- 10) establishment of variety, production and delivery volumes of fire fighting equipment for state needs, including military orders (Cabinet of Ministers of the Azerbaijan Republic);
- 11) establishment of state information network, as well as systems for statistical registration of fires and their consequences (Cabinet of Ministers of the Azerbaijan Republic);
- 12) establishment of general principles on organisation of fire service for civil defence and mobilisation assignments for fire safety authorities and units (Cabinet of Ministers of the Azerbaijan Republic);
- 13) organisation of training, qualification and certification of employees of fire service *and fire control structures* (Cabinet of Ministers of the Azerbaijan Republic);
- 14) establishment of *decorations and type of uniform employees of fire service and fire control structures* (Cabinet of Ministers of the Azerbaijan Republic);
- 15) implementation of measures on legal and social security of employees of fire service *and fire control structures*, retired persons and their family members (Cabinet of Ministers of the Azerbaijan Republic);
- 16) provision of assistance in establishment and activities of fire safety foundations (local executive authorities);
- ~~17) development, approval and implementation of expenditures of *the state budget* on maintenance of fire safety system, including expenditures on fire service (local executive authorities);~~
- 18) establishment, re-organisation and liquidation of *fire protection and fire control structures*, funded from *the state budget* in accordance with procedures

established under the legislation of the Azerbaijan Republic (local executive authorities);

~~19) development, organisation of execution and funding of programs at regional level (local executive authorities);~~

20) training of population on fire safety measures and attraction of programs at regional level (local executive authorities);

Article 5. Functions of relevant authorities of the Azerbaijan Republic in the field of fire safety

Relevant executive authorities of the Azerbaijan Republic (central and local executive authorities) shall have following functions in the field of fire safety:

- 1) organise development and provide the implementation of fire safety measures at subordinated enterprises and managed areas;
- 2) establish and support fire service teams, funded in accordance with established norms *from the state budget*;
- 3) render necessary assistance in achievement by fire service of its goals;
- 4) organise implementation of fire safety propaganda and educate population in the area of fire safety;
- 5) provide the strict compliance with norms, standards and rules of fire safety by the management of government authorities, enterprises and organisations as well as citizens;
- 6) organise the development and provide the execution of the fire safety measures;
- ~~7) establish and support units of the State Fire Service financed in accordance with established forms from *the state budget*;~~
- 8) organise training of population in fire safety measures.

Article 6. Roles and responsibilities of enterprises in the field of fire safety

Enterprises hold following rights in the field of fire safety:

- 1) establish, re-organise and liquidate fire protection units funded from their budget;
- 2) make proposals to relevant state authorities on provision of fire safety;
- 3) *conduct works on establishing the causes of fires in enterprises and take appropriate actions*;
- 4) establish motivating social and economic measures that serve to fire safety;

5) to obtain information on fire safety issues.

Enterprises have following responsibilities in the field of fire safety:

- 1) to comply with requirements of fire safety, as well as to fulfil instructions, resolutions and other legal requirements of authorised representatives of relevant state bodies (Main State Fire Service Department) of the Azerbaijan Republic and its *relevant structures*;
- 2) develop and implement fire safety measures;
- 3) to carry fire safety propaganda and to train employees in fire safety;
- 4) to maintain fire safety systems and equipment, including primary fire fighting tools, prohibit their use for other purposes;
- 5) to establish and finance fire service units in accordance with requirements of this law and other legislative acts of the Azerbaijan Republic;
- 6) to render assistance to fire prevention *and fire control structures* in fire fighting activities, investigation of causes, as well as in identification of persons guilty in violation of fire safety requirements and occurrence of fire;
- 7) provide resources, fuel and lubricant materials, food and resting space to crew members of the fire service units and persons, engaged in fire fighting on the territory of enterprise in accordance with established procedures;
- 8) provide access to buildings, installations and other facilities of authorised representatives of relevant state executive bodies (Main State Fire Service Department) of the Azerbaijan Republic, their units, executing service duties;
- 9) provide on the demand of authorised representatives of relevant state executive bodies (Main State Fire Service Department) of the Azerbaijan Republic and their units, information and documents on fire safety at enterprises including fire safety of manufactured products, as well as fire occurred on their territory and their consequences;
- 10) immediately provide to relevant state executive bodies (Main State Fire Service Department) of the Azerbaijan Republic and their units information on fires, deficiencies of existing fire safety systems, changes to conditions of roads and access tracks.

Article 7. Rights and responsibilities of citizens in the field of fire safety

Citizens shall hold following rights in the field of fire safety:

- 1) protect their lives, health and property;
- 2) compensate losses incurred as a result of fire in accordance with procedures established in the Azerbaijan Republic;

- 3) participate in investigation of causes of health deterioration and damage to property incurred as a result of fire;
- 4) to obtain information on fire safety.

Citizens have following obligations in the field of fire safety:

- 1) to act in strict compliance with norms, standards and rules on fire safety;
- 2) follow fire safety rules in buildings and facilities, means of transportation that form their property, have primary fire fighting means and fire fighting tools in accordance with lists approved by the relevant state authority (Main State Fire Service Department) of the Azerbaijan Republic;
- 3) immediately inform fire service units on fires;
- 4) before the arrival of fire service crews take possible measures for rescue of people, property and fire fighting;
- 5) render assistance to fire service crews in fire fighting;
- 6) to follow instructions, decisions and other legal requirements of authorised representatives of relevant executive bodies (Main State Fire Service Department) of the Azerbaijan Republic and their *relevant structures*;
- 7) in accordance with procedures established under the legislation of the Azerbaijan Republic, to create appropriate conditions for authorised representatives of relevant state executive bodies (Main State Fire Service Department) of the Azerbaijan Republic and their units for implementation of investigations and inspections on compliance with fire safety requirements at production, dwelling and other buildings and facilities owned by citizens and also prevention of violation of *these requirements*.

Chapter II. Fire protection

Article 8. Fire protection system in the Azerbaijan Republic and its key functions

The fire protection system in the Azerbaijan Republic comprised of following types:

- 1) state fire *protection*
- 2) *non-departmental* fire *protection*
- 3) voluntary fire *protection*

Main functions of the fire safety system in the Azerbaijan Republic:

- 1) Organisation of measures on prevention of fires;
- 2) Live rescue and fire fighting.

It is prohibited to invite fire service crews to perform measures on prevention of conflicts and civil unrest.

Article 9. State Fire Service

State fire service as main type of fire *protection* system is performed by relevant state executive body (Main State Fire Service Department) of the Azerbaijan Republic.

Relevant state executive body (Main State Fire Service Department) of the Azerbaijan Republic:

- 1) organises the development and implementation of state measures in the area of fire safety;
- 2) performs State Fire Control in the Azerbaijan Republic;
- 3) organises and implements in accordance with existing legislation of the Azerbaijan Republic, other works in the area of fire safety and fire protection of cities, regions and other settlements and enterprises;
- 4) provides liquidation of fires;
- 5) develops uniform technical policy in the field of fire safety and organises its application;
- 6) provides training, improvement of qualification of fire protection employees.

Relevant state executive body (Main State Fire Service Department) of the Azerbaijan Republic provides supervision of the fire protection system of the Azerbaijan Republic.

Relevant state executive body (Main State Fire Service Department) of the Azerbaijan Republic, authorised for state fire control on the territory of the Azerbaijan Republic issues state orders on manufacturing of the fire fighting equipment and determines requirements for such equipment.

Organisation, re-organisation, liquidation, ~~support activities and organisational structure of the respective structures~~ of the relevant state executive authority (Main State Fire Service Department) of the Azerbaijan Republic shall be established by the relevant state executive body (Cabinet of Ministers of the Azerbaijan Republic) of the Azerbaijan Republic.

Article 10. Non-departmental fire protection

Relevant executive authorities (ministries, committees and other central government authorities) of the Azerbaijan Republic, other enterprises, agencies and organisations independent from form of ownership can establish special units, registered by relevant state executive body (Main State Fire Service Department) of the Azerbaijan Republic, for implementation of fire protection activities. Their organisational structure and funding procedure is established by the founder.

Units of *non-departmental* fire protection perform their activities in accordance with Charter developed in compliance with this Law, verified by relevant state executive body

(Main State Fire Service Department) of the Azerbaijan Republic and approved by the management of higher authorities.

Article 11. Voluntary fire protection

For the purposes of implementation of organisational measures on prevention of fires and fire fighting in settlements, enterprises, entities and organisations voluntary fire fighting teams (crews) can be established from workers, servicemen, engineering and technical personnel and other citizens. "Charter» of such crews is approved by relevant state executive body (Main State Fire Service Department) of the Azerbaijan Republic.

Payment for participation of members of voluntary fire fighting teams (crews) in liquidation of fires and their consequences, implementation of preventive measures on fire fighting, as well as training and shifting shall be effected *in an order, established by the relevant state executive authority.*

Chapter III. Provision of fire safety

Article 12. System on provision of Fire Safety

System on provision of fire safety consists of following:

- 1) legislative regulations in the field of fire safety;
- 2) scientific and technical provision in the field of fire safety;
- 3) information provision in the field of fire safety;
- 4) implementation of fire fighting propaganda and training of population in fire safety measures;
- 5) manufacturing of fire fighting equipment products;
- 6) fire fighting and execution of associated activities (hereinafter referred to as – liquidation of fires);
- 7) establishment of special anti-fire regime;
- 8) registration of fires and their consequences;
- 9) execution of works and provision of services in the area of fire safety;
- 10) certification of fire fighting equipment products and fire safety services;
- 11) insurance against fires and motivation of persons that provide fire safety;
- 12) planning and implementation of fire safety measures;
- 13) implementation of state fire control over provision of fire safety.

Article 13. Legislative regulations in the field of fire safety

Legislative regulation in the field of fire safety consists of acceptance of legislative acts (standard documentation) on fire safety by relevant state authority.

Standard documentation on fire safety consists of standards, codes, rules and instructions on fire safety, other acts reflecting requirements on fire safety.

Article 14. Scientific and technical provision in the field of fire safety

Scientific and technical provision in the field of fire safety shall be implemented by scientific-research, testing & design, engineering and other scientific-research entities and organisations, as well as relevant educational institutions.

Scientific and technical research in the field of fire safety shall be financed from state budget, ~~local budget~~, funds of enterprises and fire service funds, as well as other sources of *funding, not conflicting with the law*.

Scientific and technical research *of respective structures* of the relevant state executive bodies (Main State Fire Service Department) of the Azerbaijan Republic shall be funded from state budget.

Co-ordination of scientific research in the field of fire safety shall be assigned to relevant state executive body (Main State Fire Service Department) of the Azerbaijan Republic.

Article 15. Information provision in the field of fire safety

Information provision in the field of fire safety is provided via establishment and use of necessary dedicated information systems and data bases (hereinafter referred to as Information systems) for achievement of objectives of the fire safety provision system.

Basis and procedures for input of data on fire safety into information systems, as well as procedures and conditions for access to this data by authorised persons and citizens shall be established by relevant state acts of the Azerbaijan Republic.

Relevant executive authorities (ministries, committees and other central government authorities) of the Azerbaijan Republic, enterprises and entities, meteorology services and other authorised state bodies shall immediately and free of charge inform relevant state executive body (Main State Fire Service) of the Azerbaijan Republic and its *respective structures* on unfavourable events and forecasts.

Article 16. Implementation of fire fighting propaganda and training of population in fire safety measures

Fire fighting propaganda- deliberate delivery to society of knowledge on issues related to fire safety and resolution of problems via mass media, publications of dedicated literature and advertisement products, implementation of dedicated exhibitions, workshops, conferences and use of other form of information allowed by the legislation of the Azerbaijan Republic.

Fire fighting propaganda is implemented by relevant state executive bodies (ministries, committees and other central executive authorities) of the Azerbaijan Republic, enterprises and fire protection units.

In accordance with rules on fire safety in the Azerbaijan Republic enterprise employees shall be trained in fire safety requirements by the administration (owners) of enterprise.

Mandatory training on fire safety for children in pre-school age facilities and in public schools is provided in accordance with specialised educational programs by relevant state executive body (Main State Fire Department of the Azerbaijan Republic).

Article 17. Manufacturing of fire fighting equipment products

Manufacturing of fire fighting equipment products is implemented on the basis of state order and state military order, as well as within entrepreneur activities.

Manufacturing of fire fighting equipment products is controlled by state.

State order for manufacturing of fire fighting equipment products is implemented on the basis of dedicated national programs in the field of fire safety. State military order for manufacturing of fire fighting equipment products is placed by relevant executive authority of the Azerbaijan Republic (Cabinet of Ministers of the Azerbaijan Republic).

Implementation of state order and state military order is performed in accordance with procedures established under the legislation of the Azerbaijan Republic.

Article 18. Fire fighting

Procedure for attraction of resources for fire fighting, organisation of fire fighting in fire service garrisons is established by relevant state executive body (Main State Fire Service) of the Azerbaijan Republic.

In the event of insufficiency of fire protection resources, as well as community services located in various territories for liquidation of fires, in accordance with procedures established under the Law of the Azerbaijan Republic on «Emergency events», necessary additional resources and means of fire protection are attracted for fire fighting and liquidation of consequences.

Fire protection units shall participate in fire fighting and liquidation on unconditional basis.

For call-up to fire protection units in the telephone network of settlements is set a *number by the relevant state executive body*.

For provision of safety of people, rescue of property during fire fighting necessary measures are applied to include the following:

- 1) access to location of spreading (in the event of possibility of spreading) of fires and their hazardous indicators;
- 2) creation of conditions against spreading of fires and provision of their liquidation;
- 3) *free use of communication and transport facilities, equipment and other technical means;*

4) limitation or restriction of access to fire locations, as well as limitation or restriction of movements of transport means and pedestrians in territories adjacent to fire locations;

5) evacuation of people and property from fire location.

Fire fighting scene commander- highest rank authorised person on fire location (unless otherwise is stipulated) is responsible for supervision over fire fighting activities. He supervises activities of fire fighting crews, involved in fire fighting activities, as well forces attracted for fire fighting.

Fire fighting scene commander is responsible for execution of fire fighting task, safety of crewmembers of fire fighting crews and additional forces attracted.

Fire fighting scene commander determines the borders of territory within which fire-fighting operation is implemented, procedure and specifics of actions performed, and makes decision on rescue of people and property at fire. If necessary, fire fighting scene commander make other decisions including decisions limiting the authority of other individuals and citizens at subject area.

Instruction of fire fighting scene commander within the area where fire-fighting operations are performed shall be executed to word by all authorised individuals and citizens. During fire, nobody is authorised to interrupt the activities of the fire fighting scene commander or cancel his instructions.

Property damage, incurred as a result of fire fighting, shall be compensated in accordance with procedures stipulated under the legislation of the Azerbaijan Republic. Fire protection service crewmembers and other participants of fire fighting activity shall be released from compensation of such damage.

Article 19. Establishment of special anti-fire regime

In the increasing possibility of fire, special anti-fire regime can be established in certain areas by the decision of relevant state executive body (Main State Fire Service) of the Azerbaijan Republic. Additional fire safety measures applied for the duration of special anti-fire regime, verified by relevant state executive body (Main State Fire Service) of the Azerbaijan Republic and its units.

Article 20. Registration of fires and their consequences

There is a uniform statistical registration system for fires and their consequences applied in the Azerbaijan Republic.

The official statistic registration and state statistic report on fires and their consequences shall be performed by relevant state executive body (Main State Fire Service) of the Azerbaijan Republic ~~and its units~~.

Procedure for registration of fires and their consequences are established by relevant state executive body (Main State Fire Service) of the Azerbaijan Republic.

Article 21. Execution of works and provision of services in the area of fire safety

Works and services in the field of fire safety are implemented for provision of fire safety, as well as provision of fire prevention and fire fighting. Following are considered as works and services in the area of fire safety:

- 1) protection of enterprises and settlements from fire on contractual basis;
- 2) manufacturing and purchasing of fire fighting equipment products, their testing;
- 3) execution of design and research works;
- 4) provision of scientific and technical consultations and implementation of expert analysis;
- 5) testing of fire safety of substances, materials, components, equipment and structures;
- 6) training of population in fire safety;
- 7) propaganda of fire safety, publication of dedicated literature and advertisement products;
- 8) fire protection and oven installation works;
- 9) installation, maintenance and repair of fire protection means and systems;
- 10) repair of fire fighting tools, primary fire response equipment, maintenance, recovery of quality of fire fighting units;
- 11) construction, re-construction and repair of buildings, installations, premises for fire protection services.

Implementation of works and services in the field of fire safety in accordance with legislation of the Azerbaijan Republic is performed upon the *special permit (license)*, issued by the relevant state executive body (license of the Main State Fire Service) of the Azerbaijan Republic.

Article 22. Certification

Certification - activity performed in accordance with legislation of the Azerbaijan Republic for verification of compliance of products, services, buildings and installations (*hereinafter referred to as - products and services*) the with fire safety requirements. *In accordance with the rules of certification, the certificate of conformity is issued to confirm compliance of certified products and services to established requirements.*

The list of products and services for which the certification is mandatory is established by the relevant state executive body (Cabinet of Ministers of the Azerbaijan Republic) of the Azerbaijan Republic.

Procedure for organisation and implementation of certification is established by the relevant state executive body (Cabinet of Ministers of the Azerbaijan Republic) of the Azerbaijan Republic.

Payment for *certification works, established by the relevant state executive body* is performed by manufacturer (supplier) of products and services, and certification costs are included in product and service prices.

Article 23. Fire insurance

Fire insurance can be voluntary and mandatory.

Legal entities involved in entrepreneur activities on the territory of the Azerbaijan Republic, including foreign legal entities or entities established partially with involvement of foreign investment, shall have a mandatory fire insurance for following:

- 1) property under their ownership, use of management;
- 2) civil liability for third party losses incurred by fire.

Mandatory fire insurance of the property of legal and natural entities engaged in business activity on the territory of the Azerbaijan Republic and civil liability to third parties is governed by the Law of Azerbaijan Republic "On compulsory fire insurance".

Article 24. Development and implementation of fire safety measures

Fire safety measures are developed in accordance with procedures stipulated under the legislation of the Azerbaijan Republic and standard documentation on fire safety, as well as previous experience on fire fighting, evaluation of fire safety of substances, materials, processes, components, structures, buildings and facilities.

Manufacturers (suppliers) of substances, materials, components and equipment shall indicate in relevant technical documentation the fire safety characteristics of such substances, materials, components and equipment as well as fire safety precautions required during their use.

For developments and implementation of fire safety measures for enterprises, buildings, installations and other facilities, including development of measures on fire safety at the design stage, along with other issues also aspects of fire fighting water supply systems, automated fire fighting and alarm systems, evacuation routes shall be stipulated.

Fire safety measures for cities, regions and other settlements shall be developed and implemented by the relevant state executive authorities (local executive authorities) of the Azerbaijan Republic.

Investment projects prepared by relevant authorities and organisations on construction, re-construction, repair and upgrading, including designs developed by foreign entities in terms of compliance with standards, norms, requirements and rules for fire safety shall be approved by the relevant state executive body (Main State Fire Service) of the Azerbaijan Republic.

Article 25. State fire control

State fire control - special type of state control activity. State fire control over compliance with fire safety requirements, construction codes and standards, rules on fire safety and

prevention of their violations shall be performed by officials *of the structure carrying out the fire control* of the relevant state executive body (Main State Fire Service) of the Azerbaijan Republic.

Head of *the structure, carrying out the fire control* of the relevant state executive body (Main State Fire Service) of the Azerbaijan Republic is also the Senior State Fire Control Inspector of the Azerbaijan Republic.

Authorised officials *of the structure carrying out the fire control* of the relevant state executive body (Main State Fire Service) of the Azerbaijan Republic shall be entitled to following during the implementation of state fire control functions:

- 1) inspect the compliance with fire safety requirements of construction codes and standards by state authorities, agencies, enterprises and organisations, independent from ownership and their executives, as well as citizens;
- 2) issue instruction on compliance with fire safety requirements to state authorities, agencies, enterprises and organisations, independent from ownership and their executives, as well as citizens;
- 3) *to conduct inspections in accordance with procedures stipulated under the legislation for the purposes of prevention of violation of fire safety requirements;*
- 4) to have voting rights in the works of commissions, selecting construction sites (corridors), as well as commissions on acceptance of facilities completed by construction (refurbishment);
- 5) in the event of obtained information on fire safety requirement violations, causing the risk of fires and compromising the safety of persons, enter into resident areas and other structures, land areas of citizens in accordance with procedures stipulated under legislation of the Azerbaijan Republic;
- 6) review and approve compliance of design, cost estimate and construction documentation for construction, major refurbishment, expansion and upgrading of enterprises, buildings, facilities and other installations with fire safety requirements;
- 7) implement inspection at selected enterprises, involved in preparation of design and survey works, for compliance of their design and cost estimate documentation to fire safety requirements;
- 8) issue written instructions to the management and authorised representatives of enterprises and to citizens on correction of violations to fire safety requirements, stoppage of manufacturing and sale of products and provision of works and services that do not comply with fire safety requirements;
- 9) in the event of revealed violations of fire safety requirements, which create risk of fire to present risk to human life, as well as in the event of failure to comply with such requirements during the design, construction, major refurbishment, expansion and upgrading of enterprises, buildings, facilities and other installations make decisions on complete or partial stoppage of works at the enterprises

(certain process lines), manufacturing areas, equipment, operation of buildings, installation or implementation of certain works;

10) in the event of non-compliance with these instructions, documents for application of measures stipulated under the rules of the Azerbaijan Republic shall be directed *to relevant state executive body*;

11) in accordance with legislation of the Azerbaijan Republic to investigate fires and violation of fire safety requirements, and execute the process on administrative *offences* and decisions made.

In the event of implementation of state fire control at facilities that owned by foreign citizens, or enterprises with foreign investments, authorised officials of the *structure, carrying out the fire control* of the relevant state executive body (Main State Fire Service) of the Azerbaijan Republic shall practice rights established under part three of this Article.

Execution of instructions of authorised representatives of *structure, carrying out the fire control* of the relevant executive body (Main State Fire Service) of the Azerbaijan Republic shall be obligatory requirement for all persons on the territory of the Azerbaijan Republic.

Article 26. Planning of measures on provision of fire safety

Measures on the development and improvement of fire safety system and provision of fire safety shall be included in economic and social development programs of the Azerbaijan Republic, cities, regions and other settlements, executive authorities and enterprises.

Article 27. Funding and technical provision in the area of fire safety

Targeted financial provision for state and regional programs of fire safety shall be planned as a separate line in the state budget, and the relevant executive authority of the Azerbaijan Republic shall use these funds according to intended purposes.

Funding of technical, scientific-research institutes and educational facilities *of the structures, carrying out the fire control*, the relevant state executive body (Main State Fire Service) of the Azerbaijan Republic (with exception of units operating on contractual basis) shall be implemented from state budget. ~~If necessary additional funds can be attracted from local budget to fund such institutions.~~

Units of the *structure, carrying out fire-prevention service*, the relevant state executive body (Main State Fire Service) of the Azerbaijan Republic, operating on contractual basis shall be funded from the budget of relevant enterprise, and if necessary, from *other sources funding sources not contravening the law*.

~~Special units of relevant state executive body (Main State Fire Service) of the Azerbaijan Republic, established on contractual basis, shall be funded from state budget and relevant enterprises on shared basis.~~

Publicly funded municipal (district) units (subdivisions) of the structure, carrying out fire prevention service of the executive body of the Azerbaijan Republic are established by

relevant executive authority. The minimum number of units (subdivisions) to be created is determined at the rate of one unit of personnel of the structure, carrying out the fire prevention service of the executive body of the Azerbaijan Republic for every 1000 people of the population.

Logistical support at the relevant structures of the executive authority of the Azerbaijan Republic is carried out in accordance with the order and standards established by relevant executive authority of the Azerbaijan Republic.

~~Mandatory payments to be transferred to the state budget by relevant entities that finance construction, major refurbishment, upgrading and expansion works at enterprises, buildings, facilities and installations, with exception of works funded by relevant executive authority (Main State Fire Service) from local and state budgets for execution of duties assigned to relevant executive authority (Cabinet of Ministers) of the Azerbaijan Republic, shall be established at 0.5 % of the total cost estimate.~~

In order to finance emergency measures in carrying out the tasks entrusted to the executive authority of the Azerbaijan Republic, to the account of the relevant executive authority shall be transferred compulsory contributions of 0.5 percent of the total estimated cost of works on construction, expansion and dismantling of buildings and structures (except for individual residential and cottage houses up to 12 meters), funded from various sources, except for works funded by the state budget.

Chapter IV. Service at relevant structures of the respective executive authority (main state fire service) of the Azerbaijan Republic

Article 28. Personnel of the relevant structures of the respective executive authority of the Azerbaijan Republic

The personnel of the *relevant structures* of the respective executive authority (Main State Fire Service) of the Azerbaijan Republic comprised of associates holding *rank-and-file* or supervisory positions.

Also the personnel of the *relevant structure* of the respective executive authority (Main State Fire Service) of the Azerbaijan Republic includes instructors involved in training of personnel and improvement of qualification, course attendees and *students* of fire safety schools.

Personnel recruited to the *relevant structure* of the respective executive authority (Main State Fire Service) of the Azerbaijan Republic shall have the citizenship of the Azerbaijan Republic, for men- required to pass military or alternative service (labour service) and women at the minimum age of 18 years old, capable to execute their duties as a result of their education, health, fitness and other personal qualities.

Persons, who have been previously imprisoned for ~~heavy~~ crimes can not be hired by *relevant structures* of respective executive authority (Main State Fire Service) of the Azerbaijan Republic.

Article 29. Service at relevant structures of respective executive authority (Main State Fire Service) of the Azerbaijan Republic

Service at relevant structures of respective executive authority (Main State Fire Service) of the Azerbaijan Republic shall be stipulated under the legislation of the Azerbaijan Republic.

Personnel at service in *relevant structures* of respective executive authority (Main State Fire Service) of the Azerbaijan Republic, as well as attendees and students of fire safety educational institutions shall be excluded from military obligations and registered by the relevant state executive authority (Ministry of Internal Affairs) of the Azerbaijan Republic.

For personnel at service in relevant *structures* of respective executive authority (Main State Fire Service) of the Azerbaijan Republic uniform and ID cards established by the relevant executive authority (Cabinet of Ministers) of the Azerbaijan Republic are issued to verify authority and rank.

Personnel of *relevant structures* of respective state executive authority (Main State Fire Service) of the Azerbaijan Republic shall go through professional oath ceremony when first recruited.

Article 30. Legal and social security guarantees for employees of relevant structures of respective state executive authority of the Azerbaijan Republic

Employees of the *relevant structures* of respective executive authority (Main State Fire Service) of the Azerbaijan Republic and their family members shall be provided with state security.

Legal and social security guarantees, as well as privileges stipulated under the legislation of the Azerbaijan Republic for *servicemen* of the Azerbaijan Republic shall also be applicable for employees of the *relevant structures* of respective executive authority (Main State Fire Service) of the Azerbaijan Republic.

Legal and social security guarantees, as well as privileges stipulated under the legislation for the employees of enterprises with hazardous production shall also be applicable for employees of *relevant structures* of respective executive authority (Main State Fire Service) of the Azerbaijan Republic, providing fire safety of these enterprises.

Article 31. Payments for services rendered by employees of relevant structures of respective executive authority of the Azerbaijan Republic

Cash security of the officers of the relevant structures, ensuring fire safety of the respective executive authority of the Azerbaijan Republic is carried out in the order established by law.

~~Considering the specifics of works and in order to motivate the achievement of positive results by employees, and provision of recruitment of highly qualified individuals, additional funds from the state budget can be allocated to the relevant structures of respective executive authority (Main State Fire Service) of the Azerbaijan Republic.~~

Article 32. Mandatory state insurance of employees of relevant structures of respective executive authority of the Azerbaijan Republic

In accordance with legislation of the Azerbaijan Republic employees of the *relevant structures* of respective executive body (Main State Fire Service) of the Azerbaijan Republic shall have mandatory state insurance against death during execution of their duties or *injuries (wounds, traumas, contusion)*, death in the result of illnesses obtained during execution of their duties.

Article 33. Property of relevant structures of respective executive authority of the Azerbaijan Republic

The property of *relevant structures* of respective executive authority (Main State Fire Service) of the Azerbaijan Republic shall be any movable or immovable property necessary for implementation of assigned objectives.

In the event of refusal of any legal entity or natural person to maintain any fire safety property on the territory of the Azerbaijan Republic, the advantage of privileged purchased of such property shall be granted to respective executive authority (Main State Fire Service) of the Azerbaijan Republic.

Chapter V. Final provisions

Article 34. Representation

Relevant executive authority (Main State Fire Service) of the Azerbaijan Republic shall be entitled to represent the Azerbaijan Republic at all international activities and organizations on fire safety.

Article 35. Legal control of activities of relevant structures of respective executive authority of the Azerbaijan Republic

Agency legal control over activities of *relevant structures* of respective executive authority (Main State Fire Service) of the Azerbaijan Republic, efficiency of use of resources, compliance with scope and objectives assigned to them shall be implemented by relevant executive authority (Ministry of Internal Affairs) of the Azerbaijan Republic.

~~Control over compliance with laws by relevant state authority (Main State Fire Service) of the Azerbaijan Republic will be performed in accordance with procedure stipulated under legislation by the General Prosecutor's Office of the Azerbaijan Republic and subordinated prosecutor offices.~~

Article 36. Liability for violation of this Law

Authorities and citizens shall be bear liability for violation of this Law in accordance with legislation of the Azerbaijan Republic.

Heydar ALIYEV

President of the Azerbaijan Republic

Baku, June 10, 1997

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