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# Fire Safety Act

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Amended by the following acts

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23.02.2011	RT I, 25.03.2011, 1	01.01.2014; date of entry into force changed to 01.07.2014 [RT I, 22.12.2013, 1]
08.12.2011	RT I, 29.12.2011, 1	01.01.2012, in part 01.01.2014 and 01.11.2014; date of entry into force changed in part to 01.07.2014 [RT I, 22.12.2013, 1]
27.03.2013	RT I, 16.04.2013, 2	26.04.2013
05.12.2013	RT I, 22.12.2013, 1	01.01.2014
19.02.2014	RT I, 13.03.2014, 4	01.07.2014, in part 23.03.2014
05.06.2014	RT I, 29.06.2014, 1	01.07.2014
19.06.2014	RT I, 12.07.2014, 1	01.01.2015
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, the titles of ministers substituted on the basis of subsection 4 of § 107 <sup>3</sup> of the Government of the Republic Act.
11.02.2015	RT I, 12.03.2015, 1	01.01.2016
18.02.2015	RT I, 23.03.2015, 3	01.07.2015
18.02.2015	RT I, 23.03.2015, 4	01.07.2015
09.12.2015	RT I, 30.12.2015, 1	18.01.2016
09.05.2018	RT I, 31.05.2018, 1	01.01.2019
21.11.2018	RT I, 12.12.2018, 3	01.01.2019
17.06.2020	RT I, 10.07.2020, 2	01.01.2021
25.11.2020	RT I, 10.12.2020, 1	01.01.2021
15.12.2020	RT I, 30.12.2020, 2	01.03.2021
10.03.2021	RT I, 22.03.2021, 1	01.04.2021
23.11.2022	RT I, 16.12.2022, 3	01.01.2023

## Chapter 1 GENERAL PROVISIONS

### § 1. Scope of application of Act

(1) The Fire Safety Act provides the obligations, rights and liability of natural and legal persons, local government and state agencies and bodies (hereinafter *persons*) in ensuring fire safety and exercising state supervision.

(2) If fire safety requirements are regulated by another Act or legislation established on the basis thereof, the requirements provided in this Act shall be applied, taking into account the specifications arising from the other Act or legislation established on the basis thereof.

(3) The provisions of the Administrative Procedure Act apply to administrative proceedings prescribed in this Act, taking account of the specifications of this Act.

(4) The provisions of the General Part of the Economic Activities Code Act apply to grant of activity licences and revocation thereof and submission of notices of economic activities even in the case the activities subject to authorisation or notification obligation are not performed as economic activities.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force changed – RT I, 22.12.2013, 1)]

## **§ 2. Definitions**

(1) For the purposes of this Act, a fire safety requirement is a technical regulation or restriction on activities for the purpose of ensuring the fire safety of buildings, operation of devices or activities of persons and the possibility of evacuation and rescue operations in the case of an outbreak of fire.

(1<sup>1</sup>) For the purposes of this Act, fire safety services shall mean:

- 1) conduct of expert assessments of fire safety parts of building design documentations;
- 2) conduct of audits of fire safety requirements of buildings;
- 3) preparation and approval of fire safety parts of building design documentations, if conduct of expert assessments of building design documentations is required according to the requirements established pursuant to clause 14 (4) 1) of the Building Code;

[RT I, 22.03.2021, 1 – entry into force 01.04.2021]

- 4) preparation of fire safety self-inspection reports;
- 5) conduct of evacuation training drills and fire training drills;
- 6) preparation of plans of action for events of a fire;
- 7) conduct of fire safety trainings;
- 8) conduct of trainings for works involving open flame;
- 9) conduct of fire safety inspections.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(1<sup>2</sup>) For the purpose of this Act, a fire safety inspection means verification of that the territory, the building and the fire safety installations therein and the operation in the building meet the fire safety requirements.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(2) For the purposes of this Act, rescue equipment is a self-propelled, mobile or stationary piece of equipment, mechanism or device used for rescue operations.

(3) For the purposes of this Act, combustible materials are an inflammable materials or substances which catch fire upon exposure to sparks and open flame and under the effect of high temperature of the surroundings and spread fire and emit heat, smoke, toxic gases and hot or burning drips..

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

## **Chapter 2 ENSURING FIRE SAFETY**

### **Subchapter 1 Obligations of Persons and Fire Safety Services**

[RT I, 30.12.2020, 2 - entry into force 01.03.2021]

#### **§ 3. Obligations for ensuring fire safety**

(1) Persons are obliged:

- 1) to adhere to fire safety requirements;
- 2) to check the safety and conformity of immovable property, buildings, premises, devices in their possession and the use thereof (hereinafter *self-inspection*);
- 3) to ensure the safety of human life, property and the environment when using heating systems, barbecue equipment and other equipment and installations and making a fire outside heating chambers;
- 4) to ensure the existence and maintenance of rescue equipment for buildings and the existence and maintenance of fire safety installations required for buildings, specified in § 30 of this Act;
- 5) to take measures for prevention of outbreak of fires and to refrain from activities which may cause a fire;
- 6) to ensure safe evacuation;
- 7) to inform the manager of an undertaking or institution and the Rescue Board of a risk to human life or health;

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

- 8) to take initial measures for obstructing the spread of fire and for extinguishing the fire;
- 9) to know its obligations in the event of a fire;
- 10) to immediately call the common European emergency phone number 112 to inform of a fire discovered;

- 11) to assist the official who exercises state supervision in every way upon exercise of supervision and identification of the causes of the fire by maintaining the situation which developed as a consequence of the fire until identification of the causes thereof, unless it would cause further damage;
- 12) to fulfil on time the precepts issued by an official who exercises state supervision.

(2) In addition to the provisions of subsection 1 of this section, the manager of an undertaking or institution is obliged:

- 1) to provide fire safety training to an employee or public servant (hereinafter *employee*) corresponding to his or her job or position before he or she commences work or changes a job, and an evacuation drill and fire training drill for employees at least once a year, if such obligation arises from subsection 3 of § 6 of this Act;
- 2) to introduce to an employee the fire safety requirements based on the nature of his or her job and workplace, and check the adherence thereto;
- 3) to ensure the accessibility and skills of using fire safety installations and rescue equipment to employees;
- 4) to inform employees of possible fire hazards and fire prevention measures.

#### **§ 4. Fire safety self-inspection report**

(1) Fire safety self-inspection report (hereinafter *fire safety report*) is a document which shall include:

- 1) information on a building;
- 2) information on activities performed in the building;
- 3) information on the maintenance of fire safety installations and rescue equipment;
- 4) fire safety regulations of the undertaking or institution;
- 5) preparedness in the event of a fire;
- 6) shortcomings detected in the course of self-inspection and measures for remedying them;
- 7) other important information.

(2) The possessor of a building shall prepare a fire safety report for a building which has an increased risk of fire, in which there are many people and in which the damage to property may be substantial. A fire safety report shall be prepared for a building which conforms to the criteria provided in the regulation established on the basis of subsection 4 of this section.

(3) A fire safety report shall be submitted once a year to the Rescue Board. The fire safety report and other information on self-inspection shall be preserved for at least five years.

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

(4) The criteria based on which the preparation of a fire safety report is obligatory and requirements set for self-inspection and fire safety reports shall be established with a regulation of the minister in charge of the policy sector.

#### **§ 4<sup>1</sup>. Provision of fire safety services**

(1) The fire safety services specified in clauses 2 (1<sup>1</sup>) 1)-3) of this Act may be provided in the form of an economic activity by any natural persons who hold level 6 professional certificate of a fire safety expert.

(1<sup>1</sup>) The fire safety service specified in clauses 1 and 3 of subsection 1<sup>1</sup> of § 2 of this Act may also be provided by a natural person who holds a level 7 professional certificate of an authorized architect or a level 8 professional certificate of an authorized architect expert. In this case, the provision of fire safety services is not considered as an economic activity.

[RT I, 16.12.2022, 3 – entry into force 01.01.2023]

(2) The fire safety services specified in clauses 4–9 of subsection 1<sup>1</sup> of § 2 of this Act may be provided in the form of an economic activity by any natural persons who hold, in accordance with the professional standard, level 5 professional certificate of a fire safety specialist or level 6 professional certificate of a fire safety expert.

(2) In order to provide the fire safety service specified in clauses 5, 7 and 8 of subsection 1<sup>1</sup> of § 2 of this Act, the relevant chosen competence must be reflected in the professional certificate.

[RT I, 16.12.2022, 3 – entry into force 01.01.2023]

(3) The fire safety services specified in clauses 2 (1<sup>1</sup>) 5)-7) of this Act may also be provided by natural persons who do not hold a relevant professional certificate and this is not deemed to be economic activities, if provided to a legal person with whom the natural person has an employment relationship.

(4) If a fire safety report is prepared, pursuant to subsection 2 of § 4 of this Act, by the possessor of a building, the activity specified in clause 2 (1<sup>1</sup>) 4) shall not be deemed to be a fire safety service.

(5) The fire safety services specified in clause 2 (1<sup>1</sup>) 9) of this Act may also be provided by natural persons who do not hold a relevant professional certificate to legal persons with whom the natural person has an employment relationship. In this case, the provision of the fire safety service is not deemed to be an economic activity.

(6) Persons who have acquired foreign professional qualifications may also provide the fire safety services specified in subsections 1 and 2 of this section if their professional qualifications are recognised in accordance with the Recognition of Foreign Professional Qualifications Act. The competent authority provided for in subsection 2 of § 7 of the Recognition of Foreign Professional Qualifications Act is the Rescue Board.

(7) A notice of economic activities must be submitted by providers of fire safety services. A notice of economic activities is deemed to have been submitted if there is a confirmation of the legal relationship with the undertaking of the provider of the fire safety services in the register of economic activities.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

## **§ 4<sup>2</sup>. Conduct of fire safety inspections**

(1) Fire safety inspections have to be conducted every three years:

- 1) in office buildings with an area of more than 750 m<sup>2</sup>;
- 2) in industrial buildings and warehouses with an area of more than 1000 m<sup>2</sup>;
- 3) in garages with an area of more than 1000 m<sup>2</sup>;

[RT I, 22.03.2021, 1 – entry into force 01.04.2021]

(2) Conduct of fire safety inspections shall be arranged by possessors of buildings. Where a building is used by several possessors, the owner of the building shall arrange the conduct of the fire safety inspection.

(3) Possessors or owners of buildings that have to arrange, pursuant to subsection 1 of this section, the conduct of a fire safety inspection, are released from preparation of the fire safety reports specified in subsection 2 of § 4 of this Act.

(4) The conduct of fire safety inspections is not mandatory:

- 1) in buildings which are higher than 28 metres;
- 2) in dangerous enterprises for the purposes of subsection 3 of § 21 of the Chemicals Act;
- 3) in enterprises liable to be affected by major accidents for the purposes of subsection 4 of § 21 of the Chemicals Act.

(5) Possessors or owners of buildings must allow the persons who conduct the fire safety inspections to enter into the immovable property, buildings and all premises in their possession and submit to the persons who conduct the fire safety inspection all the relevant information and documents.

(6) Conduct of the fire safety inspection is not mandatory, if according to the Estonian Rescue Board the conduct of the fire safety inspection is inexpedient due to the intended purpose or other specific character of the building, taking into consideration the criteria set out in subsection 1 of this section.

(7) The fire safety inspection procedures, the fire safety inspection specifications, the content of the fire safety inspection and information exchange procedure shall be established by a regulation of the minister in charge of the policy sector.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

## **Subchapter 2 Fire Safety Requirements**

### **Division 1 Fire Safety Requirements for Buildings and Parts Thereof**

#### **§ 5. Fire safety requirements for buildings and parts thereof**

(1) A local government may grant a building permit or authorisation for use provided for in the Building Code if the Rescue Board has coordinated the building design documentation or issue of the authorisation for use for the building with regard to which fire safety requirements have been established by legislation. A local authority shall coordinate the construction of the building with the Estonian Rescue Board in their building notice and use and occupancy notice proceedings provided for in the Building Code, if fire safety requirements have been established for the building by legislation and the building design documentation must be filed together with the building notice or use and occupancy notice.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(1<sup>1</sup>) A local authority may issue a building permit or use and occupancy permit provided for in the Building Code to a detached house, summer-house, garden house or ancillary building required to service a residential

building without the coordination of the Estonian Rescue Board, if the local authority has an opportunity to independently assess the fire safety requirements and the fire safety requirements are met. If a building permit was issued without the approval of the Estonian Rescue Board, in general the use and occupancy permit shall not be coordinated with the Estonian Rescue Board.  
[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(1<sup>2</sup>) A local authority is allowed not to obtain, in the building notice and use and occupancy notice proceedings provided for in the Building Code, the coordination of the Estonian Rescue Board for a detached house, summer-house, garden house or ancillary building required to service a residential building, if the local authority has the opportunity to independently assess the fire safety requirements and the fire safety requirements are met. If no coordination of the Estonian Rescue Board was obtained in the building notice proceedings, in general the use and occupancy notice shall not be coordinated with the Estonian Rescue Board.  
[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(2) The doors, windows and other openings in the external walls and cellars and attics of the buildings which are not in use shall be closed or blocked in another manner to prevent the entry of unauthorised persons.

(3) Upon the use of a building it shall be ensured that the part of a building intended for prevention of the spread of fire and smoke would perform its function.

(4) Outbreak of a fire must be prevented during smoking, use of open flame, equipment and installations and during any other activities with fire hazard.  
[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

## **§ 6. Evacuation requirements**

(1) Evacuation from an immovable property with boundaries or from a building shall be ensured and the evacuation route shall be easily passable.

(2) In the buildings in which more than one evacuation or emergency exit and evacuation route is required, these shall be marked with respective fire safety signs.

(3) An institution or undertaking which is obliged to submit a fire safety report and conduct a fire safety inspection shall prepare a plan of action for the event of a fire and organise an evacuation training drill and fire training drill there once a year.  
[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(4) The requirements for a plan of action in the event of a fire and for organisation of an evacuation training drill and fire training drill shall be established by a regulation of the minister in charge of the policy sector.

# **Division 2 Fire Safety Requirements for Heating Systems**

## **§ 7. Heating systems, heating devices and heating chambers**

(1) A heating system consists of a heating device, connection flue and a chimney and other essential parts thereof.

(2) A heating device is a device which emits combustion products which need to be directed to ambient air.

(3) A heating chamber is a part of a heating device which is intended for the combustion of solid, liquid or gaseous fuel and which is connected to smoke flues of a building.

## **§ 8. Design, installation, check, maintenance and use of heating systems**

(1) Design, installation, inspection and maintenance of a heating system shall conform to the technical regulations and manufacturer's instructions and the provisions of safety requirements to allow the heating system to perform its function and to prevent the outbreak of fires, occurrence of explosions or other accidents. It is assumed that the fire safety requirements for heating systems are met when the design, installation, inspection and maintenance thereof are based on the Estonian standard EVS 812:3 or other similar document.  
[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(2) Ventilation tubes shall not be used to direct the smoke in the installation and design of a heating system.

(3) The distance of a heating system from walls, ceilings and combustible materials and substances shall prevent ignition of the materials due to thermal radiation or movement of hot air.

(4) Only a heating system which is in good technical condition, complete and safe may be used.

(5) A heating system may be used only for the intended purpose and with the intended capacity thereof, and only the fuel intended for the particular heating system may be used for combustion therein.

(6) If soot is formed upon the use of a heating system, the chimneys and connection flues shall be cleaned when necessary but not less frequently than recommended in the documentation of the heating system. The cleaning frequency shall prevent the risk of a soot fire. Chimneys and connection flues shall be cleaned on the basis of the requirements of § 11 of this Act.

#### **§ 9. Construction and installation of solid fuel heating devices and their chimneys and connection flues**

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(1) Solid fuel ovens, fireplaces, kitchen ranges or other heat devices (hereinafter *ovens, fireplaces or kitchen ranges*) and chimneys and connection flues may be built by a potter with the professional certificate of a potter engaged in professional and economic activities.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

(2) Persons not holding the professional certificate of a potter may also build or install an oven, fireplace or kitchen range and chimney and connection flue in residential buildings with one apartment and buildings required for servicing thereof or in other buildings, which occupy an area of up to 60 square metres and are up to five metres high, for own use by adhering to the requirements for construction of heating systems.

[RT I, 23.03.2015, 3 – entry into force 01.07.2015]

(3) [Repealed – RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(4) The details of built or installed ovens, fireplace or kitchen ranges and their chimneys and connection flues shall be submitted by potters through the rescue information system within ten working days after completion of the work.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(5) Where no relevant information is available for the assessment of the safety of a heating system, the Rescue Board or a local authority may require an expert assessment of conformity of the heating device, chimney and connection chimney of the heating system. The expert assessment is prepared by a master potter who holds a level 5 professional certificate, a master chimney sweep who holds a level 5 professional certificate, or a fire safety expert who holds a level 6 professional certificate with the corresponding chosen competency reflected in the certificate of proficiency. The person preparing the expert assessment submits the heating system data based on what the expert assessment was prepared and the expert assessment to the rescue information system within ten working days as of the completion of the expert assessment.

[RT I, 16.12.2022, 3 – entry into force 01.01.2023]

#### **§ 10. Use of ovens, fireplaces or kitchen ranges**

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(1) Control over ovens, fireplaces or kitchen ranges shall be ensured during the entire period of heating thereof and immediately after the heating is completed to prevent fire hazard. Such control may be replaced with the use of fire safety installations specified in clauses 30 (1) 1) to 3) of this Act.

(2) Use of combustible liquids for lighting a fire in the chamber of ovens, fireplaces or kitchen ranges is prohibited.

(3) Fuel or combustible materials shall be placed at a safe distance from ovens, fireplaces or kitchen ranges during the use thereof.

#### **§ 11. Cleaning of ovens, fireplaces and kitchen ranges and chimneys and connection flues**

[Repealed – RT I, 30.12.2020, 2 – entry into force 01.03.2021]

#### **§ 11<sup>1</sup>. Cleaning of ovens, fireplaces or kitchen ranges and chimneys and connections flues thereof and of heating devices using other fuels**

(1) Ovens, fireplaces or kitchen ranges in use and their chimneys and connection flues shall be cleaned when necessary but not less frequently than recommended in the documentation thereof. If there is no documentation or unless other cleaning frequency has been provided in the documentation, they shall be cleaned at least once a year. The cleaning frequency shall prevent the risk of soot fire.

(2) A chimney sweep must clean the chimneys and connection flues of gas appliances once every four years and notify the possessor of the technical condition of the chimney and the connection flues.

(3) The possessor of a building shall provide a chimney sweep access to the premises or the part of the building required for cleaning of ovens, fireplaces or kitchen ranges and the chimneys and connection flues thereof and of heating devices using other fuels, and ensure the equipment required for the access thereto.

(4) Ovens, fireplaces or kitchen ranges and chimneys and connection flues thereof and of heating devices using other fuels may be cleaned by a competent person engaged in professional and economic activities if he or she holds a professional certificate of a chimney sweep.

(5) Persons who do not hold the professional certificate of a chimney sweep may also clean an oven, fireplace or kitchen range and chimney and connection flue thereof in residential buildings with one apartment and buildings required for servicing thereof or in non-residential buildings, which occupy an area of up to 60 square metres and are up to five metres high, for own use by adhering to the requirements for cleaning of heating systems, except for soot combustion in smoke flues.

(6) In the case specified in subsection 5 of this section, a person who holds a professional certificate of a chimney sweep must clean the ovens, fireplaces or kitchen ranges or chimneys and connection flues thereof once every five years and notify the possessor of the technical condition of the chimney and the connection flues.

(7) A chimney sweep shall send the information about cleaning ovens, fireplaces or kitchen ranges and chimneys and connections flues thereof and of heating devices using other fuels to the rescue information system within ten working days after the day of cleaning.

(8) A chimney sweep shall notify the possessor of any violations of fire safety requirements discovered during the cleaning of the ovens, fireplaces or kitchen ranges and chimneys and connections flues thereof and of heating devices using other fuels or of fire hazard and enter the information about the deficiencies found in the rescue information system within ten working days after the day of detection of the deficiency.

(9) Requirements for cleaning of ovens, fireplaces or kitchen ranges and the chimneys and connection flues thereof and of heating devices using other fuels shall be established by a regulation of the minister in charge of the policy sector.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

## **Division 3**

### **Fire Safety Requirements for Work Involving Open Flame**

#### **§ 12. Work involving open flame**

(1) Works involving an open flame include:

- 1) gas welding work;
- 2) electric welding work;
- 3) [Repealed – RT I, 30.12.2020, 2 – entry into force 01.03.2021]
- 4) metal cutting with wheel cutter;
- 5) heating and use of bitumen and other combustible mastic;
- 6) use of gas flame;
- 7) other activities with the use of a flame or generation of sparks or at a temperature due to which the surrounding combustible materials may catch fire, thus creating a substantial fire hazard.

(2) The use of a heating chamber or making a fire outside a heating chamber and use of barbecue equipment are not deemed to be the work involving an open flame for the purposes of this Act.

#### **§ 13. Requirements for works involving open flame**

(1) When performing works involving an open flame, outbreak of a fire shall be prevented and measures shall be taken to reduce the probability of outbreak of a fire, ensure fast detection of fire, prevent the spreading of fire and for fast extinguishing thereof.

(2) The requirements set for works involving an open flame shall be established by a regulation of the minister in charge of the policy sector.

(3) Constant monitoring shall be ensured upon performing works involving an open flame.

#### **§ 14. Persons performing work involving open flame**

(1) Works involving an open flame may be performed in the form of an economic activity by persons who have completed the training for works involving an open flame and hold the certificate for works involving an open flame.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(2) A natural person may perform works involving an open flame for own use, upon ensuring the safety, on an immovable property in his or her possession which is fenced or marked, without having a certificate for works involving an open flame.

(3) Works involving an open flame may be performed in the form of an economic activity and in adherence with safety requirements by persons who have acquired foreign professional qualifications if their professional qualifications have been recognised in accordance with the Recognition of Foreign Professional Qualifications Act. The competent authority provided for in subsection 2 of § 7 of the Recognition of Foreign Professional Qualifications Act is the Rescue Board.

[RT I, 30.12.2015, 1 – entry into force 18.01.2016]

(4) Requirements for the training and certificates for works involving an open flame shall be established by the minister in charge of the policy sector.

### **Division 4 Fire safety requirements for making fire outside heating chambers and for use of barbecue equipment**

#### **§ 15. Fire safety requirements for making fire outside heating chambers and for use of barbecue equipment**

(1) The surroundings of a site for making a fire outside a heating chamber and for use of barbecue equipment shall be sufficiently cleaned to prevent spreading of fire.

(2) When making a fire outside a heating chamber and using barbecue equipment, the effect of the surroundings and weather conditions on the safety of making a fire shall be taken into account.

(3) When making a fire outside a heating chamber, a sufficient amount of basic fire extinguishing equipment or other equipment used for fire extinguishing shall be at hand, taking into consideration the hazard to buildings or the natural environment.

(4) Constant monitoring shall be ensured upon making a campfire or use of barbecue equipment. After making a campfire or using barbecue equipment, the combustion residues shall be allowed to burn up or they shall be suppressed or extinguished with water.

(5) Requirements for the site for making a fire outside a heating chamber and for use of barbecue equipment shall be established by a regulation of the minister in charge of the policy sector.

### **Division 5 Fire Safety Requirements for Areas Covered with Forest and Other Vegetation**

#### **§ 16. Fire safety requirements for areas covered with forest and other vegetation and fire-risk periods**

(1) The Rescue Board shall establish a fire-risk period and area where the Rescue Board may prohibit the following activities in areas covered with forest and other vegetation and in peat soil areas:

- 1) making a fire outside a heating chamber;
- 2) use of barbecue equipment;
- 3) smoking;
- 4) other activities which may cause a fire;
- 5) staying there, if this can endanger human life and health.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(2) [Repealed – RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(3) The Rescue Board shall communicate the issue of an order on determining the beginning and end of fire-risk periods and it shall enter into force on the day that follows the date of publication thereof in the official publication *Ametlikud Teadaanded*.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]



(4) In areas covered with forest and other vegetation, burning of dead grass and reeds is prohibited throughout the year.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(5) Controlled burning of landscape may be performed throughout the year:

1) on protected natural objects with the consent of the administrator of the protected natural object to achieve the objective of protection;

2) on training areas of the Defence Forces and the Defence League to ensure terrain conditions suitable for the training.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(6) If protected natural objects are located in these parts of the training areas of the Defence Forces of the Defence League where controlled burning of the landscape to any extent is desired, the consent of the manager of the protected natural object must be obtained for it. The manager of a protected area shall not give consent to burning if this may interfere with achieving the objective of protection of the protected natural object or damage the condition of the protected natural object. Consent may not be refused if failure to burn endangers directly the life or health of people or if burning is required to prevent significant damage to property, and neither objective can be achieved in any other manner.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(7) In the case of controlled burning of landscape, constant monitoring and prevention of spread of fire outside the area of controlled burning has to be ensured.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(8) The requirements for and procedure of controlled burning of landscape shall be established by a regulation of the minister in charge of the policy sector.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

#### **§ 17. Obligations of landowners in forest areas**

(1) A landowner shall be obliged:

1) to set up tracks and firebreaks in forest areas and to maintain them, except in the protected areas specified on the basis of the Nature Conservation Act, if so provided by subsection 2 of this section;

2) to prepare and mark existing smoking and campfire sites and parking lots for means of transport;

3) to mark existing water points, keep the access roads open for vehicles and ensure other technical conditions required for fire extinguishing;

4) in the case of high fire-risk and based on the orders of the Rescue Board to place notices on the prohibition of campfires in visible places.

(2) The requirements for setting up tracks and firebreaks and requirements for tracks and firebreaks shall be established by a regulation of the minister in charge of the policy sector.

#### **§ 18. Obligations of state forest managers**

A state forest manager shall be required to organise guarding in a state forest during fire-risk periods in order to ensure immediate detection of a fire, calling the common European emergency phone number 112 for informing of the fire and taking basic fire extinguishing measures.

## **Division 6**

### **Fire Safety Requirements for Storage of Combustible Materials**

#### **§ 19. Requirements set for storage of combustible materials**

(1) Combustible materials shall not be stored inside a building, under it or in its immediate vicinity in such a manner that the materials would cause a fire-risk or complicate rescue operations.

(2) Waste storage sites shall be at a safe distance from combustible materials or from a building with an inflammable surface layer or from a door, window or other opening in the external wall of a building of any fire resistance.

(3) Combustible liquids or flammable gases intended for heating a building or other explosive combustible materials may be stored and used inside the building if the requirements provided for the building have been met upon the storage or use thereof.

(4) On an immovable property which is fenced or marked, in a building or premises, combustible materials shall be placed according to the compatibility of the storage of hazardous substances.

(5) Storage of combustible materials or parking of motor vehicles or other vehicles in the fire safety lane area between buildings shall not cause an additional fire hazard to the buildings or obstruct rescue operations.

(6) Combustible materials shall be stored in the place and in the quantity designated in the plan of the storage site. The plan must be displayed at a visible place at the entrance to the storage site. Passages in production and warehouse buildings and the place of storage of materials on the floor shall be marked with a visible boundary line.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(7) Fire safety requirements for the storage of combustible materials and hazardous substances shall be established by a regulation of the minister in charge of the policy sector.

## **Division 7**

### **Fire Safety Requirements for Public Events**

#### **§ 20. Public event**

A public event is an entertainment event, competition, performance, commercial event or other similar get-together of people, other than a meeting, which takes place at a public place and is directed at the public.

#### **§ 21. Fire safety requirements for public events**

(1) A public event can be organised in a building with the prescribed number of evacuation routes and evacuation exits, or in a part thereof, and for the maximum number of persons prescribed for the building.

(2) If a public event takes place in premises with more than 200 seats, the seats and seat rows shall be interconnected or fixed to the floor to ensure safe evacuation.

(3) During a public event which takes place in a building, it is forbidden to reduce the width of the aisle between the rows in the auditorium and to place extra seats in the aisles.

(4) Prompt notification of people in the case of a possible danger shall be ensured at a public event.

#### **§ 22. Organisation of public events in buildings or areas not intended for such purpose**

(1) The following events may be organised with the approval of the Rescue Board:

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

1) public events with more than 150 participants in the interior of a building not intended for such purpose, if safe evacuation is ensured;

2) public events with more than 300 participants in temporary buildings or attractions, if safe evacuation is ensured.

(2) Before the organisation of public events in buildings or areas not intended for such purpose or during the installation of temporary buildings or attractions, the organiser of the public event shall be obliged to check:

1) general fire safety situation of the premises, building or temporary buildings and attractions relating to the event;

2) marking of the evacuation or emergency exits and evacuation routes with fire safety signs;

3) readiness of evacuation routes and exits and their adequacy for the number of participants in the public event;

4) existence and working order of prescribed fire safety installations;

5) existence and serviceability of rescue equipment;

6) condition and operation of equipment located in the premises;

7) other circumstances which may cause a fire.

(3) A site plan shall be prepared in the case a public event is organised in a building not intended for such purpose or for the installation of a temporary building and attractions, marking the evacuation routes and access routes of rescue vehicles. The site plan shall be submitted to the local rescue centre.

## **Division 8**

### **Requirements for fire water points**

[RT I, 30.12.2020, 2 - entry into force 01.03.2021]

#### **§ 23. Fire water points**

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(1) A fire water point (hereinafter *water point*) is a facility located at a water source which can be used year-round and through which water is taken for rescue and mine clearance works and for filling water cannons.

(2) A building for which fire safety requirements have been established must have an eligible water point.  
[RT I, 16.12.2022, 3 – entry into force 01.01.2023]

(2<sup>1</sup>) Where the detection of a fire in a building and its extinguishing is ensured by any other technical solution, the water point is not mandatory for the following buildings in accordance with subsection 2 of this section:

- 1) a detached residential building;
- 2) a two-apartment residential building, terraced house or a semi-detached dwelling house;
- 3) a residential building with three or more apartments, excluding a high-rise building;
- 4) a building of a welfare institution with up to ten beds;
- 5) a get-together building with up to ten users;
- 6) an accommodation building with up to ten beds;
- 7) an office building with up to ten workplaces.

[RT I, 16.12.2022, 3 – entry into force 01.01.2023]

(3) Owners of buildings shall ensure existence of water points, except in the case the construction of a water point is agreed or arranged differently. If a water point ensures compliance with the requirement specified in subsection 2 of this section in the case of more than one building, the existence of the water point shall be ensured by the owners of these buildings together.

(4) Water may be taken from water points for activities specified in subsection 1 of this section without the permission of possessors.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

#### **§ 24. Requirements for fire water points**

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(1) Access to water points and the opportunity to use them must be ensured throughout the year.

(2) Water points must ensure the water flow rate required for the protection of the building.

(3) Possessors of buildings ensure maintenance of water points, except in the case ensuring of the maintenance of the water point is agreed or arranged differently. If a water point ensures compliance with the requirement specified in subsection 2 of § 23 of this Act in the case of more than one building, the maintenance of the water point shall be ensured by the owners of these buildings together.

(4) The requirements, terms and conditions of and procedure for construction, testing, use, maintenance, marking of water points and information exchange shall be established by a regulation of the minister in charge of the policy sector.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

#### **§ 25. Requirements for design and maintenance of water supply**

[Repealed – RT I, 30.12.2020, 2 – entry into force 01.03.2021]

#### **§ 26. Maintenance of fire hydrants**

[Repealed – RT I, 30.12.2020, 2 – entry into force 01.03.2021]

## **Division 9 Other Fire Safety Requirements**

#### **§ 27. Requirements set for equipment and installations**

(1) Fire hazard should be prevented in the installation, use, maintenance and checking of equipment and installations based on user manuals of manufacturers and legislative acts.

(2) Use of equipment or installations which may cause a fire hazard is prohibited.

#### **§ 28. Fire safety requirements for rail transport and civil aviation and water craft and underground structure**

(1) Fire safety regulations for rail transport, civil aviation and water craft may be established by a regulation of the minister in charge of the policy sector.

(2) Fire safety regulations for underground constructions may be established by a regulation of the minister in charge of the policy sector.

#### **§ 29. Fire safety requirements for Defence Forces and Defence League**

[RT I, 12.03.2015, 1 – entry into force 01.01.2016]

The minister in charge of the policy sector may establish fire safety requirements for the Defence Forces and the Defence League by a regulation.

[RT I, 12.03.2015, 1 – entry into force 01.01.2016]

## **Division 10 Requirements for explosion hazard zones**

[RT I, 23.03.2015, 4 - entry into force 01.07.2015]

#### **§ 29<sup>1</sup>. Requirements for explosion hazard zones**

(1) Persons whose activity leads to generation of explosive atmosphere shall determine explosion hazard zones and use only the explosive hazard zone equipment, protective systems, components and accessories intended for use in respective explosion hazard zones.

(2) The requirements for determining an explosion hazard zone shall be established by a regulation of the minister in charge of the policy sector.

(3) The minister in charge of the policy sector may establish safety requirements for activities generating explosive atmosphere.

[RT I, 23.03.2015, 4 – entry into force 01.07.2015]

#### **§ 29<sup>2</sup>. Concepts used in this Division**

(1) An explosive atmosphere is a mixture with air, under atmospheric conditions, of flammable substances in the form of gases, vapours, mists or dusts in which, after ignition has occurred, combustion spreads to the entire unburned mixture.

(2) An explosion hazard zone is the atmosphere which could become explosive due to local and operation conditions.

(3) Equipment intended for use in an explosion hazard zone denotes the machines, apparatus, fixed or mobile devices, control components and instrumentation thereof and detection or prevention systems which, separately or jointly, are intended for the processing of material or for the generation, transfer, storage, measurement, control and conversion of energy and which are capable of causing an explosion through their own potential sources of ignition.

(4) A protective system is a design unit which is intended to halt incipient explosions immediately or to limit the effect of explosions and which is placed on the market separately for use as an autonomous system and is not a component.

(5) A component is an item essential to the safe functioning of equipment and protective systems intended for use in explosion hazard zones but with no autonomous function.

(6) An accessory is a safety device, controlling device or regulating device intended for use outside explosion hazard zones but required for or contributing to the safe functioning of equipment and protective systems intended for use in explosion hazard zones with respect to the risks of explosion.

[RT I, 23.03.2015, 4 – entry into force 01.07.2015]

## **Subchapter 3 Fire Safety Installations**

#### **§ 30. Fire Safety Installations**

(1) A fire safety installation is:

1) an autonomous fire alarm sensor;

1<sup>1</sup>) autonomous carbon monoxide detector;

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

2) [Repealed – RT I, 30.12.2020, 2 – entry into force 01.03.2021]

2<sup>1</sup>) fire extinguisher;

[RT I, 16.12.2022, 3 – entry into force 01.01.2023]

3) an automatic fire alarm system;

- 4) fire extinguishing system;  
[RT I, 30.12.2020, 2 – entry into force 01.03.2021]
- 5) evacuation lightning;  
[RT I, 30.12.2020, 2 – entry into force 01.03.2021]
- 6) lightning protection;
- 7) smoke and heat removal equipment;
- 8) fire hose system;
- 9) other equipment and utility systems intended for detection of fire, for stopping the spread of fire and smoke and for safe evacuation and rescue operations.

(2) [Repealed – RT I, 16.12.2022, 3 – entry into force 01.01.2023]

### **§ 31. Obligations of owners of fire safety installations**

The owner of a fire safety installation shall:

- 1) ensure the working order of fire safety installations and uninterrupted performance?? thereof;
- 2) organise the monitoring, check and maintenance of fire safety installations in the cases prescribed;
- 3) be in the possession of the documentation on fire safety installations and the check and maintenance thereof.

## **Division 1 Requirements for Installation and Maintenance of Fire Safety Installations**

### **§ 32. Requirements for design, installation, check and maintenance of fire safety installations**

(1) Design, installation, inspection and maintenance of fire safety installations shall conform to the technical regulations and manufacturer's instructions and the provisions of safety requirements in such a manner that the fire safety installations perform their functions. It is assumed that a fire safety installation complies with the requirements, if the design, installation, inspection and maintenance complies with relevant standards or other equivalent documents.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(2) [Repealed – RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(3) The owner of a residential building or an apartment shall equip at least one room of the residential building or apartment with an autonomous fire alarm sensor.

(3<sup>1</sup>) If a residential building or an apartment has a solid fuel heating system, the owner must supply the residential building or apartment with at least one autonomous carbon monoxide detector in addition to an autonomous fire alarm sensor. If the building or a part of the building not specified in the previous sentence has a solid fuel heating system, the owner must supply such a building or part of the building with at least one properly installed autonomous carbon monoxide detector.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(4) Requirements for fire safety installations and the selection, installation, marking and maintenance thereof may be established by a regulation of the minister in charge of the policy sector.

(5) [Repealed – RT I, 16.12.2022, 3 – entry into force 01.01.2023]

### **§ 33. Notification obligation and economic activity requirements**

(1) A notice of economic activities must be submitted in order to operate in the following areas of activity:

- 1) design of fire extinguishing systems, fire detection and fire alarm systems or smoke exhaust systems;
- 2) construction and maintenance of fire extinguishing systems, fire detection and fire alarm systems or smoke exhaust systems;
- 3) inspection and maintenance of fire hose systems or fire extinguishers;

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(1<sup>1</sup>) An economic activity notice provided in subsection 1 of this section need not be submitted upon design, construction and maintenance of the fire-extinguishing system of a building specified in subsection 2<sup>1</sup> of § 23 of this Act.

[RT I, 16.12.2022, 3 – entry into force 01.01.2023]

(2) Specialists in charge of persons who operate in the areas of activity specified subsection 1 of this section shall comply with the requirements provided for in § 34 of this Act.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force changed – RT I, 22.12.2013, 1)]

(3) A notice of economic activities is deemed to have been submitted if there is a confirmation of the legal relationship of the responsible specialist in the register of economic activities.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

#### **§ 34. Specialist in charge**

(1) A specialist in charge is a natural person:

1) who is competent to manage and control the design, construction and maintenance of the fire extinguishing system, fire alarm system and smoke extraction system, and the inspection and maintenance of the fire extinguisher and the inspection and maintenance of the fire hose system;

[RT I, 16.12.2022, 3 – entry into force 01.01.2023]

2) who is in a contractual relationship with the person specified in § 33 of this Act in order to guarantee compliance with the requirements provided for in this Act and legislation established on the basis thereof.

(2) A specialist in charge must be competent to design, construct and maintain fire extinguishing systems, fire detection and fire alarm systems and smoke exhaust systems according to the professional standard pursuant to which the person arranges the allocation of resources and the work of others and is responsible for such work.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(3) A specialist in charge has the professional qualification for the inspection and maintenance of fire extinguishers and for the inspection and maintenance of fire hose systems and at least three years of work experience in this area.

[RT I, 16.12.2022, 3 – entry into force 01.01.2023]

(4) If the profession specified in subsection 2 of this section was acquired in another member state of the European Economic Area, such profession shall be recognised according to the Recognition of Foreign Professional Qualifications Act and legislation established on the basis thereof.

#### **§ 35. Registration proceedings**

[Repealed – RT I, 25.03.2011, 1 – entry into force 01.07.2014 (entry into force changed – RT I, 22.12.2013, 1)]

## **Division 2**

# **Automatic Fire Detection and Fire Alarm Systems and Transmission of Fire Alarms**

[RT I, 30.12.2020, 2 - entry into force 01.03.2021]

#### **§ 36. Automatic fire detection and fire alarm systems and transmission of fire alarms**

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(1) [Repealed – RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(2) A fire alarm received by an automatic fire alarm system shall be automatically transmitted to the Alarm Centre from buildings with an increased risk of fire, in which there are many people and where the damage to property may be substantial and which conform to the criteria provided in the regulation established on the basis of subsection 6 of this section.

(2<sup>1</sup>) Transmission of fire alarms to the Alarm Centre pursuant to subsection 2 of this section is not mandatory, if immediate notification of the Alarm Centre in case of fire and swift beginning of evacuation are ensured in the building and the Estonian Rescue Board has coordinated the transmission of fire alarms to the Alarm Centre in any other manner.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(3) [Repealed – RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(4) The owner of an automatic fire alarm system is responsible for the prevention of false alarms by taking measures for the prevention of false alarms without stopping the functioning of the automatic fire alarm system.

(5) A false alarm of an automatic fire alarm system is an alarm caused by other factors than a fire.

(6) The requirements to buildings from where a fire alarm of an automatic fire detection and fire alarm system has to be transmitted to the Alarm Centre and the procedure for transmission of fire alarms of automatic fire detection and fire alarm systems and waiver thereof shall be established by a regulation of a minister in charge of the policy sector.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

### **§ 37. Obligations of automatic fire alarm transmitters**

(1) An automatic fire alarm transmitter is a communication undertaking which shall conform to the requirements provided for communication undertakings in the Electronic Communications Act.

(2) The fire alarm transmitter shall be responsible for:

- 1) fulfilment of the requirements set to systems of automatic transmission of alarms;
- 2) monitoring of the uninterrupted functioning of the systems of automatic transmission of alarms;
- 3) notification of the owners of automatic fire alarm systems of any failures of the automatic fire alarm system detected, and for the removal of the failures.

## **Chapter 3 AUTHORITIES EXERCISING STATE SUPERVISION AND MEASURES TO BE APPLIED**

### **§ 38. Authorities exercising state supervision**

(1) State supervision over the fulfilment of the requirements established in this Act and legislation established on the basis thereof shall be exercised by:

- 1) the Rescue Board – throughout the national territory;
- 2) [Repealed – RT I, 29.12.2011, 1 – entry into force 01.01.2012]
- 3) the Consumer Protection and Technical Regulatory Authority – in the area of fire safety requirements for rail transport and underground constructions and requirements established for explosion hazard zones; [RT I, 12.12.2018, 3 – entry into force 01.01.2019]
- 4) the Transport Administration – in the area of civil aviation and water craft, including floating docks; [RT I, 10.12.2020, 1 – entry into force 01.01.2021]
- 5) [Repealed – RT I, 10.12.2020, 1 – entry into force 01.01.2021]
- 6) the Ministry of Defence – in the training areas of the Defence Forces and the National Defence League;
- 7) the Environmental Board – in the area of fire safety requirements pertaining to areas covered with forest and other vegetation; [RT I, 10.07.2020, 2 – entry into force 01.01.2021]
- 8) local authority – upon use of the opportunity specified in subsection 1<sup>1</sup> or 1<sup>2</sup> of § 5 of this Act in the building permit and use and occupancy permit or building notice and use and occupancy notice proceedings. [RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(2) The Rescue Board shall exercise state supervision over fulfilment of the fire safety requirements established in clauses 3–6 and 8 of subsection 1 of this section and legislation established on the basis thereof only in urgent cases.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(3) The Rescue Board shall exercise state supervision over fulfilment of the fire safety requirements set to areas covered with forest and other vegetation during fire-risk periods determined pursuant to § 16 of this Act.

[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

### **§ 39. Special state supervision measures**

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

In order to exercise state supervision provided for in this Act, a law enforcement authority may apply the specific state supervision measures provided for in §§ 30, 31, 32, 45, 46, 50, 52 and 53 of the Law Enforcement Act on the basis of and pursuant to the procedure provided for in the Law Enforcement Act.

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

### **§ 39<sup>1</sup>. Specifications for state supervision**

(1) The Rescue Board may involve experts for fire safety assessment if there are no relevant regulations in Estonia concerning buildings, equipment, activities or construction materials. The costs of involving experts shall be paid by the person who owns the equipment or wishes to build or use the building.

(2) An official of a law enforcement authority may enter, with the knowledge and in the presence of a possessor, an enclosed and marked immovable, building, dwelling and premises in the possession thereof even for identifying the causes of the fire. For the purpose of identifying causes of fire, the specified sites may be entered without the presence of the possessor only if the possessor has earlier designated a person who is present. In the case the designated person cannot be present when the causes of fire are identified, consent of the possessor is sufficient for entry into the specified sites. The specified sites may be entered without the presence

of the possessor and without granting the possessor the opportunity to be present only if this is necessary for the rescue work.

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

#### **§ 40. Non-compliance levy rates**

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

Upon failure to comply with the precept, the upper limit of non-compliance levy pursuant to the procedure provided for in the Substitutional Performance and Non-Compliance Levies Act is 3200 euros.

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

#### **§ 41. Expert assessment**

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

## **Chapter 4 LIABILITY**

#### **§ 42. Failure to perform self-inspection**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

#### **§ 43. Failure to submit fire safety self-inspection report and presentation of false information therein**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

#### **§ 44. Violation of fire safety requirements**

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(1) Violation of fire safety requirements of buildings, heating systems, works involving an open flame or installation, and violation of fire safety requirements for making a fire outside a heating chamber and for use of barbecue equipment, if this was accompanied by a fire or a threat of fire or if safe evacuation was prevented thereby,

is punishable by a fine of up to 300 fine units.

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.

[RT I, 30.12.2010, 2 – entry into force 01.01.2011]

#### **§ 45. Violation of fire safety requirements for heating systems**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

#### **§ 46. Violation of fire safety requirements for work involving open flame**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

#### **§ 47. Violation of fire safety requirements for making fire outside heating chambers and for use of barbecue equipment**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

#### **§ 48. Violation of fire safety requirements for storage of combustible materials**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

#### **§ 49. Violation of the safety requirements for public events**

(1) Violation of the fire safety requirements for a public event is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.

[RT I, 30.12.2010, 2 – entry into force 01.01.2011]

#### **§ 50. Violation of requirements for design, installation, check and maintenance of fire safety installations**

(1) Violation of the requirements for the design, installation, check and maintenance of fire safety installations



is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 30.12.2010, 2 – entry into force 01.01.2011]

#### **§ 51. Failure to ensure uninterrupted performance of fire safety installations**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

#### **§ 52. Failure to equip residential buildings and apartments with autonomous fire alarm sensors**

(1) Failure to equip a residential building and an apartment with an autonomous fire alarm sensor is punishable by a fine of up to 300 fine units.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.  
[RT I, 30.12.2010, 2 – entry into force 01.01.2011]

#### **§ 53. Failure to transmit fire alarms received by central unit of automatic fire alarm systems to Alarm Centre**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

#### **§ 54. Causing of false alarms of automatic fire alarm systems**

(1) Knowing causing of a false alarm of an automatic fire alarm system is punishable by a fine of up to 200 fine units.  
[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(2) The same act, if committed by a legal person, is punishable by a fine of up to 2000 euros.  
[RT I, 30.12.2010, 2 – entry into force 01.01.2011]

#### **§ 55. Violation of fire safety requirements for fire water supply**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

#### **§ 56. Violation of fire safety requirements set for equipment and installations**

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

#### **§ 56<sup>1</sup>. Misdemeanours in which proceedings are conducted by way of alternative proceedings and applicable deterrent fine rates**

(1) Upon initiation of misdemeanour procedures, the body conducting extra-judicial proceedings shall apply alternative proceedings:

1) in the case of necessary elements of a misdemeanour provided for in subsection 1 of § 44, if the requirements provided for in subsection 3 or 4 of § 5, subsection 1 of § 6, subsection 4 or 6 of § 8, subsection 3 of § 10 or subsection 1, 2 or 4 of § 15 were violated;

2) in the case of necessary elements of a misdemeanour provided for in subsection 1 of § 50.

(2) A deterrent fine in the amount of 40 euros shall be imposed in the case of a misdemeanour provided for in subsection 1 of § 44 and subsection 1 of § 50 of this Act.  
[RT I, 31.05.2018, 1 – entry into force 01.01.2019]

#### **§ 57. Proceedings**

The Rescue Board shall conduct extra-judicial proceedings concerning the misdemeanours provided for in this Chapter.

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

## **Chapter 5**

# IMPLEMENTING PROVISIONS

## **§ 58. Legal assessment of misdemeanours committed before entry into force of Fire Safety Act in misdemeanour matters being processed by court and extra-judicial bodies**

(1) The legal assessment of an act committed before the entry into force of the Fire Safety Act, which is also punishable as a misdemeanour pursuant to the Fire Safety Act or another Act, shall be based on respective sections of the Rescue Act or another Act, which prescribes the necessary elements of the misdemeanour, in force at the time of commission thereof.

(2) If, after entry into force of the Fire Safety Act, a punishment is imposed for a misdemeanour committed prior to entry into force of the Fire Safety Act, the punishment shall be based on the punishment provided for in the corresponding section of the Rescue Act in force at the time of the commission of the misdemeanour, in the case that section prescribes a lesser punishment.

## **§ 58<sup>1</sup>. Validity of certificates for works involving open flame**

Certificates for works involving an open flame issued prior to 1 September 2010 shall be valid until the expiry thereof, but not longer than five years as of the entry into force of Fire Safety Act.  
[RT I, 16.04.2013, 2 – entry into force 26.04.2013]

## **§ 58<sup>2</sup>. Preparation of expert assessment**

A professional certificate of a fire safety expert issued before 1 January 2023 enables its holder to prepare an expert assessment of the conformity of a furnace, fireplace or cooker, its chimney and its connection flue until the expiry of the professional certificate.  
[RT I, 16.12.2022, 3 – entry into force 01.01.2023]

## **§ 59. [Omitted from this text.]**

## **§ 60. [Omitted from this text.]**

## **§ 61. Entry into force of Act**

(1) This Act enters into force on 1 September 2010.

(2) Subsections 1–4 of § 4 and §§ 9 and 14 of this Act enter into force on 1 January 2012.

(3) § 60 of this Act enters into force on the date following publication in the *Riigi Teataja*.

(4) The requirement provided for in subsection 3<sup>1</sup> of § 32 of this Act shall be complied with as soon as possible, but no later than by 1 January 2022.  
[RT I, 30.12.2020, 2 – entry into force 01.03.2021]

(5) If an undertaking has submitted a notice of economic activities before 1 March 2021, the notification obligations pursuant to subsection 1 of § 33 of this Act is deemed to be complied with as of 1 March 2021.  
[RT I, 30.12.2020, 2 – entry into force 01.03.2021]