

## CROATIAN PARLIAMENT

Pursuant to Article 88 of the Constitution of the Republic of Croatia, I hereby pass the following

### DECISION PROMULGATING THE ACT ON CROATIAN MOUNTAIN RESCUE SERVICE

I hereby promulgate the Croatian Mountain Rescue Service Act, adopted by the Croatian Parliament at its session on June 30th 2006.

Classification: 011-01/06-01/29

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Zagreb, 5 July 2006

President  
of the Republic of Croatia  
**Stjepan Mesić, m. p.**

## THE CROATIAN MOUNTAIN RESCUE SERVICE ACT

### I. BASIC PROVISIONS

#### Article 1

This Act regulates organization, function and finance of the Croatian Mountain Rescue Service, members of the Croatian Mountain Rescue Service's rights in time of intervention, cooperation with international organizations, authorities of public administration and other natural and legal persons, rights of the organizers and participants of sport, tourist and other various activities and supervision of the application of this Act.

#### Article 2

Croatian Mountain Rescue Service is national, professional, humanitarian non-profit organization which performs activities in the interest of the Republic of Croatia, which includes Stations of the Croatian Mountain Rescue Service within the area of the Republic of Croatia

#### Article 3

the purposes of this Act, the following terms have the following meaning:

- "alpinist" is a person who obtained the stated professional occupation within the Croatian Mountaineering Association by successfully finishing school along with the proscribed requirements and examinations.
- "being on call in mountain rescue" is immediate presence in mountain and other unapproachable areas during hazardous events (mass rallies, campaigns, sports activities:

climbing, skiing, rafting, paragliding, hunting and other activities like demining, etc.) for the purpose of prevention and immediate action,

- “mountain rescue service” is a service qualified for performing rescues in the mountain areas as well as other non-urban and difficult terrains under adverse weather conditions and other extraordinary circumstances,

- “mountain rescue” is a strain of action and procedures in order to save human lives, preserve health and property through complex approach to victim and administering first aid on mountain and other non-urban and unapproachable areas,

- “IKAR-CISA” is the international association of mountain rescue services,

- “capacity to intervene” is competence of persons and equipment to intervene in case of an accident and other unapproachable areas,

- “cliffs” are steep and vertical mountain slopes where moving (climbing) is possible only with the use of mountaineering-alpinist knowledge and special equipment,

- “unapproachable areas” are areas where it is not possible to move or to transport using the standard public means without special rescuing knowledge and skills,

- “accident” is an occurrence in mountain or in other unapproachable area endangering human health and life or causes,

- “off-piste” are mountain slopes covered with snow where various forms of skiing takes place (touring, lang-lauf and so called mountain skiing). These slopes are not fixed with machines and a form of a vertical transport (ski lift) does not exist,

- “mountain rescuer training” is qualification process of mountain rescue members within the frame of the mountain service which lasts several years in a form of courses (winter, summer courses and cave-rescue) practice and seminars,

- “qualifying and training of rescuing in mountain areas” is training for the purpose of gaining the title of mountain rescuer, getting to know new techniques and equipment and maintaining physical fitness as well as alpinist, skiing and other skills and knowing how to administer first aid,

- “climbing sites” are steep and rocky areas rigged with fixed bolts and anchors intended for sport climbing,

- “precipice” is a very steep plunge where it is impossible to move without special equipment and alpinist knowledge and skills,

- “stand-by for mountain rescue” is a state of constant alertness of the members of the Croatian Mountain Rescue Service (24 hours-a-day in a year regardless of weather conditions) for performing rescues in mountain areas or in other unapproachable areas,

- “specific activities” are activities in mountain areas or in other unapproachable areas which cannot be reached by a competent emergency services and where an injured person can be reached only with the implementation of Croatian Mountain Rescue members’ skills, techniques and equipment,

- “underground objects” are caves, pits, abyss and other natural openings in the ground,

- “Croatian Mountain Rescue Service Station “ is a basic territorial unit of mountain rescue arranged by its personnel and equipped for independent functioning,

- “ski resorts with prepared pistes” are mountain terrains which are groomed with machines and have organized vertical transport (skilift), and during the season and regular time have a constant group of mountain rescuers on-call,

- “larger accident” is an occurrence caused by a direct impact of natural forces, technical-technological or other factors endangering peoples’ health or its life and causes damage of

material goods or other goods. Further development of larger accident can have catastrophic features.

## II. ORGANISATION AND ACTIVITY

### Article 4

- (1) The Croatian Mountain Rescue Service is organized at the level of the Republic of Croatia
- (2) Stations (hereinafter referred as: Stations) of the Croatian Mountain Rescue Service are founded at the areas of local and regional autonomy units based on the determined interest between units of the Croatian Mountain Rescue Service and of local and regional autonomy units.
- (3) The Articles of Association of the Croatian Mountain Rescue Service regulates the following issues: objectives, memberships, entities of the association and its organization, authorities and the manner of reaching decisions, operational area, founding of the Stations as the constitutional part in the nature of a legal person.

### Article 5

- (1) The Croatian Mountain Rescue Service organizes, improves and performs rescuing and protection of human life in mountain areas and other inaccessible terrains and in other extraordinary circumstances.
- (2) Basic missions of the Croatian Mountain Rescue Service in performing of duties stated in the Paragraph 1 of this Article are the following:
  - preventing accidents and performing rescues in mountain areas and in other inaccessible areas and in extraordinary circumstances with the application of expert knowledge and usage of technical equipment for mountain rescue, all in purpose of preserving human life, health and property,
  - organizing and preparing activities and taking measures for the purpose of maintaining rescue readiness and permanent organization, gaining qualifications, training for the preservation and improving readiness and ability of eliminating accident outcomes in mountains and in other unapproachable terrains,
  - eliminating immediate danger in mountains and in other unapproachable terrains,
  - implementing preventive measures in order to improve safety, protection and rescuing in mountain areas and in other unapproachable areas at specific activities on these areas,
  - conducting watches in order to prevent accidents,
  - search for lost persons in mountain areas and in other unapproachable areas,
  - performing rescues from caves, cliffs and canyons,
  - Performing rescues in ski resorts caused by piste and off-piste skiing, in climbing, rock climbing resorts and other objects and outdoor areas, during specific sports, tourist, recreational, cultural and other activities performed outdoors, in mountain areas or in caves,
  - search and rescue from avalanches and conducting preventing measures in reference to possible hazards from snow avalanches in mountain areas,
  - taking part in the searching and rescuing systems for victims of air plane crash or other vehicles crashed in mountain areas, steep parts of coast or any other unapproachable area,
  - organizing transport of injured and inflicted persons and members of the Croatian Mountain Rescue Service from mountains and other unapproachable areas and submitting

requests for helicopter transport via 112 Centre, except in case when the activity organizer secure a helicopter transportation and presences of members of the Croatian Mountain Rescue Service,

- providing security references to persons and organizers of tourist, sport and other activities performed outdoors and in mountain areas in order to prevent activities+ which can endanger security, life and health of participants,
- conducting continuous informing and educating of natural and legal persons regarding dangers and safety measures in mountain areas and in other unapproachable areas,
- performing high-altitude rescues and rescues on high objects in case of earthquake and other accidents in unapproachable areas,
- rescuing from accidents during adverse weather conditions with the application of special expert knowledge and technical equipment for mountain rescuing,
- issuing preventive and educational materials regarding security of persons and property.

(3) The Croatian Mountain Rescue Service performs rescues and searching missions on the 112 Center's call.

(4) The Croatian Mountain Rescue Service is obligated to inform the 112 Center on actions performed by request of other authorities of natural persons.

#### Article 6

(1) In order to perform its duties, the Croatian Mountain Rescue Service has the following powers:

- conduct trainings (performing exercises, seminars, courses) in the field of mountain rescuing according to the programs brought by the Head of the public administration body in charge of protection and rescue,
- conduct trainings for organizers of tourist activities in unapproachable areas for the purpose of improving security of participants according to the program adopted by the Minister of the Sea, Tourism, Transportation and Development with the approval of the Head of the central public administration body in charge protection and rescue at the proposition of the Croatia Mountain Rescue Service,
- keeping records and issuing verifications on finished training stated in the sub-item 1 and 2 of this,
- ban admittance to unauthorized persons near the place of intervention; call the police in order to secure the place of accident and to take all necessary steps in order to avoid harmful consequences,
- as an exception a person over 18 years of age can be included as a volunteer to perform certain supporting assignments and less complicated jobs during the rescue mission, if this is considered necessary in order to perform the rescue mission successfully.

(2) Head of the central public administration body in charge of protection and rescue proscribes a conformation form of completed training and manner of maintaining records on issued confirmations from the Paragraph 1, sub-item 1 and 2.

#### Article 7

(1) The Croatian Mountain Rescue Service's vehicles during interventions have the right of the way (the right to do surpass traffic) and can give special light and sound signals, according to special regulations.

(2) During interventions, members of the Croatian Mountain Rescue Service have the priority when using public transportation for transporting search dogs, persons and equipment to the place of accident and right to enter and sojourn in the protected areas of nature without limitations.

### III. MEMBERS OF THE CROATIAN MOUNTAIN RESCUE SERVICE' RIGHTS DURING INTERVENTION

#### Article 8

(1) Members of the Croatian Mountain Rescue Service who are employed but are participating in an intervention have the right to leave their work so they could participate in the intervention and are entitled to the remuneration in the same amount they receive when he/she is at work.

(2) Members of the Croatian Mountain Rescue Service who are employed but are participating in an intervention after work and during night, longer than 4 hours are entitled to non-working hours in the amount doubled from the time spent in the intervention and the right to the remuneration in the amount that they usually achieve when working during their participation in an intervention.

(3) Members of the Croatian Mountain Rescue Service who are not employed and are participating in an intervention are entitled to remuneration in the net amount of average salary awarded in the Republic of Croatia proportionally to the number of days spent in the intervention.

(4) Remunerations stated in the Paragraphs 1, 2 and 3 herein are paid at the cost of the the Croatian Mountain Rescue Service's fond.

#### Article 9

(1) Members of the Croatian Mountain Rescue Service who are participating in the interventions for saving lives or averting, that is, preventing hazards that are immediately endangering life or property and for the time spent in training organized by the Croatian Mountain Rescue Service receive entitlements from:

– basic health insurance for occupational injuries and professional illness if they are not insured otherwise,

–contract on insuring the members of the Croatian Mountain Rescue Service against consequences of an accident.

(2) Government of the Republic of Croatia, at the proposition of the central public administration body in charge protection and rescue, determines for the member the lowest amount of insured sum of the agreed insurance from the Paragraph 1 sub-item 2 herein, in case of death, permanent loss of working ability and momentarily inability to work and for remuneration of profit and expenses of medical treatment.

### IV. COOPERATION WITH INTERNATIONAL ORGANIZATIONS, PUBLIC ADMINISTRATION BODY AND OTHER LEGAL AND NATURAL PERSONS

#### Article 10

The Croatian Mountain Rescue Service cooperates with international organizations which are performing rescues in mountain areas and other inaccessible terrains; and it represents Republic of Croatia IKAR-CISA and other international associations of mountain rescue.

#### Article 11

(1) The Croatian Mountain Rescue Service cooperates with central public administration bodies and units of local self-government, institutions, the Armed Forces of the Republic of Croatia, health and social care institutions and other legal and natural persons in the field of culture, physical culture and sports, tourism, protection of nature and environment and traffic.

(2) The Croatian Mountain Rescue Service cooperates with public institutions and competent authorities in order to protection the nature in the field of preservation and conservation of mountain nature and environmental.

### V. OBLIGATIONS OF ORGANIZERS AND PARTICIPANTS OF SPORTS, TOURIST AND OTHER ACTIVITIES

#### Article 12

(1) Organizers of sports, tourist activities in mountain and other unapproachable areas are obligated to announce the location of the activity to the Croatian Mountain Rescue Service at least eight days before the beginning of the activity, to consult regarding the safety measures and to secure the presence of members of the Croatian Mountain Rescue Service according to the mutual assessment.

(2) At the request of the Croatian Mountain Rescue Service the providers of accommodation are obligated to allow placing of warnings on visible places and other information regarding the security of people during their activity in mountain and other unapproachable areas.

#### Article 13

Participants of sport, tourist and other activities in mountain and other unapproachable areas are obligated to abide the safety warnings and instructions set forth by the Croatian Mountain Rescue Service and abide rules of conduct in tourist and sports objects and areas and on ski pistes, mountain and other unapproachable areas for the purpose of preserving there own lives and lives, health and material means of other persons.

#### Article 14

Organizers and participants of sports, tourist and other activities in mountain and other unapproachable areas are obligated to pay the expenses of rescue activities to the Croatian Mountain Rescue Service, except for the expenses which are paid from the obligatory health insurance, if the rescue action was caused by an accident brought about on purpose or by total disregard.

#### Article 15

Concessionaire or the owner of ski lift or other object intended for transporting people is obligated, without a fee and with priority to ensure the transportation of the members of the Croatian Mountain Rescue Service and of persons being rescued.

## VI. FINANCING

### Article 16

(1) In order to fulfill their mission, the Croatian Mountain Rescue Service gains its funding from:

- state budget,
- budget of the local and regional autonomy units where the Stations of the Croatian Mountain Rescue Service operate,
- from donations,
- fulfillment of contracted services,
- gifts and inheritance,
- successful realization of projects regarding the improvement of safety in mountain and other unapproachable areas where tourist activities are taking place and for the requirements of Tourism Association.

(2) Croatian Mountain Rescue Service can also gain other funds in accordance with the law and other regulations and the Articles of Association and to use them solely for performing their duties.

### Article 17

(1) State budget ensures the funds for performing duties of the Croatian Mountain Rescue Service for:

- equipping and training of the members of the Croatian Mountain Rescue Service,
- international cooperation,
- informational-publishing activity,
- development of the Croatian Mountain Rescue Service's infrastructure,
- implementation of programs of the Republic of Croatia, plans, measures and activities of rescue and protection service.

(2) Funds from the Paragraph 1 of this Article are ensured from the state budget in the financial plan of the central public administration bodies in charge of protection and rescue.

(3) Croatian Mountain Rescue Service is obligated to submit the yearly work program and submit the report on consumption of funds to the authority stated in the Paragraph 2 herein.

### Article 18

(1) Means of financing the regular activity of the Croatian Mountain Rescue Service's Stations are ensured in the budget of units of local self-government from the Article 4, Paragraph 2 of this Act and referred to gyro of the Croatian Mountain Rescue Service's Station.

(2) The Croatian Mountain Rescue Service's Station from the Paragraph 1, herein is obligated to submit the yearly work program and submit the report on consumption of funds to the unit of local self-government.

#### Article 19

Funds acquired from completed contracted services, from gifts and inheritances and from completed projects of improving safety conditions on mountain and other unapproachable areas where tourist activities are taking place for the requirements of Tourism Association, are to be paid on Croatian Mountain Rescue Service's gyro.

### VII. SUPERVISION

#### Article 20

(1) Supervision over the legality of the Croatian Mountain Rescue Service activities and the activities of its Stations is performed by the central public administration body pursuant to the Association Act.

(2) Supervision of the performance of basic missions stated in the Article 5 and public authorities from the Article 6, Paragraph 1, Sub-item 1 of this Act is conducted by the Ministry of the Sea, Tourism, Transport and Development and the inspection is performed by the State Inspectorate.

### VIII. PENALTY PROVISIONS

#### Article 21

Organizers of sport, tourist and other activities performed outdoors and in mountain areas as well as the providers of accommodation shall be fined in the amount ranging from HRK 5,000.00 till 10,000.00 if they violate the provision determined in the Article 12 of this Law.

#### Article 22

Person from the Article 13 of this Act who is endangering its own life and lives, health and material means of others and who does not abide safety warnings and instructions given by the Croatian Mountain Rescue Service and who violates the rules of conduct in tourist and sport facilities, on ski pistes and other mountain and unapproachable shall be fined in the amount of HRK 5,000.00 to 10,000.00.

#### Article 23

Concessionaire or an owner of a ski lift or other facility for transporting people that acts against the provision referred to in the Article 15 of this Act shall be fined in the amount of HRK 5,000.00 to 10,000.00.

### IX. TRANSITIONAL AND FINAL PROVISIONS

#### Article 24

Programs from the Article 6, Paragraph 1, Sub-item 1 and 2; Provisions from the Article 2 and 3 of this Article shall be adopted by the Head of the public administration body within six months from the date this Act enters into force.

#### Article 25

Unit of local self-government from the Article 4, Paragraph 2 of this Act is obligated to conclude an agreement with the Croatian Mountain Rescue Service within six months following the entry into force of this Act determining the existence of a common interest for functioning of the Station and to arrange the manner and the conditions for its financing.

#### Article 26

Association Act shall be applied to all relations that are not regulated by this Act.

#### Article 27

The Croatian Mountain Rescue Service is obligated to harmonize the Articles of the Association of the Croatian Mountain Rescue Service with the provisions of this Act within six months following the entry into force of this Act.

#### Article 28

This Act shall enter into force on the eighth day following its publication in the Official Gazette.

Classification: 351-01/06-01/04  
Zagreb, June 30<sup>th</sup> 2006

CROATIAN PARLIAMENT  
President  
of the Croatian Parliament

Vladimir Šeks, m.p.