

Fire protection system in Hungary

The phenomenon of fire has been present in the history of humanity since the beginning. Its use among well-controlled circumstances has essential significance in maintaining our lives, in the social, industrial, economical processes. However, in most of the cases when fire can break out from its well-controlled environment, the result is destruction, or it puts into danger human life together with material goods. With the development of civilization, towns and industry, the possibility of fire and the danger of fire breaking out has incremented. The task of fire protection is to minimise the danger of fire, protecting human life and material goods. This task is completed by the cooperation of the three fields of fire protection: fire prevention, fire protection and fire detection. Humanity has used in all phases of its existence different forms of protection against fire; however, the base of nowadays' system was established in the 19th century. The organised form of fire protection and fire fighting was established in the 2nd half of the 19th century. Since then several changes have been made to the system, one of them is being in process at the moment.

The uniform disaster recovery system was established on 1/01/2012. This short sentence means the reorganising fire fighting and civil defense departments' operation, together with modifying concerning laws, creating new legislative tools – many things in this short sentence. The coming into force of law CXXVIII of 2011 brought significant changes regarding the operation and tasks of disaster recovery. The law states that firefighting and mechanical recovery are tasks of the state. Based on it the fire services so far belonging to local governments are redirected to the control of the state. So the whole territory of Hungary became governed by the official fire services headquarters. Besides this, the rules of official fire protection activities have been updated.

Hints from the past

What made this huge change be necessary? In the past (at times of the local government services), professional management and administrative management (financing, operation) were separated. Even financing was not uniform at all departments – different local governments had different possibilities. As a result, the 112 fire services, working at 112 sites of Hungary had 112 types of management, conditions, so the independence of official activity from local governments was harshly harmed. Besides, there were several tragic events in the past that indicate the lack of powerful action by authorities, the inadequate legal background, loopholes. The tragedy at West Balkán, resulting in the death of three young girls, the panel fire resulting in the death of three people, or the 2010 red-mud disaster at Kolontár, the most serious industrial disaster. The state had to react to these disasters and their cause in order to protect human lives. This need to react led to the restructuring of disaster recovery system, including reorganisation of fire protection, widening authorities competence. The main aim was to avoid disasters, and it is worth mentioning that the cost of prevention is significantly lower than that of protection, averting and reconstruction. In a standard organisation all tasks can be completed in an easier, more cost effective way. Standardised structure in an organisation means improvement in professional management as well.

Organisational structure of fire protection

Execution of fire protection is made at three levels of the organisation:

- nationwide
- regional
- local.

Nationwide level:

The National Fire Service Supervisory will be organisational part of the Ministry of Home affairs Disaster Recovery Headquarters. It will be responsible for the professional management of fire protection on a nationwide level. The Supervisory will be divided into three Departments: Fire Services, Fire Protection, Fire Detection and Intervention Analysis. They will be in charge of professional management and supervising the activity of the different fields of fire protection.

Regional level:

Fire services supervisory will be established at the countywide disaster recovery headquarters. They will be in charge of the professional management of the county's fire fighting, will complete the tasks of fire detection, intervention analysis. Their assistance will be provided by the Disaster Recovery Operational Service, assisting in fire protection. The integrated Authority Department will be in charge of the authority, administrative tasks of fire protection.

Local level:

The Disaster Recovery Outlets were established on 1/01/2012. They represent the first level of authority (through the Authority Departments), will be in charge of professional management of fire protection, supervision in their region, with the help of fire services supervisors.

The Official Fire Services Headquarters will be under control of Disaster Recovery Outlets, completing the tasks of fire protection in their region, together with complex disaster recovery intervention activities. As part of the official Fire Service Headquarters, but not located at their site, we have begun establishing Disaster Recovery Subdivisions, decreasing this way the time to arrive at the site of a disaster, increasing the level of protection of citizens.

Establishing the integrated authority

It includes three areas of professional disaster recovery: fire protection, civil protection and industrial safety. Before the disaster recovery law came into effect, there had been only few common points between these three areas. By including all areas into one standard organisation, the integrated authority execution has been developed. Its essence lies in making the experts be able to see 'over the limits of their fields'. In case the authority representative notices something, that is presumably breaching the rules, but is in relation with any of the two other areas, the representative must notify the relevant field's representative to take the necessary steps. The new organisational structure contains this approach: authority tasks are basically completed by the Authority Departments of the local and regional disaster recovery organisations, their management belongs to the head of department, and the supervisor responsible for fire protection, civil protection and industrial protection – county and nationwide level. The new organisational structure helps the relevant professional area to be able to react quickly, the flow of information between professional fields, sharing knowledge and expertise, and collaboration.

Another important requirement for the Authority Department is to be able to recognise those problems that cannot be regarded being offensive to rules, but which can make the intervention of disaster recovery organisations hard, or even obstruct it (eg. At fire extinguishing). These can also mean new dangers for the environment and execution of interventions. These tasks require high level of creativity, soundness, deep legal knowledge, and knowing how to make interventions, putting serious responsibility on the management as well.

Activity of the Fire Protection Authority

Changes in organisational structure and competencies

The base of the organisation responsible for the authority tasks of fire protection was included in the Fire Prevention Departments of the local governments' fire services headquarters. In Budapest, due to the high amount of cases, the number of employed workforce was significantly higher than that of other Fire Services: the competencies of fire protection authority were given to four Fire Prevention Regions and Fire Prevention Departments. That regulation gave power in professional supervision of fire prevention and in several other fields to the counties' disaster recovery headquarters. The central organisation was the National Disaster Recovery Headquarters.

First level authority tasks were given to the official local government fire services, according to government decree about the organisations having authorities' rights and details rules of fire protecting authority activity. According to the decree, fire services proceeded as first level fire protection authority in the following cases:

- giving permission to deviate from fire protection usage requirements and fire services intervention
- licensing built-in fire alarms and extinguishing systems (implementation, putting into use)
- fire detection procedure and fire detection reports
- prohibition of activities, operation, work

- determining fire protection requirements
- control over changes affecting fire protection
- monitoring the compliance to fire protection usage rules

The County Disaster Recovery Headquarters (in Budapest, Budapest Fire Services Headquarters) was responsible for the first level authority tasks in the majority of authority cases related to fire protection exams.

As these cases require special expertise, the first level fire protection authority at Budapest Ferihegy (Liszt Ferenc Airport) is Airport Disaster Recovery Headquarters. They are responsible for fire protection, and in charge in most of the cases related to giving permission to fire alarms and extinguishing systems at civil airports.

The National Disaster Recovery Authority had several first level authority rights:

- giving permission to deviations from the requirements of fire protection regulations
- assessment of equality of protection
- processing of cases of the civil national security services
- giving permission to commercial dealing of fire extinguishing-technique products, in case the fire safety security requirements of the product are not standardised
- giving permission to built-in fire extinguishing equipments that are not completely standardised
- giving permission to products that are imported from outside of EGT-stated and Turkey: fire extinguishing equipment, fire, or blowing up hazardous products, machines and equipments (distribution, usage, implementation, keeping in standby)
- processing cases that are related to fire services activities that require registration, fire protection expertise activity authority procedures

In second level cases the prosecuting authority was the one above first level; in Budapest the central organisation, in central organisations the minister responsible for disaster recovery.

Basically first level authority tasks were the responsibility of the official local government fire service headquarters. Exceptions

- procedures affecting Budapest Ferihegy (later Liszt Ferenc) international airport (responsible: National Disaster Recovery Headquarters)
- cases of civil national security facilities (responsible: National Disaster Recovery Headquarters)

The principles of the operation of second level authority was similar to the procedure of authorities: In second level cases the prosecuting authority was the one above first level, and procedures affecting Budapest Ferihegy (later Liszt Ferenc) international airport, the responsible was the National Disaster Recovery Headquarters.

On 1st January the organisational structure changed. The new structure is ruled by government decree about organisations dealing with fire protection, fire protection fines, and obligatory life- and accident insurance of those dealing with fire protection. The authority rights, competencies and responsibilities have come through significant changes, restructurings.

65 disaster recovery outlets began working as authorities, taking the task over from fire services. Official fire services headquarters are responsible for the traditional fire protection tasks, but they are helping the work of authorities with their operational experience.

Disaster recovery outlets are responsible for the following cases:

- giving permission to deviations from the requirements of fire protection usage regulations and fire services intervention
- licensing built-in fire alarms and extinguishing systems (implementation, putting into use)
- cases related to changes affecting fire protection
- prohibition of activities, operation, work
- determining fire protection requirements
- monitoring the compliance to fire protection usage rules
- assessment of fire protection requirements
- monitoring the compliance with regulations of fire protection establishment and usage
- obligatory authority cross-checking
- maintenance and supervision of extinguishers, onsite monitoring
- proceeding cases related to authority work for desiging, production, maintenance, servicing, implementation, supervision of in-built fire alarms, extinguisher; also receiving cross-signalling, cases of fire alarm centres' remote control.

The regional organisations – county headquarters – have the following authority tasks:

- fire detection procedures and reports
- procedures related to fire protection examination authorities
- disaster recovery authorities' tasks of civil airports, metros, and other underground facilities (exception: the authority's last two tasks)
- giving permission for the not completely standardised extinguishers
- giving permission and authority cross checking to fire alarms and extinguishers at high national economic significance investments
- giving permission to fire alarms and extinguishers in the high-significance facilities named in the decree; giving permission to deviation from prescription of fire services intervention.

Competencies given to the central authority, the National Disaster Recovery Headquarters:

- giving permission to extinguishers if the fire safety properties of the products are not regulated
- giving permission to deviation from rules about fire safety facilities
- deciding over the mechanical constructions that are different from the technical requirements, but which provide equal safety to it
- assessment of equality of safety
- processing cases that are to be registered regarding fire safety, authority tasks regarding fire safety expertise

- processing authority cases about: pyrotechnical equipments, built-in extinguishers and fire alarms, built-in heat- and smoke deflectors systems; dealing with examinations, education management, fire safety examination.
- Processing cases of civil national safety fire safety
- giving permission, deviation permission from establishing, usage and fire services interventions regulations in case of economical high-importance investments; assessment of technical solutions providing equal safety
- processing authority cases about education management of the regional organisation's fire safety exam
- processing the assessment of the unique, computer-simulation technical solutions

At second level, the organisation act as fire safety authority is the regional organisation; in case of the regional organisation's first level authority processes, the central organisation will act.

The regulation of the fire safety authority cooperation has changed. A significant change is that the first level will be divided among the outlets and the county authorities, depending on the complexity of the case. The decree gives a detailed description of which cases are processed by the regional organisation as authority:

- giving permission as authority during the realisation of high economic importance investments
- procedures relates to authority tasks of civil airports
- procedures of constructions, acting as authority until putting into operation of the facility (after the relative outlet will be in charge):
 - high facilities
 - medium high facilities with a gross area more than 20 000 m²
 - cultural facilities for more than 4000 people
 - sport facilities for more than 10 000 people
 - power plants with performance equal to, or more than 50 Mws
 - medium high facilities for inpatient and handicapped, if the allocation of people is above 13,65 metres
 - metro, underground train facilities
 - Parliament, Parliament Office Building, Ministry of persidency – their facilities

Regarding the civil national security facilities the central organisation, in other cases the outlet is responsible for the first level authority activity.

At second level, the regional organisation acts, in case of the regional organisation's first level authority procedures, the central organisation will act.

Tasks of market surveillance

After joining the European Union there is no need for permission for distribution of a product if the security requirements of the product are well-regulated. This is to make sure

that commercial activity of products can be done free. The need for permission of distribution remained for products that do not have safety requirements. In order to maintain user's security a new term, the market surveillance was introduced: the former, preventive authority control (permission) was substituted by the possibility of follow-up control of the market. The authority makes control according to an organised schedule, or after receiving notification about a product (eg. Prohibition of distribution).

Regarding fire safety, market surveillance tasks were delegated to the National Disaster Recovery Headquarters by the government decree. The Headquarters will deal with fire extinguishing products, fire- or blowing- hazardous products, machines, equipments, construction products. In case the authority states that a product is not safe, though it is used accordingly, they will prohibit its distribution, launch, and they have the right to fine as well. Distribution of products without compliance certificate, fire safety certificate, or authority permission will be prohibited by the authority, also fine can be imposed. The Headquarters is in connection with the National Customer Protection Authority via a network, they will inform them about products that have been considered inconvenient using the Central Market Surveillance Information System. If EU states have to be informed about a dangerous product, the authority will connect via National Customer Protection Authority to RAÓEX (Community's rapid information system). Its goal is the rapid flow of information among the states in case of danger.

Sanctions

The fire safety authority, in order to end the anomalies and deficiencies experimented, can use several kinds of sanctions to reestablish the status adequate to law. We have to emphasize the fire safety fine: the operative government decree has several novelties in comparison with the former regulation. It defines in a detailed manner the anomalies to be fined, together with defining the minimum and maximum rate of the fine. In case of 23 anomalies out of 41, fining is obligatory, the authority in these cases cannot decide (formerly they could). At defining the amount of fine the target was deterrence.

By 15/04/2012 (the new offence-law's coming into force), the competence of county departments for dealing with anomalies will end. Though the states of affairs will also end, it will not influence the use of fining, sanctions, as the fire safety fine will replace it. The conditions of on-the-spot fines will change by the coming into force of the law: in the future, the sanction will not be applicable at fire safety anomalies.

According to the law about the rules of authority procedures and services, the fire safety authority can impose a fine on the customer, or other party of the procedure. Considering the principle of gradualism and proportionality, fire safety authority can still impose slighter sanction: warning of the customer, obliging to terminate the anomaly.

Introduction of fees for administrative services

Before 01/01/2012, the activity of the fire safety authority was gratis. Mainly the permissions (eg. Built-in fire alarms and extinguishers, deviation cases) were to be paid for – and here also only the basic process fee had to be paid. The decree about fire preventive

authority fees made changes on this situation. The annex of the decree contains the authority collaboration fee, 13 000 Ft, the fee for permission giving and for process of registering into the fire safety permitting and expert registry, 10 000 Ft; processes to give permissions for unique, computer-based design solutions cost 50 000 Ft. The effective date is 03/15/2012.