



Presidenza del Consiglio dei Ministri
DIPARTIMENTO DELLA PROTEZIONE CIVILE

LAW 24 FEBRUARY 1992, N° 225

**ESTABLISHMENT OF
THE NATIONAL SERVICE
OF
CIVIL PROTECTION**

**International Workshop on Natural Disaster
Reduction in the Mediterranean Region**

**Castelnuovo di Porto, 26 - 27 - 28 settembre 1996
R o m a**





ITALIA

REPUBBLICA ITALIANA
MINISTERO DELL'INTERNO
DIREZIONE GENERALE DELLA PROTEZIONE CIVILE



NATIONAL CIVIL PROTECTION SERVICE

**PRESIDENCY OF THE COUNCIL OF MINISTERS
CIVIL PROTECTION DEPARTMENT**

CENTRAL BODIES

**"MAJOR HAZARDS"
COMMISSION**

**OPERATIONAL
COMMITTEE**

**NATIONAL CIVIL
PROTECTION COUNCIL**

**PREVENTION
AND
PREPAREDNESS**

**RELIEF
COORDINATION**

**BEYOND THE
EMERGENCY
PHASE**

**NATIONAL
COMMISSION**

**EMERGENCY
PLANS**

**RECOVERY
PROGRAMS**

PERIPHERAL BODIES

MAYOR

- MUNICIPAL ADMINISTRATION
- MUNICIPAL POLICE
- TECHNICIANS
- LOCAL RESOURCES

CARRIES OUT RELIEF ACTIVITIES WITHIN THE MUNICIPALITY, IF NECESSARY REQUESTS, FROM THE PREFECT, THE INTERVENTION OF OTHER FORCES

PREFECT

DRAWS AND IMPLEMENTS EMERGENCY PLANS AT THE PROVINCIAL LEVEL
- COORDINATES RELIEF ACTIVITIES

PROVINCE

PROVINCIAL CIVIL PROTECTION COMMITTEE

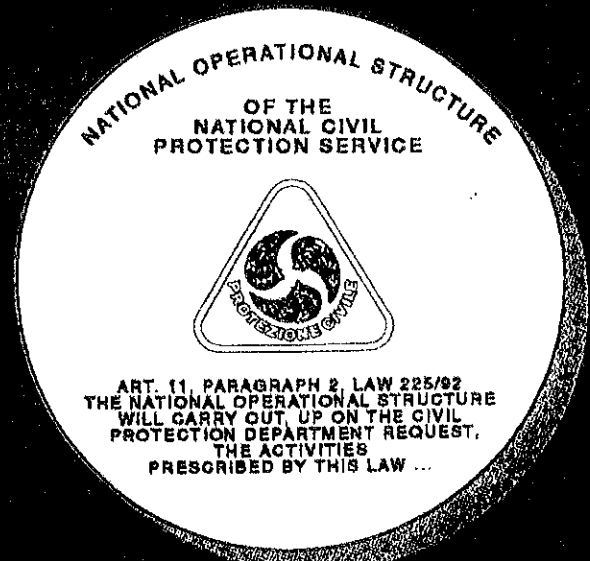
DATA COLLECTION AND PROCESSING - PROVINCIAL PROGRAMS FOR PREVENTION AND PREPAREDNESS

REGION

REGIONAL CIVIL PROTECTION COMMITTEE

REGIONAL PROGRAMS FOR PREVENTION AND PREPAREDNESS
- STRUCTURES AND MEANS

OPERATIONAL STRUCTURE



ESTABLISHMENT OF THE NATIONAL SERVICE OF CIVIL PROTECTION

Section 1

(National service of civil protection)

1- The national service of civil protection is established in order to safeguard the integrity of life, of goods, of settlements and of the environment from damage or from the danger of damage resulting from natural disasters, catastrophes and other calamitous events.

2-The President of the Cabinet, that is, by proxy in compliance with section 9 paragraphs 1 and 2 of law n. 400 of 23 August 1988, the minister for civil protection coordination (*Ministro per il coordinamento della protezione civile*), in order to finalise the aims of the national service of civil protection, promotes and coordinates the activities of the State administrations be they central, local, of the regions, provinces, municipalities and national and territorial public bodies, and furthermore administrations of every other institution and public or private organisation on the national territory.

3- To implement the aims mentioned in paragraph 2, the President of the Cabinet, that is, by proxy in compliance with the above-mentioned paragraph 2, the minister for civil protection coordination, avails himself of the civil protection department (*Dipartimento della protezione civile*), which was established in the Cabinet presidency context, in compliance with section 21 of law n. 400 of 23 August 1988.

Section 2

(Typology of events and competence areas)

1- For the purposes of civil protection, events are divided into:

a) natural events or events in connection with human activities, which can be tackled by means of interventions accomplished by bodies alone and by the relevant administrations during the course of ordinary business.

b) natural events or events in connection with human activities which, because of their nature and scope, call for a coordinated intervention of bodies or relevant administrations during the course of ordinary business.

c) natural disasters, catastrophes or other events which, because of their intensity and extension, shall be tackled with extraordinary means and authorities.

Section 3

(Civil protection activities and duties)

1- Civil protection activities are those activities meant to forecast and prevent various risk situations, bring aid to damaged populations and every other necessary and immediate activity meant to overcome emergencies linked to events mentioned in section 2.

2- The forecasting consists in activities which aim is the study and the determination of the causes of disastrous events, the identification of risks and location of territory areas subject to these risks.

3- The prevention consists in activities meant to avoid or reduce to a minimum the possibility that damage ensuing from the events mentioned in section 2 may occur. The prevention may be based upon knowledge acquired from forecasting activities.

4- The aid consists in carrying out interventions which aim is to assure every kind of first assistance to populations hit by the events mentioned in section 2.

5- The overcoming of the emergencies only consists in carrying out, together with the relevant institutional bodies, the necessary and immediate initiatives meant to remove any hindrance to the renewal of normal conditions of life.

6- Civil protection activities shall be in the utmost harmony with the conservation and reclamation programmes of the territory, as much as allowed by the necessities imposed by the emergencies.

Section 4

(Direction and coordination of forecasting, prevention and aid activities)

1- On the basis of the guidelines approved by the Cabinet and in compliance with the criteria determined by the national council of civil protection mentioned in section 8, the department of civil protection arranges the national programmes of forecasting and prevention in relation to the various risk situations, the national programmes of aid and the plans to implement the ensuing emergency measures.

2- The national programmes mentioned in paragraph 1 are adopted making use of the national technical services mentioned in section 9 of law n.183 of 18 May 1989, and successive amendments, by decree of the President of the Cabinet, subject to deliberation of the Cabinet and having heard the permanent conference for the relations between the State, the regions and the independent provinces of Trent and Bolzano (*Northern Italy*). The national programmes are then passed on to the Parliament.

3- The President of the Cabinet, that is, by proxy in compliance with section 1 paragraph 2, the minister for civil protection coordination, with the aim of allowing suitable checks of the efficiency of the programmes and plans mentioned in paragraph 1 of this section, arranges for the carrying out of periodical drills; promotes, together with the minister of universities and scientific and technologic research (*Ministro dell'università e della ricerca scientifica e tecnologica*), studies regarding forecasting and prevention of natural disasters and catastrophes, and gives guidelines for the organisation and use of voluntary service.

Section 5

(State of emergency and power of ordinance)

- 1- Should the events mentioned in section 2 paragraph 1. point c) occur, the Cabinet, upon suggestion of the President of the Cabinet, that is, by proxy in compliance with section 1. paragraph 2, the minister for civil protection coordination, decides the state of emergency, determining its duration and territorial extension in close reference with the quality and nature of events. Applying the same procedures, an eventual revocation of the state of emergency may be set forth should any of the relevant assumptions be missing.
- 2- The emergency interventions ensuing from the declarations mentioned in paragraph 1 are implemented, in the frame set by sections 12, 13, 14, 15 and 16, even by the means of ordinances in derogation with all current dispositions, and in respect of the general principles of the legal system.
- 3- The President of the Cabinet, that is, by proxy in compliance with sections 1 paragraph 2, the minister for civil protection coordination, may issue likewise ordinances aiming to avoid danger situations or additional damage to persons or things. The above-mentioned ordinances are made known to the President of the Cabinet should he have not directly issued them.
- 4- The President of the Cabinet, that is, by proxy in compliance with sections 1 paragraph 2, the minister for civil protection coordination, may avail himself of deputy commissaries to implement the interventions mentioned in paragraphs 2 and 3 of this section. This delegation provision shall indicate the contents of the delegation, the duration and procedures of its carrying out.
- 5- The ordinances issued in derogation with the current laws shall contain indications of the main norms which will not be respected and the relevant motivations.
- 6- The ordinances issued in compliance with this section are published in the Official Gazette (*Gazzetta Ufficiale*) of the Italian Republic, and are passed on to the concerned mayors in order to be published in compliance with sections 47 paragraph 1 of law n.142 of 8 June 1990.

Section 6

(Components of the national service for civil protection)

1- In compliance with the respective ordinances and competence areas, the activities of civil protection are implemented by the administrations of the State, the regions, the provinces, the municipalities and the consortium of communes in mountain areas. Public bodies, institutes and scientific research groups with civil protection aims, and likewise every other institution and organisation, be they private, concur with this implementation. The national and local structures for civil protection may, with this aim, stipulate conventions with public and private bodies.

2- Likewise, citizens and civil voluntary groups and furthermore professional colleges and associations, may concur with civil protection activities.

3- The administrations, the bodies, the institutions and the organisations mentioned in paragraph 1, and furthermore the public and private firms which hold or manage archives with information relevant to the implementation of this law, shall supply data and information to the department of civil protection when they are not covered by the bond of secret, that is when they are not relevant to public safety and order and furthermore to the prevention and repression of crimes.

4- A computerised system for the gathering and management of data is set up at the department for civil protection with the aim of exchanging news and data gathered. It is compatible with the computerised system and integrated network implemented by section 9 paragraphs 5 and 6, and successive amendments, of law n. 183 of 18 May 1989.

5- Within six months of the date of the coming into force of this law, the Government issues the regulation norms in compliance with section 17 paragraph 1, point a) of law n. 400 of 23 August 1988.

Section 7

(Main bodies of the national service of civil protection)

1- The national commission for the forecasting and prevention of great risks (*Commissione nazionale per la previsione e la prevenzione dei grandi rischi*) and the operative committee of the civil protection (*Comitato operativo della protezione civile*) are implemented at the department for civil protection. They are the main bodies of the national service of civil protection.

Section 8

(National council of civil protection)

1- The national council of civil protection, by implementing the general guidelines of civil protection policy set by the Cabinet, determines the main criteria following:

- a) the forecast and prevention of disaster programmes;
- b) the plans set to tackle the emergencies and to coordinate the aid interventions;
- c) the coordinated use of the components of the national service of civil protection;
- d) the setting out of the norms regarding civil protection.

2- By decree of the President of the Republic, adopted in compliance with section 17 paragraph 1 of law n. 400 of 23 August 1988, the norms for the composition and working of the council shall be issued within six months of the date of coming into force of this law.

3- The council is presided by the President of the Cabinet, that is, by proxy in compliance with section 1 paragraph 2; the minister for civil protection coordination. The set of rules mentioned in paragraph 2 of this section shall set out in any case that the following shall be part of the council:

- a) the ministers responsible for the administrations of the concerned States or their deputies;
- b) the presidents of the regional councils and of the independent provinces of Trent and Bolzano or their deputies;

- c) the representatives of municipalities, provinces and the consortium of communes in mountain areas;
- d) the representatives of the Italian Red Cross and of the volunteer associations.

Section 9

(National commission for the forecasting and prevention of great risks)

1- The national commission for the forecasting and prevention of great risks is the consulting and advisory body of the national service of civil protection regarding all civil protection activities meant to forecast and prevent all various risk situations.

The commission supplies the information necessary to define the study and research needs with regards to civil protection, it examines the data supplied by institutions and organisations in charge both of the surveillance of events mentioned in this law and of the evaluation of attached risks and ensuing interventions, and furthermore of the examination of any other matter inherent to the activities mentioned in this law.

2- The commission is composed by the minister for civil protection coordination who will chair it, that is should there not be a deputy of the President of the Cabinet, by a university teacher expert in civil protection problems, who shall act for the president in the event of absence or drawbacks, and by experts from the various risk sectors.

3- Three experts shall likewise be part of the commission. They shall be designated by the permanent conference for the relations between State, the regions and the independent provinces of Trent and Bolzano.

4- The commission is implemented by decree of the President of the Cabinet, that is, by proxy in compliance with section 1 paragraph 2, the minister for civil protection coordination, which shall be issued within six months of the date of coming into force of this law; the same decree has been applied to establish the organisational procedures and functioning of the commission.

Section 10

(Operative committee of civil protection)

1- The operative committee of civil protection is implemented with the aim of assuring the joint direction and the coordination of the emergency activities .

2- The committee:

a) examines the emergency plans implemented by the prefects in compliance with section 14;

b) evaluates the news, the data and the requests from the areas concerned by an emergency;

c) coordinates in a joint frame the interventions of all the administrations and bodies concerned by aid;

d) promotes the implementation of the directives ~~he should~~ with regards to the priority needs of the areas concerned by the emergency.

3- The committee is presided by the President of the Council, that is, by proxy in compliance with section 1 paragraph 2, the minister for civil protection coordination, that is, in the event of absence or drawback of the delegated Government representative.

4- The members of the committee representing ministries on behalf of respective ministers, summarise and perform with decisional powers, each in the context of his own administration and likewise *vis à vis* bodies, public corporations and checked or supervised administrations, all the faculties and competence regarding the actions to be carried out for civil protection. In the committee they represent the whole of their relevant administrations.

5- The norms for the functioning of the committee are established by decree of the President of the Cabinet within six months from the date of coming into force of this law.

6- Regional and local authorities for civil protection may be invited to attend the committee meetings. Representatives of other bodies or administrations may also be invited.

Section 11

(National operative structures of the service)

1-The national operative structures of the national service for civil protection are the following:

- a) the national body of fire fighters as fundamental member of civil protection;
- b) the armed forces;
- c) the police force;
- d) State Forestry Corps;
- e) the national technical services;
- f) national scientific research groups in compliance with section 17, the national institute of geophysics and other research institutes;
- g) the Italian Red Cross;
- h) the national health service structures;
- i) the volunteer organisations;
- l) the national alpine aid corps (*CNSA*) (*CAI: Italian Alpine Club*)

2- The national operative structures, on the basis of criteria determined by the national council of civil protection, implement, on request of the department of civil protection, the activities mentioned by this law, and furthermore consultation and support tasks for all the administrations which compose the national service of civil protection.

3- The norms meant to enforce the way of participation and collaboration of the national operative structures with the national service of civil protection, are issued following procedures in compliance with section 17 paragraph 1 of law n.400 of 23 August 1988.

4- Likewise, with the same procedures as in paragraph 3, in the context of the current laws and in relation to established tasks, the further regulatory norms for the adjustment both of the organisation and of the functions of the national operative structures to the needs of civil protection, are established.

Section 12***(Competence of the regions)***

1- The regions - except for the legal competence and administrative powers of regions with a special statute and the independent provinces of Trent and Bolzano with regards to local bodies, fire fighting services and assistance and aid to populations hit by disaster, mentioned in the respective statutes and relevant implementation norms - participate to the organisation and implementation of the civil protection activities mentioned in section 3. They shall assure, within the limits of their own competence or within the limits of the competence delegated to them by the State, and in respect of the principles established by this law, the implementation of civil protection activities.

2- The regions, in the context of the competence assigned to them by law n.142 of 8 June 1990, shall provide for the arrangement and implementation of the regional forecasting and prevention programmes in harmony with the indications of the national programmes as mentioned in section 4 paragraph 1.

3- For the purposes mentioned in paragraphs 1 and 2 the regions shall provide for the ordering of the offices and for the preparation of the structures and means necessary to the implementation of civil protection activities. They may avail themselves of a suitable regional committee for civil protection.

4- The dispositions in this law establish the principles of the government legislation with regards to regional civil protection forecasting, prevention and aid activities, to which the regional laws regarding this matter shall have to conform.

Section 13***(Competence of the provinces)***

1- The provinces, on the basis of the competence assigned to them by sections 14 and 15 of law n. 142 of 8 June 1990, shall participate to the organisation and implementation of the national service of civil protection, assuring the carrying out of the tasks related to gathering, collecting and elaboration of data regarding civil protection, to the arrangement of the provincial forecasting and

prevention programmes and to their implementation, in harmony with the national and regional programmes.

2- For the purposes mentioned in paragraph 1, a civil protection committee of the province shall be established in each chief town of the province. It shall be presided by the president of the provincial administration or by his deputy. A representative of the prefect shall be part of the committee.

Section 14

(Competence of the prefect)

1- The prefect, also on the basis of the province forecasting and prevention programme, arranges for the plan to tackle the emergency on the whole of the province territory, and shall supervise its implementation.

2- Should one of the disastrous events mentioned in points b) and c) of paragraph 1 of section 2 occur, the prefect shall:

a) inform the civil protection department, the president of the regional council and the general direction of the civil protection and of the fire fighter services of the Ministry of the Interior;

b) assume the joint direction of the emergency services which shall be activated at provincial level, and coordinated with the interventions of the mayors of the concerned municipalities;

c) adopt all the necessary measures to assure the first emergency aid;

d) supervise the implementation of the urgent services, be they also of technical nature, by the provincial structures of civil protection.

3- The prefect, following the emergency decree mentioned in paragraph 1 of section 5, acts, delegated by the President of the Cabinet or by the minister for civil protection coordination, with the powers mentioned in paragraph 2 of section 5.

4- The prefect avails himself of the structure of the prefecture and other bodies and organisations which shall assist, to organise permanently and to activate the emergency services.

Section 15

(Competence of the municipality and functions of the mayor)

1- Every municipality may provide itself with a civil protection service in the context of the regulation frame mentioned in law n. 142 of 8 June 1990 regarding local independence.

2- The region, in respect of its competence regarding organisation of the carrying out of the administrative functions at local level, supports, in the best ways and means, the organisation of municipal structures of civil protection.

3- The mayor is the municipal authority of civil protection. Should the emergency occur on municipal territory, the mayor shall take on direction and coordination of the emergency aid services to the concerned populations, and shall arrange for the relevant interventions. He shall inform immediately the prefect and the president of the regional council.

4- When the natural disaster or event cannot be tackled with the municipal means, the mayor shall ask the prefect for the intervention of other forces and structures; the latter shall adopt the competence procedures, coordinating his interventions with those of the municipal civil protection authority.

Section 16

(Instructions regarding the Valley of Aosta)

1- The competence given by this law to the province and to the president of the provincial administrations is under the aegis of, in the Valley of Aosta region, respectively the regional administration and the president of the regional council.

2- The functions that this law gives to the prefect are implemented, in the Valley of Aosta territory, by the president of the regional council. He shall attend the meetings of the national council for civil protection, or shall designate a deputy in event of drawback.

Section 17

(National scientific research groups)

1- For the purpose of carrying out its aims with regards to forecasting the various risk situations, the national service of civil protection avails itself of national scientific research groups.

2- By decree of the President of the Cabinet, that is, by proxy in compliance with section 1 paragraph 2, the minister for civil protection coordination, in agreement with the minister of university and of scientific and technologic research, national scientific research groups are located and enforced as mentioned in paragraph 1 of this section.

The relevant activities are settled with suitable long-term conventions.

Section 18

(Volunteers)

1- The national service of civil protection assures citizens, volunteer associations and bodies which promote it, an ample participation in activities of forecasting, prevention and aid, before or during natural disasters, catastrophes or events mentioned in this law.

2- With the purpose mentioned in paragraph 1, the service recognises and encourages the civil volunteer initiatives, and assures their coordination.

3- By decree of the President of the Republic, to be issued, following the procedures mentioned in section 17 of law n. 400 of 23 August 1988, within six months of the date of coming into force of this law, upon suggestion of the President of the Cabinet, that is, by proxy in compliance with section 1 paragraph 2, the minister for civil protection coordination, the ways and means of participation of volunteer associations in the civil protection activities are defined in respect of the following guideline criteria:

- a) setting up of procedures allowing associations, access to funds to upgrade equipment and technical preparation;
- b) setting up of procedures to assure association participation in arrangement and implementation of civil protection plans;

c) criteria already established by ordinance of 30 March 1989 n. 1675/FPC, of the minister of civil protection, published in the Official Gazette n.81 of 7 April 1989, to implement section 11 of law by decree n.159 of 26 May 1984, converted with amendments by law n. 363 of 24 July 1984, regarding civil protection volunteers, in harmony with all stated by law n. 266 of 11 August 1991.

Section 19
(Financial norm)

1- The amounts regarding expense authorisation for the civil protection fund are written down, in relation to the kind of intervention, in distinct items, be they newly created, in the forecast state of the Presidency of the Cabinet

The Minister of the Treasury is authorised to set, by his decrees, upon suggestion of the minister for civil protection coordination, compensation variation which might be necessary during the implementation of the interventions.

2- The available funds in the special accountancy entered to the civil protection fund mentioned in section 2 of the law by decree n. 428 of 10 July 1982, converted with amendments by law n. 547 of 12 August 1982, and likewise the available funds ensuing from the contracting of loans already authorised by law in favour of the civil protection fund, are paid into the State balance for reallocation, by decrees of the Minister of the Treasury, to the relevant items to be implemented in the suitable column of the forecast state of the Presidency of the Cabinet.

3- The minister for civil protection coordination may arrange for the emergency interventions mentioned in paragraphs 2 and 3 of section 5, also by the way of subjects holding public functions, though not state employees, by means of credit advice orders to the relevant items, for which the law norms and general accountancy rules of the State regarding amount limits are not applicable.

The credit advice orders are subject to a further check and, should they not be extinguished at the end of the period they were annexed to, may be passed on to the next period.

4- The paying in of funds to the civil protection on behalf of bodies or private parties, converge to the State balance for re-allotment of the respective expense items, by decrees of the Minister of the Treasury.

5- The juridical obligations are engaged before the date of coming into force of this law regarding the civil protection fund, setting up formal commitments for the relevant items to be implemented in compliance with paragraph 1.

Section 20

(Inspection enforcement)

1- By decree of the President of the Republic, subject to deliberation of the Cabinet, adopted following section 17 paragraph 1 of law n. 400 of 23 August 1988, a regulation is issued within six months of the date of coming into force of this law. It aims to introduce and enforce an inspection system on acts and on procedure checks implemented to carry out the administrative activities in relation with emergency interventions.

2- The regulation shall assure the periodicity of inspections and checks which shall regard both the financial management of the interventions and the implementation of the activities and their assignment to ministerial civil servants. The latter shall be competent in the relevant areas.

3- All stated in this regards by law n.142 of 8 June 1990 is still in force.

Section 21

(Repeal of incompatible norms)

1- All norms which are not compatible with the provisions of this law are repealed.

This law, with the State seal, shall be put into the official collection (*Raccolta ufficiale*) of the provision acts of the Italian Republic. All shall respect it and enforce it as a State law.

Date in Rome, on the 24 February 1992

COSSIGA

ANDREOTTI (President of the Cabinet)



DIPARTIMENTO DELLA PROTEZIONE CIVILE
via Ulpiano, 13 - 00193 Roma

Pubblicazione n. 49 - settembre 1996

PPLAWZ25.CDR PEN CEDAP