

Clause on selected impacts

1. Basic information	
Title of the document	
Draft Decree of the Ministry of Interior of the Slovak Republic on fire safety when using flammable liquids	
Submitter (and co-submitter)	
Ministry of Interior of the Slovak Republic	
Nature of the submitted document	<input type="checkbox"/> Document of a non-legislative nature
	<input checked="" type="checkbox"/> Document of a legislative nature
	<input type="checkbox"/> Transposition/implementation of EU law
<i>In case of transposition/implementation, please provide a list of transposed/implemented legislation:</i>	
Start and end dates of the preliminary consultation exercise	November 2023
Expected date of submission for the consultation exercise	February 2025
Expected start and end dates of final assessment**	
Expected date of submission to a session of the Government of the Slovak Republic*	

2. Definition of the issue
<i>Please specify the basic issues that justify the elaboration of the submitted document (the reasons should indicate precisely the problem that exists and needs to be addressed by the submitted document).</i>
<p>The currently applicable Decree has become outdated as regards the application of fire safety requirements and causes problems in its practical application. These are modified requirements from Decree of the Ministry of Interior of the Slovak Republic No 94/2004 on fire safety in building structures, as amended, which laid down the requirements for structural elements and building structures, as well as the requirements set out in Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures, as amended (hereinafter the 'Regulation'), which classifies flammable liquids into three categories, as opposed to the current classification into four hazard classes. It is not possible to apply a conversion table between the classification of flammable liquids according to the cited Regulation and the classification of flammable liquids according to the applicable Decree on flammable liquids due to different classification criteria on the basis of which the relevant hazard class would be converted into a new category. The new classification of flammable liquids also entails the harmonisation of labelling for packaging containing flammable liquids. According to the opinion of the Centre for Chemical Substances and Preparations dated 13 March 2018 addressed to the Ministry of Interior of the Slovak Republic, if the parameters used for the classification of flammable liquids for fire safety purposes in handling and storage differed from the requirements for classification into categories under the Regulation, this could lead to a situation where a participant in the supply chain would be unable, solely on the basis of the chemical's labelling, to determine whether the requirements for the quantity of flammable liquids stored and the parameters of the storage area are met.</p>

The draft Decree introduces new fire safety requirements for the use of flammable liquids and harmonises the classification of flammable liquids and the labelling of packaging containing flammable liquids in accordance with the cited Regulation. Another shortcoming of the existing Decree is the absence of fire safety provisions for the production, storage and handling of alcohol in the construction and operation of filling stations for liquid fuels and alternative fuels or for premises with a source of electrical power generated by an internal combustion engine.

3. Objectives and the desired outcome

Please specify the main objectives of the submitted document (what is the end goal that is to be achieved by adopting the document; the goal achieved must be different from that described in point 2. Definition of the issue).

The main objective of the draft Decree is to update the fire safety requirements for the use of flammable liquids and to lay down changes and differences from the existing Decree, the classification of flammable liquids, and the labelling of packaging containing flammable liquids, as well as fire safety requirements for building structures and premises that are not regulated by the existing Decree, with a view to eliminating problems encountered in practice.

4. Stakeholders

Please specify the parties directly or indirectly affected by the changes in the submitted document:

The present draft Decree applies to businesses of all legal forms and in all sectors of the economy that use flammable liquids in the course of their activities or in any other way.

5. Alternative solutions

What alternative solutions leading to the stated objective have been identified and assessed to address the identified issue?

The alternative of amending the provisions of the existing Decree was considered. Since an amendment would not cover the scope of changes mentioned in point 2 of the clause, it was decided to issue a new Decree, which will completely replace the existing Decree due to differences in fire safety requirements for building structures and premises where flammable liquids are used, requirements arising from the new classification of flammable liquids, the labelling of packaging containing flammable liquids, the removal of the phrase ‘applies accordingly’ from the provisions of the existing Decree, and the incorporation of the missing fire safety requirements for building structures and premises referred to in point 2 of the clause. Another reason for issuing a new Decree was that the existing Decree contained provisions concerning heavy heating oils and vegetable and animal fats and oils, which are no longer considered flammable liquids under the new classification.

Zero option – please specify the consequences of not implementing the changes proposed in the submitted document and the alternative solutions/methods of achieving the objectives set out in point 3.

During comprehensive inspections carried out as part of state fire supervision, inspection teams identified breaches of the provisions of the applicable Decree relating to the failure to construct flammable-liquid filling and decanting areas, the storage of larger volumes of flammable liquids at the workplace than are permitted under the applicable Decree, the classification of flammable liquids and the labelling of transport containers and tanks containing flammable liquids. Operators of building structures and premises with flammable liquids (flammable liquid storage facilities, storage of flammable liquids in workplaces, etc.) do not use the classification of flammable liquids laid down in the applicable Decree, but rely on the data and information from the safety data sheets, in which the classification of flammable liquids is already set out in accordance with the Regulation. When designing new building structures and premises with flammable liquids, fire protection specialists are unable to clearly classify flammable liquids due to the impossibility of creating a conversion table between the hazard classes according to the applicable Decree and the categories of flammable liquids according to the Regulation. This leads to incorrect fire safety designs in the fire safety design documentation for building structures. If no amendment is adopted, fire safety when using flammable

liquids would be reduced.

6. Implementing legislation

Is implementing legislation expected to be adopted/amended? Yes No
 If so, please specify which areas will be governed by this legislation or which implementing legislation will be affected:

7. Transposition/implementation of EU law

Please specify whether the draft legislation involves gold-plating according to the correlation table or whether gold-plating occurs in the context of implementation of EU law.

Yes No

If so, please specify which impacts under point 9 are subject to gold-plating:

8. Expediency review

Please specify the date by which the effectiveness and expediency of the submitted document should be reviewed.

Please specify the criteria on the basis of which the review will be conducted.

The effectiveness and expediency of the changes proposed in the present draft Decree will be reviewed during fire safety inspections carried out as part of state fire supervision. The review will be carried out after the legislative document in question has been in effect for five years, i.e. in 2031, and the evaluation criteria will be the number and structure of identified shortcomings.

* to be completed only if the document is not included in the Work Plan of the Government of the Slovak Republic or the Plan of Legislative Tasks of the Government of the Slovak Republic.

** to be completed only if the final assessment of the selected impacts has been carried out in accordance with point 9.1 of the Uniform Methodology.

*** the assessment relates only to changes in Pillar I and Pillar II of the universal pension scheme with an identified impact of 0.1% of GDP (inclusive) in the long term.

9. Selected impacts of the document			
Impacts on the general government budget	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative
of which impacts covered by the budget, in case of identified negative impact	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Partial
including impacts on the budgets of municipalities and higher territorial units	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative
of which impacts covered by the budget, in case of identified negative impact	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Partial
Impact on the long-term sustainability of public finances for selected measures ***	<input type="checkbox"/> Yes		<input type="checkbox"/> No
Impacts on the public expenditure limit	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative
Impacts on the business environment	<input checked="" type="checkbox"/> Positive	<input type="checkbox"/> None	<input checked="" type="checkbox"/> Negative
of which impacts on SMEs	<input checked="" type="checkbox"/> Positive	<input type="checkbox"/> None	<input checked="" type="checkbox"/> Negative
Bureaucracy and cost reduction mechanism is applied:	<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No
Social impacts	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative
Environmental impacts	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative
The document is assessed under Act No 24/2006 on environmental impact	<input type="checkbox"/> Yes		<input type="checkbox"/> No

assessment and amending certain acts, as amended				
Impacts related to information society	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative	
Impacts on public administration services for the citizen, of which impacts of public administration services on the citizen impacts on service processes in public administration	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative	
	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative	
Impacts on marriage, parenthood and family	<input type="checkbox"/> Positive	<input checked="" type="checkbox"/> None	<input type="checkbox"/> Negative	

10. Notes

If necessary, provide additional information on the identified impacts and their analyses.

If the submitted material has a marginal (negligible) impact on any of the areas covered in point 9 and for this reason it is marked as no impact, please provide the facts explaining why this impact is marginal (negligible).

The information in this section is used to summarise the impacts or to comment on marginal impacts and not as a substitute for the preparation of appropriate analyses of selected impacts.

If the document is assessed under Act No 24/2006 on environmental impact assessment and amending certain acts, as amended, please provide a web link to this process.

11. Contact details of the author

Please provide the details of the person who can be contacted with regard to the assessment of selected impacts.

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12. Sources

Please specify the sources (statistics, surveys, cooperation with experts, etc.) on which you relied when preparing the document and drafting the clause and impact analyses. If the data needed to prepare the relevant analyses of selected impacts are unavailable, please indicate this fact.

Parts of the draft Decree were discussed with experts from the Centre for Chemical Substances and Preparations, fire protection specialists in the field of fire safety in building structures, and the draft Decree is also based on practical experience in applying the existing Decree.

Due to the absence of statistics on the number of entities whose operations involve the use of flammable liquids, it was not possible to perform a standard quantification of costs using the cost calculator. Likewise, it was not possible to make a standard quantification of costs using the cost calculator because most of the changes resulting from the draft Decree concern construction. The structures in question do not have identical dimensions (length, width, height of structures) and the required modification can be executed using various suitable types of materials, which results in non-uniform cost levels. For the above reasons, it was not possible to express the individual impacts numerically using the cost calculator. For the reasons mentioned above, the costs are broken down in general terms in text form in the Analysis of Impacts on the Business Environment in section 3.1.3, 'Additional information on how the impacts of individual regulations on cost changes have been calculated', including an indication of the positive/negative impact.

The list of entities that could be negatively affected was created based on the only available and usable data from the information system for the prevention of major industrial accidents, and the entities concerned were subsequently contacted by email with a request for cooperation in

completing the data, and it transpired that all entities that responded to our request already have the required fire protection equipment installed. It follows from the above that the newly proposed requirement, although assessed as having a negative impact on the business environment, will not result in any additional financial costs for their existing structures.

13. Opinion of the Commission on the assessment of selected impacts from preliminary consultation exercise No 269/2023

(if carried out pursuant to point 8.1 of the Uniform Methodology)

Agree Agree with a proposal for revision Disagree

**Please provide comments from the Commission's opinion in Part II, together with your assessment:
Regarding the clause on selected impacts**

The Commission draws the submitter's attention to the fact that if they indicate no impact on the general government budget and on the budgets of municipalities and higher territorial units, budgetary coverage is not to be indicated.

The submitter complied with the comment and budgetary coverage is no longer marked.

Regarding impacts on the business environment

The Commission requests the submitter to quantify the impacts (positive and negative) and move them from section 3.4 'Other impacts' to section 3.1. 'Analysis of impacts on the business environment'.

Grounds: It is necessary to quantify the costs that entities must incur to meet the regulatory requirements. The fact that businesses already comply with the stricter regulatory requirements cannot be taken into account. It is necessary to calculate the regulatory cost, i.e. how much it costs a business to comply with the given regulations. The submitter can use information from consultations where businesses declared that they had already fulfilled the requirement, which will make it easier for those businesses to provide evidence of the financial cost.

The submitter described the impacts on the business environment (positive and negative) in section 3.4 'Other impacts' because, following a meeting held on 27 May 2024 at the Ministry of Economy, and given that it was not possible to quantify the change in business environment costs, the submitter was allowed to describe the impacts on the business environment in a qualified manner and to leave them in section 3.4.

The Ministry of Economy allowed the submitter to do the above for the following reasons, in particular:

- the provisions of the draft Decree are not retroactive;
- there are no registers containing data on operators of building structures with flammable liquids and on existing building structures with flammable liquids that can be used to calculate the change in costs; maintaining such a register for fire protection purposes would serve no useful purpose;
- the number of building structures with flammable liquids that will be constructed after the Decree comes into effect is not predictable;
- it will not be possible to quantify the positive and negative impact of certain measures on the business environment until after an undesirable event, such as a fire;
- the required level of fire protection for building structures with flammable liquids can be achieved in various ways, and the number of possible options cannot be predicted.

Following the submission of the quantifications, the Commission requests the submitter to indicate, in the 'Clause on selected impacts' in section 9. 'Selected impacts of the document', the application of the mechanism for reducing bureaucracy and costs within the meaning of point 6.4 of the Uniform Methodology.

The submitter complied with the comment and, in the ‘Clause on selected impacts’ in section 9. ‘Selected impacts of the document’, marked the application of the mechanism for reducing bureaucracy and costs.

14. Opinion of the Commission on the assessment of selected impacts from final assessment no..... (if carried out pursuant to point 9.1 of the Uniform Methodology)

- Agree Agree with a proposal for revision Disagree

Please provide comments from the Commission’s opinion in Part II, together with your assessment:

Analysis of impacts on the business environment

Title of the document: Draft Decree of the Ministry of Interior of the Slovak Republic on fire safety when using flammable liquids

Submitter: Ministry of Interior of the Slovak Republic

3.1 Regulatory costs

3.1.1 Summary table of regulatory costs

Table 1: Changes in costs (per year) in the business environment (BE), evaluation of the bureaucracy and cost reduction mechanism, and gold-plating costs¹ for the business environment:

Replace this with the same table after completing the Business Environment Cost Calculator, which is a mandatory annex to this analysis and can be found on the Ministry of Economy website (hereinafter the ‘Cost Calculator’):

TYPE OF COSTS	Cost increase in EUR for the BE	Cost reduction in EUR for the BE
A. Taxes, levies, duties and charges aimed at reducing negative externalities	-	-
B. Other charges	-	-
C. Penalties and fines	-	-
D. Indirect financial costs	-	-
E. Administrative costs	-	-
Total = A+B+C+D+E	-	-

¹ The definition of gold-plating is given in point 4 of Part III of the Uniform Methodology.

<i>Harmonisation of EU law</i>	Cost increase in EUR for the BE	Cost reduction in EUR for the BE
<i>F. Full harmonisation of EU law</i> <i>(excluding taxes, levies, duties, and charges aimed at reducing negative externalities)</i>	-	-
<i>G. Gold-plating</i>	-	-

<i>CALCULATION OF THE 1in 2out RULE:</i>	IN	OUT
<i>H. Costs excluding exceptions = B+D+E-F</i>	-	-

3.1.2 Calculation of the impacts of individual regulations on changes in costs for businesses

Table 2: Calculation of the impacts of individual regulations (replace with the same table after completing the Cost Calculator):

Seq. no.	Clear and concise description of the regulation (the reason for increasing/reducing costs for the BE and the reason for maintaining costs for the BE that constitute gold-plating)	Number of the legislation (act, decree, etc.)	Localisation (§, paragraph, Article,...)	Origin of regulation: SK/EU complete harmonisation/ Gold-plating	Effective date of regulation	Category of stakeholders	Total number of stakeholders	Impact per businesses in EUR	Impact on stakeholder category in EUR	Type of impact In (increases costs)/ Out (reduces costs) /No change	1in 2out total	Total gold-plating
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3.1.3 Additional information on how the impacts of individual regulations on cost changes have been calculated

For each regulation affecting the business environment assessed in Table 2, please provide additional information so that the method and correctness of the calculations can be verified. In particular, please indicate how you calculated the impacts and which source you drew upon for the numbers (please also provide a link to specific statistics if available on the internet). Individual regulations may have one or more types of costs (A. Taxes, levies, duties and charges aimed at reducing negative externalities, B. Other fees, C. Penalties, D. Indirect financial costs, E. Administrative costs). Break them down and calculate them in accordance with the methodological procedure.

3.1.4 Justification for gold-plating under point 4 of Part III of the Uniform Methodology and other additional information²

Please provide the required information separately for each identified case of gold-plating (separately for each regulation evaluated as involving gold-plating).

Please provide justification for gold-plating in terms of its unquestionable necessity. Support the justification with a thorough assessment of benefits and costs. Please indicate the alternative solutions considered.

Please also provide specific information relating to the gold-plating category under the Uniform Methodology, in particular: to which entities it is proposed to extend the scope of the Directive and why; which requirements are being increased and for which entities beyond the minimum requirements of the Directive; which less stringent derogation or modification available under the Directive were not used and why; why stricter sanctioning regimes are proposed; why earlier transposition is proposed; and why existing stricter national requirements are being retained.

The use of gold-plating in the transposition or implementation of EU legislation is, in principle, undesirable, as this may lead to a reduction in the competitiveness of domestic enterprises compared to those from countries where legislation is less stringent. The use of gold-plating by the submitter is therefore permissible only in exceptional cases that are duly justified and explained in the analysis of the impacts on the business environment in terms of necessity, social importance, and costs, and that have been consulted with the affected businesses and assessed by the Commission.

3.2 Evaluation of consultations with businesses prior to the preliminary consultation exercise

² Information is provided only if the current regulatory proposal transposes an EU directive and gold-plating has been identified in the correlation table, or if it implements an EU regulation and involves gold-plating. Information is also provided (if the proposal is not a transposition of an EU directive or implementation of an EU regulation) where the present proposal removes gold-plating originating from the earlier retention of existing legislation (existing national requirements).

Please indicate the form of the consultations, including the justification for its choice and the duration of the consultations, and the dates of the meetings. Please indicate how the entities concerned were contacted, provide a list of the consultative bodies, and include a link to the website on which the consultation was published.

Please indicate the main points of the consultations and their conclusions.

Please provide a list of alternative solutions to the issue submitted by the consultative bodies, as well as their proposals to reduce the costs of regulatory measures for the business environment that were not accepted, and the reasons for non-acceptance.

Alternatively, instead of completing point 3.2, you may include as a separate annex to this analysis a consultation record containing the required information.

Between 12 October 2022 and 25 October 2022, the public was informed about the preparation of the draft Decree through preliminary information published in the Slov-Lex public administration information system under number PI/2022/258. Five institutions (Klub 500, the Association of Industrial Unions and Transport, SLOVNAFT, a.s., the Slovak Association of Fuel Industry and Trade, and the National Union of Employers) expressed an interest in the consultation as part of the preliminary information. On-line consultations were held with all of the above institutions on 4 November 2022, which led to a request to prepare an analysis of the impact on the business environment. The forthcoming legislation was drafted by an internal working group of the Ministry of Interior of the Slovak Republic, which held working meetings to discuss various requirements and issues arising from practical experience relating to flammable liquids, as well as questions addressed to the Ministry by experts or companies dealing with flammable liquids. Some parts of the proposed Decree were discussed with the Centre for Chemical Substances and Preparations, which is responsible for the preparation and implementation of chemical legislation concerning the placing on the market of substances, mixtures, detergents, and biocidal products.

On 4 October 2023, representatives of the Praesidium of the Fire and Rescue Corps of the Ministry of Interior attended a meeting entitled ‘Consultations on Fire Safety Legislation’ at the invitation of the Slovak Association of Fuel Industry and Trade, at which the draft new Decree on flammable liquids and its possible impact on the business environment were discussed with the expert public attending the meeting.

The above-mentioned entities, which expressed interest in participating in consultations based on the published preliminary information, agreed that it would be appropriate to submit the draft Decree for the preliminary consultation exercise, which should primarily define the additional impacts on the business environment. This request was accepted by the Ministry of Interior.

The Association of Industrial Unions and Transport, the Slovak Association of Fuel Industry and Trade, and SLOVNAFT, a.s., had also sent questions regarding the draft Decree, which were discussed with them in the context of the consultations.

3.3 Impacts on competitiveness and productivity

Are market barriers being created or changed? no

Will some enterprises or products be treated differently from others in a comparable situation (special regimes for micro and SMEs)? no

Does the change in regulation affect cross-border investments (inflow/outflow of foreign investment, or the performance of Slovak companies in foreign markets)?no

Will it affect the availability of basic resources (financial, workforce, raw materials, machinery, energy, etc.)? no

Does the change in regulation affect innovation, science and research? no

If gold-plating has been identified, does it contribute to reducing competitiveness and productivity? none How?–

How does the change in regulation contribute to Slovakia’s objective of achieving the best business environment among its neighbouring EU countries?–

Competitiveness:

On the basis of the above replies, please tick and describe the document’s impact on competitiveness:

increases does not change decreases

Productivity:

What is the impact of the document on the ratio between enterprises’ production and their costs? none

On the basis of the above reply, please tick and describe the document’s impact on productivity:

increases does not change decreases

3.4 Other impacts on the business environment

If the document has an impact on the business environment that cannot be included in the previous parts, whether positive or negative, please indicate it here. This includes:

- a) impacts relating to applications for or the receipt of subsidies, funds, State aid and other similar forms of State support, as these are an accompanying phenomenon of applying for or obtaining benefits to which there is no direct statutory entitlement, arising instead from the expression of the will of the entity concerned;*
- b) regulated prices pursuant to Act No 18/1996 on prices;*
- c) other impacts envisaged by the document that cannot be included in parts 3.1 and 3.3.,*
- d) other impacts under points (a) to (c) that constitute gold-plating.*

Several regulatory measures entailing changes in costs for businesses were identified in the present draft Decree. Due to the absence of statistics on the number of entities whose operations involve the use of flammable liquids (hereinafter ‘FL’), it was not possible to perform a standard quantification of costs using the cost calculator. Likewise, it was not possible to make a standard quantification of costs using the cost calculator because most of the changes resulting from the draft Decree concern construction (structural) design. The structures in question are not identical in size (length, width, height of structures) and the required modification can be executed using various suitable types of materials, which results in inconsistent costs. For the above reasons, individual impacts are not quantified in line with the cost calculator, but are described in a textual form, including their positive/negative impacts.

Positive impacts on the business environment:

1. *Transition from the currently applicable four FL hazard classes to three FL categories. The definition of flammable liquid is laid down in § 2(a).*

Based on the above, a portion of FLs currently falling under hazard class III and all FLs falling under hazard class IV will be excluded from the FL category, which means that the requirements of the proposed Decree will no longer apply to the excluded liquids.

Entities will be relieved of their obligations related to the labelling, placement and storage of FLs, as well as their use.

2. *According to the currently applicable legislation, an operating facility with FLs must strictly form a separate fire protection zone. The forthcoming legislation imposes this obligation under § 8(1) only for floor areas exceeding 100 m² for production structures and 50 m² for non-production structures.*

By complying with the above permissible floor areas of the operating facility, entities' costs will be reduced, as it will not be necessary to construct passive elements to prevent the spread of fire (fire walls, fire protection closures, penetrations through fire partitions). Precise quantification is unrealistic, as the dimensions of individual premises in establishments vary considerably (the floor area determined by the length and width of the room, as well as the clear height of the establishment premises, are not identical).

3. *The forthcoming Decree will, under § 8(2), allow a point-of-use FL stockroom to be associated with an establishment containing FLs for fire safety purposes.*

This eliminates the obligation to construct a wall with the required fire resistance between an FL stockroom and the premises of an establishment with FLs. Likewise, the obligation to install fire protection closures and to seal penetrations in the common structural parts between these premises will no longer apply.

4. *In § 8(6), the forthcoming Decree will allow the premises of an establishment with FLs located on the 1st aboveground floor to be connected with the premises of an establishment with FLs located on the 1st underground floor into a single fire protection zone.*

This eliminates the obligation to construct a ceiling with the required fire resistance between these floors. In addition, it will no longer be required to install fire protection closures and to seal pass-throughs in part of the ceiling.

5. *In § 23(12), the forthcoming Decree will allow an FL stockroom to be placed on the 2nd and higher above-ground floors of a production structure. Under the currently applicable legislation, an FL stockroom may only be placed on the 1st above ground floor.*

This will significantly increase the flexibility of how the premises on the individual above-ground floors of the structure can be used.

6. *In § 29(3), the forthcoming Decree will allow ventilation openings in storage facilities to be closed during the winter period, provided that the temperature in the FL storage facility does not exceed 15 °C. Under the currently applicable legislation, this is not permitted.*

This will clearly result in financial savings on heating the premises in question.

7. *In § 41(7), the forthcoming Decree abolishes the obligation to equip a tanker decanting area with an emergency tank.*

This will result in financial savings, as there will no longer be an obligation to build an emergency tank in that area.

8. *In § 41(8), the forthcoming draft Decree abolishes the obligation to equip a tanker decanting area with a containment tank if it is demonstrably used for decanting no more than once a month.*

This will result in financial savings, as there will be no obligation to build a containment tank in that area.

9. *In § 43(6)(a), the forthcoming Decree will allow an unenclosed FL storage facility that is directly related in technological terms to the FL filling or decanting area to be placed in the fire-hazardous area of that FL filling or decanting area.*

This has a positive impact on the size of the land plot, as currently, a filling area may only be placed at a distance (limited by the separation distance) of up to several meters from an unenclosed FL storage facility.

10. *In § 43(6)(b), the forthcoming Decree will allow a building structure and process equipment that are functionally and technologically related to the operation of the filling or decanting area to be placed in the fire-hazardous area of the filling or decanting area.*

This has a positive impact on the size of the land plot, as currently, a filling area may only be placed at a distance (limited by the separation distance) of up to several meters from an unenclosed FL storage facility.

11. *In § 46(3), the forthcoming Decree will allow a dispenser for liquid fuels combined with dispensing modules for alternative fuels to be installed at a filling station..*

This has a positive impact on the size of the land plot, as currently, a dispenser for alternative fuels is required to be located at least 6.5 m from the dispenser for liquid fuels (gasoline, diesel) at the filling station.

12. *In § 48(10), the forthcoming Decree will allow the cage for the storage and sale of liquefied hydrocarbon gas cylinders with a maximum storage capacity of 200 kg of this gas to form part of a filling station.*

This has a positive impact on the size of the land plot, as under the current provisions, the cage for storing and selling liquefied hydrocarbon gas cylinders may only be located at a distance (limited by the separation distance) of up to several meters from other fire protection zones of the filling station (sales kiosk, liquid fuel dispenser, FL decanting area).

13. *In § 53 to § 56, the forthcoming Decree defines significant relaxations of the requirements for the production, storage and handling of alcohol.*

Under the currently applicable legislation, the production, handling and storage of alcohol are subject to the same requirements as flammable liquids.

14. *By introducing the term ‘area containing a source of electrical power generated by an internal combustion engine’ in § 57 and defining the requirements for such areas, the forthcoming Decree will significantly simplify the arrangements for fuel storage and fuel replenishment during tank-vehicle decanting.*

15. *In § 59, the forthcoming Decree will enable a significant increase in the quantities of stored FLs.*

This has a positive impact because, unlike under the quantities specified in the currently applicable legislation, it will not be necessary to create separate fire protection zones in storage facilities or establishments, provided the proposed FL volumes are observed.

Under the proposed wording, costs for entities will be reduced, as it will no longer be necessary to construct passive elements to prevent the spread of fire (fire walls, fire protection closures, penetrations through fire partitions).

Negative impacts on the business environment:

1. *In § 11(3), the forthcoming Decree will require a fire protection strip only for newly designed and constructed operating facilities with FLs, and for operating facilities in which future reconstruction works within the existing premises will also affect the location of the fire protection strip. Existing building structures without future reconstruction will not be affected by this requirement.*

Many operating facilities have such a fire protection strip already in place. The exact number is not known due to the absence of statistics on the structural modifications in question.

2. *In § 18, the forthcoming Decree defines the obligation to equip an establishment where FL volumes exceed 10 m³ with an electrical fire alarm system. This requirement has been proposed to increase safety in operating facilities where very large quantities of FLs are used. The requirement to equip operating facilities where FL volumes exceed 10 m³ with an electrical fire alarm system will only apply to newly-designed and constructed operating facilities with FLs and to establishments in which future reconstruction works within the existing premises will increase the currently permitted volume of FLs to above 10 m³. Existing establishments with FLs without future reconstruction will not be affected by this requirement.*

The Ministry of Interior approached and requested information from entities that would be subject to this obligation as to retrofitting the relevant fire safety equipment in existing and occupied structures by the set deadline within the meaning of the proposed transitional provisions. All entities that responded to our request already had the required fire safety equipment installed, which means that in their existing structures, the newly proposed requirement will not result in any additional financial costs.

3. *In § 19, the forthcoming Decree defines the obligation to install a fixed fire extinguishing system in establishments where FL volumes exceed 20 m³ and where the fire brigade’s response time is more than 5 minutes. This requirement has been proposed to increase safety in establishments where very large quantities of FLs are used and, at the same time, the fire brigade’s response time is too great to prevent the fire from spreading to the rest of the structure or surrounding structures. This requirement to equip establishments where FL volumes exceed 20 m³ and where the fire brigade’s response time is more than 5 minutes with a fixed fire extinguishing system will only apply to newly-designed and constructed operating*

facilities with FLs, or to existing establishments in which future reconstruction works within the premises will increase the currently permitted volume of FLs to above 20 m³ and where the fire brigade's response time is more than 5 minutes. Existing operating facilities with FLs without future reconstruction will not be affected by this requirement.

The Ministry of Interior approached and requested information from entities that would be subject to this obligation as to retrofitting the relevant fire safety equipment in existing and occupied structures by the set deadline within the meaning of the proposed transitional provisions. All entities that responded to our request already had the required fire safety equipment installed, which means that in their existing structures, the newly proposed requirement will not result in any additional financial costs.

- 4. In § 34(2), the forthcoming Decree defines the obligation to equip any above-ground tank with a capacity exceeding 500 m³ storing FLs with a flash point of up to 55°C with a fixed fire extinguishing system. According to currently applicable legislation, the requirement to equip an above-ground tank with a fixed fire extinguishing system applies to tanks storing Class I FLs with a volume exceeding 500 m³ and above-ground tanks storing Class II FLs with a volume exceeding 1 000 m³. This requirement has been proposed in order to increase safety. Under this requirement, it will be necessary to equip only newly designed and constructed above-ground tanks with a capacity exceeding 500 m³ storing FLs with a flash point of up to 55°C with a fixed fire extinguishing system, and operating facilities in which future reconstruction works on existing tanks will increase the currently permitted volume of FLs to above 500 m³ for FLs with a flash point of up to 55°C. Existing tanks without future reconstruction will not be affected by this requirement.*

The Ministry of Interior approached and requested information from entities that would be subject to this obligation as to retrofitting the relevant fire safety equipment in existing and occupied structures by the set deadline within the meaning of the proposed transitional provisions. All entities that responded to our request already had the required fire safety equipment installed, which means that in their existing structures, the newly proposed requirement will not result in any additional financial costs.