



# Properties located near forest areas: New deadlines for submission of reports related to their fire protection

## Legal Framework

Following the enactment of the new Fire Protection Regulation (Ministerial Decision, Government Gazette Issue B nr. 3475/24.05.2023) (the “**Regulation**”), the competent Directorate of Ministry of Environment and Energy issued recently an interpretative Circular regarding the application of the Regulation to properties located **in or near forest areas** (the “**Circular**”).

## Scope of the Circular

The Regulation applies to buildings located in forests, forest areas, suburban green areas, areas declared to be forested, reforested and grassland areas, as well as in areas within 300-meter distance from them. It also applies to buildings located within city parks, or groves.

## Owners’ Obligations

Owners of properties falling within the above scope are obliged to submit to an electronic platform certain documentation evidencing the fire risk of their properties. Since the electronic platform is not yet operating, the documentation

is at current submitted to the local Municipality. In case of separate horizontal or vertical properties, the respective submission obligation is related to the totality of the properties within a building or a plot, and the relevant documentation is submitted once for the whole property (*building with more horizontal properties or plot containing more vertical properties*).

## Documentation

- (a) **A risk assessment form** of the property drawn up by a specialist (e.g. engineer, topographer, forestry expert) which must be submitted until **10.05.2024**.
- (b) **A technical report** regarding the measures and actions to be taken, drawn up by the same or another specialist, compiling the risk assessment. This report must also be submitted until **10.05.2024**.

The recommended measures are divided into three (3) categories:

- i) Preventive fire protection measures;
- ii) Passive fire protection measures; and

iii) Active fire protection measures (suppressive measures).

Both documents under (a) and (b) above, are submitted once, being subject to resubmission only in cases of change of an element significant enough to result in a different conclusion or risk rating of the property.

- (c) **A declaration** related to the implementation of the recommended measures, to be submitted annually until the commencement of the firefighting period. Exceptionally for 2024, such declaration must be submitted until **10.06.2024**.

### Exceptions

In case the property is located in areas surrounded by forest and other similar forest areas, the risk assessment form (under -a- above) will be drawn up by the competent municipal authority and will be notified to each owner. Consequently, the owners must submit only the technical report under -b- above.

### Transitional Period

Application of recommended measures:

For the current firefighting period 2024, only the preventive measures are implemented. The implementation of measures of passive and active fire protection become obligatory depending on the fire risk rating of the property, as evidenced by the relevant risk assessment form, and more specifically for properties with “high” or “very high” fire risk rating the obligation for implementation starts from **31.03.2025**, while for “low” and “medium” risk properties the relevant obligation starts from **31.03.2026**.

### Penalties

The penalties and fines that may be imposed in case of non-submission or incomplete submission of one of the above reports/declarations range from Euro 100, and vary depending on factors such as the severity of the violation, the surface area of the property and its fire risk (low, medium, high or very high).

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