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Guidelines for preparing continuous operation plans

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The Regulation is established on the basis of subsection 39(5) of the [Emergency Act](#).

§ 1. Scope of application

This Regulation regulates the organisation of the preparation of plans for the continuous operation of vital services (hereinafter *plan*) provided by a provider of vital services.

§ 2. Definitions

For the purposes of this Regulation, the following terms shall have the following meaning:

- 1) vital service – a service, which is essential for the organisation of vitally important social procedures, healthcare, safety and security as well as the economic and social welfare of the public;
- 2) critical activities in providing vital services (hereinafter *critical activities*) – activities, an interruption in which seriously endangers the capability of an institution or enterprise to provide vital services and obstructs the achievement of the formulated objectives of the institution or enterprise in the provision of the services;
- 3) interruption – a negative deviation in the purposeful and planned provision of services, caused by either a predictable (e.g. strike) or an unexpected (power cut, storm) event;
- 4) requirements for the minimum continuous operation of critical activities – the maximum allowed duration of interruptions in the critical activities of vital services and the required recovery time, as well as other obligations in the provision of the services as stipulated in area-specific legal acts and in contracts;
- 5) maximum allowed duration of interruption – a period of an interruption in critical activities, after the end of which a legal person or an institution is no longer capable of providing vital services on the terms and conditions stipulated by law or legal acts established on the basis of law or in contracts;
- 6) required recovery time – the time determined by a service provider for continuing and restoring critical activities.

§ 3. Organisation of preparation of plan

(1) A provider of vital services shall prepare a plan for hedging the risks to vital services through preventative activities and with the aim of restoring the critical activities after an interruption.

(2) The plan shall be based on a risk assessment of the continuous operation of vital services prepared on the basis of the Emergency Act.

(3) A provider of vital services shall submit the plan to the institution organising the continuous operation of vital services or a sub-institution appointed by the institution organising vital services by 1 December every year.

(4) If no changes have been made to the plan during the year, the institution or legal person shall inform the organising institution of the absence of changes.

§ 4. Preparation of plan

(1) The plan shall contain a detailed description of the critical activities, on the prevention of interruptions, the mitigation of consequences and the restoration of the continuous operation of which the plan is aimed at.

(2) The plan shall be accessible to and logical and understandable for persons who are responsible for the implementation of the plan.

(3) The plan shall appoint persons who are responsible for reviewing and updating the plan.

(4) If the implementation of all the parts described in subsection (5) of this section is not expedient considering the specific character of the provision of the services, the relevant part may be omitted. The decision shall be justified.

(5) The plan shall consist of the following parts:

- 1) objective of the plan;
- 2) terms and conditions of introducing the plan;
- 3) data concerning the employees;
- 4) requirements for the minimum continuous operation of critical activities;
- 5) list and location of resources;
- 6) alternative location for providing the services;
- 7) detailed recovery scenarios;
- 8) ensuring the safety of employees;
- 9) organisation of notification of interruptions;
- 10) testing the plan.

§ 5. Objective of plan

The plan shall expressly define the desired objective and result.

§ 6. Terms and conditions of introducing plan

(1) The plan shall state the extent of an interruption in the event of which the measures described in the plan shall be implemented.

(2) The plan shall describe the procedure for the introduction of the plan.

(3) The plan shall contain a list of the persons responsible for the implementation of the plan, as well as their tasks and authorisations in the implementation of the plan.

§ 7. Data concerning employees

The plan shall state the names and the details of the means of communication of the employees important from the viewpoint of providing vital services. The data shall be updated regularly.

§ 8. Requirements for minimum continuous operation of critical activities

The plan shall state the following aspects determined in the course of the risk assessment of the continuous operation of vital services:

- 1) the maximum allowed duration of an interruption in critical activities;
- 2) the required recovery time in the event of an interruption in critical activities;
- 3) other obligations in providing vital services as stipulated by law or legal acts established on the basis of law or in contracts.

§ 9. List and location of resources

(1) The plan shall contain a list of resources for critical activities, which are systemically significant and require alternatives.

(2) The list of resources shall be prepared on the basis of the resources for critical activities determined in the course of a risk assessment of the continuous operation of vital services.

(3) The plan shall contain information concerning the location of the resources necessary for providing vital services, as well as the back-up location of the necessary contracts, operating systems, applications, data files and instruction manuals as well as programme, system and user documentation.

§ 10. Alternative location

(1) An alternative location necessary for providing the services shall be determined depending on the importance of the critical activities of vital services and the risk class of interruptions determined in the course of a risk assessment of the continuous operation of vital services.

(2) An alternative location shall be at a sufficient distance from the main location and equipped with updated data and the necessary equipment, systems and alternative work places in order to restore and manage the activities critical from the viewpoint of providing the services within a sufficient time period in a situation where the main location is damaged or access to it is restricted.

(3) The plan shall describe the procedures to be implemented upon transporting the resources necessary for providing vital services from the main location to the alternative location.

§ 11. Detailed recovery scenarios

Detailed recovery scenarios shall include measures for the elimination of interruptions, as well as the following aspects:

- 1) safety of the public;
- 2) possibilities of preventing interruptions;
- 3) strategic and operative possibilities of eliminating interruptions;
- 4) measures for avoiding further damages;
- 5) measures for the restoration of critical activities in an alternative location, if an alternative location is needed.

§ 12. Ensuring safety of employees

(1) The plan shall state the procedures aimed at ensuring the safety of all the employees of the provider of vital services.

(2) The plan shall contain a description of the organisation of evacuation, if an interruption may endanger the life or health of many employees.

§ 13. Organisation of notification of interruptions

(1) The organisation of notification shall determine how and when employees, suppliers, business partners and clients would be notified of an interruption in the critical activities of vital services.

(2) The plan shall determine the persons responsible for the functioning of information exchange.

(3) The plan shall state any possible problems related to notification, which may arise during major interruptions. It shall also describe solutions to the problems, which would ensure the timely and sufficient notification of the public in the event of major interruptions in the continuous operation of vital services.

§ 14. Exercises

(1) Regular exercises shall be organised in regards to the plan.

(2) The plan shall indicate which exercises have been held and which exercises are being planned, stating the following data concerning the exercises:

- 1) the time of the exercises;
- 2) the objective of the exercises;
- 3) the scope of the exercises;
- 4) the expected and achieved results.

§ 15. Implementing provisions of subsection 3(3) of the Regulation

(1) A provider of vital services shall not submit the plan to the institution organising the continuous operation of vital services or the sub-institution appointed by the institution organising vital services by 1 December 2010.

(2) A provider of vital services shall submit the plan to the institution organising the continuous operation of vital services or the sub-institution appointed by the institution organising vital services by 1 January 2011.

Marko POMERANTS
Minister

Märt KRAFT
Secretary General