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Guidelines for preparing continuous operation risk assessments

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The Regulation is established on the basis of subsection 38(5) of the [Emergency Act](#).

§ 1. Scope of application

This Regulation regulates the organisation of the preparation of risk assessments of the continuous operation of vital services (hereinafter *risk assessment*) 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 – 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) danger – an event or circumstance, which may cause an interruption;
- 5) risk – an assessment of circumstances, which may obstruct the capability of an institution or enterprise to provide vital services in a timely manner, at the prescribed quality or in the planned extent;
- 6) risk assessment guidelines – internationally recognised recommendations or a standard, on the basis of which an assessment of the risks to the provision of services by an enterprise or institution can be performed;
- 7) risk matrix – a matrix of the consequences and the probability of an interruption in the critical activities of vital services, on the basis of which the risk class is determined;
- 8) risk class – a verbal description of the importance of an interruption in vital services, which depends on the probability and the degree of severity of the interruption and on the basis of which risks are ranked;
- 9) 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;

10) required recovery time – the time determined by a service provider for continuing and restoring critical activities.

§ 3. Organisation of preparation of risk assessment

(1) A provider of vital services shall prepare a risk assessment of the continuous operation of the vital services provided by it as specified in subsections 34(2) to (9) of the Emergency Act.

(2) The institution or person who has prepared a risk assessment shall submit the risk assessment 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. If no changes have taken place in the risk assessment during the year, the institution or person shall inform the institution organising the continuous operation of vital services of the absence of changes.

§ 4. Preparation of risk assessment

(1) A risk assessment consists of the following parts:

- 1) a table of contents and a list of persons who prepared the risk assessment;
- 2) an analytical part;
- 3) the necessary tables and diagrams prepared for performing the assessment;
- 4) a risk matrix;
- 5) a summary of the risk assessment.

(2) The preparation of a risk assessment is divided into the following stages:

- 1) description of vital services;
- 2) identification of the critical activities in the provision of vital services;
- 3) determination of resources for critical activities;
- 4) assessment of the consequences of interruptions in critical activities;
- 5) description of the dangers causing interruptions in critical activities;
- 6) assessment of the probability of the occurrence of interruptions in critical activities;
- 7) preparation of a risk matrix.

(3) A provider of vital services may, with the approval of the organiser of vital services and depending on the specific character of the provision of the services, complete the stages of preparing a risk assessment, using internationally applied guidelines for preparing risk assessments instead of these guidelines.

§ 5. Description of vital services

(1) A provider of vital services shall formulate the objective of providing vital services and state the obligations in the provision of the services as stipulated by law and legal acts established on the basis of law and in contracts.

(2) Upon describing vital services, a provider of vital services shall assess how large a volume of the vital services provided by it is provided by other providers of vital services and how large a volume by partners who are not providers of vital services.

§ 6. Identification of critical activities in providing vital services

(1) A provider of vital services shall identify these critical activities, which are necessary for the continuous operation of vital services.

(2) A provider of vital services shall assess all the critical activities on the basis of the time taken until the interruption in vital services in accordance with Table 1 provided in Annex 1 to this Regulation and on the basis of the extent of the interruption in vital services in accordance with Table 2 provided in Annex 1 to this Regulation.

(3) A provider of vital services shall assess the critical activities in providing vital services in accordance with Table 3 of Annex 1 to this Regulation.

(4) For every critical activity, the maximum allowed duration of possible interruptions shall be determined.

(5) For the interruption of every critical activity, the required recovery time shall be determined, during which the interruption has to be eliminated.

§ 7. Determination of resources for critical activities

(1) A provider of vital services shall determine the resources necessary for the functioning of critical activities.

(2) The following are the resources necessary for the functioning of critical activities:

- 1) personnel;
- 2) territory and the buildings located therein;
- 3) information technological systems (to be determined on the basis of Annex 5 to the Regulation);
- 4) information necessary for providing vital services;
- 5) financial means necessary for providing vital services;
- 6) suppliers and partners on whom the provision of vital services depends;
- 7) other resources important from the viewpoint of providing the services.

(3) A provider of vital services shall determine the resources in accordance with the questions provided in Annex 2 to the Regulation.

§ 8. Assessment of consequences of interruptions in critical activities

(1) A provider of vital services shall assess the consequences of interruptions in critical activities in accordance with the degrees of severity provided in Annex 3 to the Regulation.

(2) The consequences of interruptions shall be analysed on the basis of whether the damages arising from the interruption are caused to:

- 1) the life or health of people;
- 2) the natural environment;
- 3) the reputation of the provider of vital services;
- 4) the financial standing of the provider of vital services;
- 5) the quality of the provision of vital services, as it is not possible to fulfil the requirements

deriving from law and contracts;
6) other areas.

(3) A provider of vital services shall assess, in which area the consequences of a partial or full interruption would be the severest.

(4) As a result of the determination of the consequences of interruptions, an aggregate rating shall be given to the consequences on the basis of the severest consequence.

(5) The description of the degree of severity of interruptions shall be quantitatively determinable, if possible.

(6) A risk assessment shall contain a justification of the degree of severity assigned to the consequences.

(7) A table of assessment of the consequences of interruptions shall be completed in regards to critical activities in accordance with Annex 4 to this Regulation.

§ 9. Description of dangers causing interruptions in critical activities

(1) A provider of vital services shall explain and describe the dangers causing interruptions in critical activities on the basis of statistics, research and expert evaluations.

(2) The dangers shall be identified on the basis of the list of dangers provided in Annex 8 to the Regulation and the list of emergencies established on the basis of the Emergency Act as well as other dangers deriving from the specific character of the provision of the services.

(3) A provider of vital services may omit the description of dangers, the statement of which in the risk assessment is not expedient due to their low probability.

§ 10. Assessment of probability of occurrence of interruptions

(1) Prior to giving an assessment of the probability of the occurrence of interruptions, a provider of vital services shall list the already existing measures for the prevention of interruptions.

(2) The probability of the occurrence of interruptions shall be assessed in accordance with Annex 6.

§ 11. Preparation of risk matrix

(1) On the basis of the assessment of the consequences and the probability of the occurrence of interruptions, the interruptions shall be assigned a risk class in accordance with Annex 7 to this Regulation.

(2) A provider of vital services shall state the measures preventing interruptions and mitigating the consequences thereof together with the approximate costs thereof, as well as the parties responsible for the implementation of the measures.

§ 12. Follow-up evaluation of risk assessments

(1) A provider of vital services shall systematically monitor the critical activities of vital services, the resources used, the dangers causing interruptions and the operating environment, and update the risk assessment accordingly upon discovering any significant changes.

(2) A provider of vital services shall immediately submit the updated risk assessment to the institution organising vital services.

§ 13. Implementing provisions of subsection 3(2) of the Regulation

(1) An institution or a person specified in subsection 3(2) of this Regulation shall not submit a risk assessment to the institution organising the continuous operation of vital services or the sub-institutions appointed by the institution organising vital services by 1 December 2010.

(2) An institution or a person specified in subsection 3(2) of this Regulation shall submit a risk assessment to the institution organising the continuous operation of vital services or the sub-institutions appointed by the institution organising vital services by 1 January 2011.

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