

232**DECREE**

of 4 July 2023,

**amending Decree No 23/2008 on technical requirements for fire protection of buildings,
as amended by Decree No 268/2011.**

Pursuant to § 24(3) of Act No 133/1985 on fire protection, as amended by Act No 186/2006, the Ministry of the Interior lays down the following:

Article I

Decree No 23/2008 on technical requirements for fire protection of buildings, as amended by Decree No 268/2011, is amended as follows:

1. § 1(2) reads as follows:

‘(2) This Decree was notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

2. § 18(2) is repealed.

Paragraphs 3–6 are renumbered to 2–5.

3. § 23, including the title and footnotes 9 and 10, reads as follows:

‘§ 23**A building or part thereof intended for the activities of
a school, school facility or for providing pre-school
care**

(1) When designing a building or part thereof intended for the activities of a school, a school facility or for providing regular, long-term and repetitive care for children before the commencement of their compulsory schooling⁹⁾, the Czech technical standard referred to in Part 1, point 1 of Annex 1 to this Decree shall be followed, unless otherwise stipulated below.

(2) Each nursery school classroom must constitute a separate fire compartment.

(3) A nursery school classroom must not be located on higher than a second above-ground floor or on an underground floor unless an escape exit leads directly to the open air.

(4) In the building of a nursery school, elementary

school, primary or secondary school intended for pupils or children with disabilities and in a building containing premises that are intended to the provision of childcare services in a children’s group, no swinging or revolving doors may be used on an escape route.

(5) The building of a school facility intended for accommodations¹⁰⁾ or premises intended for accommodations in the building of a school facility must meet the conditions set out in § 17 and 17a.

⁹⁾ For example, Act No 561/2004 on nursery, primary, secondary, higher vocational and other education (the Education Act), as amended, Act No 247/2014 on the provision of childcare services in a children’s group and amending related acts, as amended, Act No 455/1991 on trades, as amended.

¹⁰⁾ Act No 561/2004 on preschool, primary, secondary, higher vocational and other education (the Education Act), as amended.’.

4. A new § 23a is inserted after § 23, which, including the heading, reads as follows:

‘§ 23a**Fire protection requirements for the use in premises in
which the childcare service is provided in a children’s
group**

(1) Premises in which a childcare service is provided in a children’s group, with the exception of sanitary facilities, and a connected unprotected escape route must be equipped with an autonomous detection and signalling device or equally effective equipment.

(2) Premises in which a childcare service is provided in a children’s group must be equipped with at least one portable fire extinguisher with fire-extinguishing capability of at least 21A.

(3) Premises in which a childcare service is provided in a children’s group must constitute a separate fire compartment or be separated from other premises of the building by a fire partition with a fire resistance of at least 30 minutes. In the premises referred to in the first sentence, only one childcare service in a children’s group may be provided.

(4) One or more childcare services in a children's group may be provided in a fire compartment, provided that their total capacity does not exceed 12 children. capacity of not more than 6 children are provided in the building.‘.

(5) Premises in which a childcare service is provided in a children's group must not be located on higher than a second above-ground floor or on an underground floor unless an escape exit leads directly to the open air.

(6) At least two escape routes must lead from premises where childcare is provided in a children's group with a capacity greater than 12 children.

(7) An unprotected escape route from premises where a childcare service is provided in a children's group must comply with the limit length, which is

- a) 25 m in the case of premises with one escape route;
- b) 40 m in the case of premises with multiple escape routes.

(8) In premises where a childcare service is provided in a children's group,

- a) construction products of fire reaction class of at least B-s1-d0 must be used for surface finishing of the ceiling and suspended ceiling;
- b) construction products of fire reaction class of at least D-s1-d0 must be used for surface finishing of walls; and
- c) floor coverings must meet a fire reaction class of at least of C_{FL}-s1.

(9) Paragraphs 3 to 8 shall not apply where one or more childcare services in a children's group with a total

Article II

Transitional provisions

In the case of a building or part thereof intended for the activities of a school, a school facility or for providing pre-school care, initiated before the effective date of this Decree, compliance with technical requirements for fire protection of buildings shall be assessed in accordance with Decree No 23/2008, as amended before the effective date of this Decree. This is without prejudice to building use requirements pursuant to § 23a of Decree No 23/2008, as amended as of the effective date of this Decree.

Article III

This Decree was notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

Article IV

Effective date

This Decree shall take effect on 1 August 2023, except for the provisions of Article I, point 4, which shall take effect on 1 January 2025.

Minister:

Mgr. Bc. **Rakušan** m. p.