



PERFORMANCE AUDIT REPORT





„Approved”

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Audit Department
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**Ensuring Fire Safety in Public
Facilities**

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TERMS AND ABBREVIATIONS USED

Public facilities – for the purposes of this audit, this term includes all types of buildings, except residential buildings, including: educational, childcare, sports, medical, entertainment centers, hypermarkets, clubs and leisure centers, hotels, buildings owned by public/municipal authorities, manufacturing, industrial, warehousing, trade and other facilities.

LEPL – Legal Entity under Public Law.

SSA – State subordinate agency.

Service – SSA – Emergency Management Service. During the audit, the Service was a special purpose state agency under the direct control of the Prime Minister. Since January 1, 2019, the Service has been a state subordinate agency of the Ministry of Internal Affairs of Georgia.

Agency – LEPL – Emergency Management Service.

Fire – uncontrolled combustion process that causes material damage, endangers human life and health.

Arson – does not contain any signs of crime, the fire did not cause material damage, as a result of the fire, there was no harm to human life and health, no damage to third party property.

Facility – a facility subordinated to state fire supervision.

Inspection – fire-safety inspection of the facility, carried out with regard to compliance (fulfillment) with the fire safety requirements control and elimination of identified violations. There are detailed, control and targeted inspections.

Detailed inspection – fire-safety inspection to check compliance with mandatory fire safety requirements with the aim of control. After a detailed examination, an **order** will be issued. This inspection shall be carried out for objects of particular importance at least once in every three years.

Control inspection – fire-safety inspection to control the execution of the order issued to eliminate violations revealed as a result of the detailed inspection. This inspection for objects of particular importance shall be carried out not later than one year after the detailed inspection.

Targeted inspection – fire-safety inspection carried out as needed.

Order – mandatory document for the facility to comply with, compiled by the Service Inspector, which contains measures to eliminate violations of fire safety requirements.

Recommendation – a measure included by the inspector in the order, which is mandatory for the facility to perform.



Fire supervision regulation – regulation approved by resolution №371 of the government of Georgia on state fire and civil security supervision in Georgia.

Technical regulations – technical regulations approved by resolution №370 of the Government of Georgia on fire safety rules and conditions.

Technical regulations for building safety – technical regulations approved by resolution №41 of the Government of Georgia- “Building Safety Rules”.

SNiPs – construction norms and rules.

NFPA standards – set of international standards developed by the National Fire Protection Association (NFPA) to prevent fires and reduce their impact.



SUMMARY OVERVIEW

Proper functioning of the civil security system, an important area of which is the prevention of fires, is one of the top priorities of the state.

The State Audit Office has examined the extent to which fire-safety inspections conducted by the Emergency Management Service (hereinafter referred to as the Service) ensure compliance with the fire-safety requirements in facilities subject to supervision (hereinafter - the facility).

The audit period comprised 2016-2017 and the first half of 2018.

In 2018, reform of the civil security system was implemented, which resulted in the following changes:

- › The amount of fines for violations of fire safety requirements increased from GEL 50-1,000 to GEL 300-10,000;
- › The list of facilities subordinated to fire supervision increased from 9,103 facilities to at least 15,000 facilities;
- › The service was reorganized and the number of inspectors decreased from 201 to 32.

The audit revealed that the list of facilities under the Service was incomplete. In particular, 41 out of 231 facilities (18%) subject to supervision identified by the audit team on the reference web-site were not registered by the Service. Consequently, these facilities have not been inspected even though they have permanently been in operation in recent years.

As a result of reform of 2018, in response to the increase in the list of supervised facilities and the reduction of the number of inspectors, the Service has not developed criteria for selecting facilities, appropriate methodology and a new system of inspectors' distribution to facilities. In addition, statistics on fires and inspections cannot identify risk-bearing objects.

The study revealed that in the first half of 2018, there was an inhomogeneous approach to making recommendations in the districts of Tbilisi. In some cases, specific recommendations were not issued in some areas.

To ensure the proper quality of recommendations, systematic quality control mechanisms and measures to improve the qualifications of inspectors are not in place. Besides, the Service has not developed a unified consolidated standard for fire safety requirements that will incorporate all important fire safety requirements.

The audit revealed that in most of the facilities subject to fire supervision fire safety requirements were not met, and the rate of compliance with recommendations issued by the Service was low. Specifically, according to detailed inspections conducted in the first half of 2018, only in 1 of 226 facilities inspected fire safety requirements were not violated and no recommendations were issued, and according to the verification inspection conducted within the same period, 100% of recommendations issued in previous years were fulfilled only in 14% of facilities (in 59 facilities out of 408 facilities where violations were identified).¹

¹ The analysis is based on orders received for three selected districts of Tbilisi.



In 2017 and the first half of 2018, the authority to apply to the court with the request to fine facilities and fully or partly suspend exploitation of buildings, production sites, storage facilities or work was not properly exercised. In particular, 50% of facilities with violations inspected in the first half of 2018 were not fined, and activities of only one facility were suspended by the court decision. There are no internal control mechanisms in place to ensure effective enforcement by inspectors of response mechanisms defined by the legislation.

It is also worth mentioning that 21% of the facilities fined in the first half of 2018 did not pay fines. This is related to the fact that the Service has no mechanism in place to control payment of fines.

In response to the current challenges, the State Audit Office has developed recommendations to improve the inspection process carried out by the Service to ensure fire safety.

RECOMMENDATIONS TO THE STATE SUBORDINATE AGENCY-EMERGENCY MANAGEMENT SERVICE:

- › In order to fully register facilities subordinated to state fire supervision, the Service, in collaboration with other state agencies (such as the Revenue Service), will systematically ensure updating of the list of facilities;
- › In order to optimally carry out fire-safety inspections, the Service shall ensure that the inspections are properly planned, for which purpose it is necessary to develop the criteria, methodology for selecting the facilities to be inspected and the system of designating inspectors to the facilities;
- › In order to eliminate all significant violations of fire safety requirements, as a result of fire-safety inspection of the facility, the Service is required to:
 - Methodologically conduct the fire-safety inspection process, including developing a uniform standard and a form to be completed by inspectors during the inspection;
 - Develop inspectors qualification policy and training module;
 - Introduce an appropriate quality control mechanism for inspectors' performance, which ensures the completeness and quality of the recommendations issued;
- › For the effective functioning of the sanctioning system of facilities subject to supervision, the Service will develop a proper control mechanism, through which, in accordance with the legislation, all facilities that violate fire safety requirements will be fined and fines will be recovered.



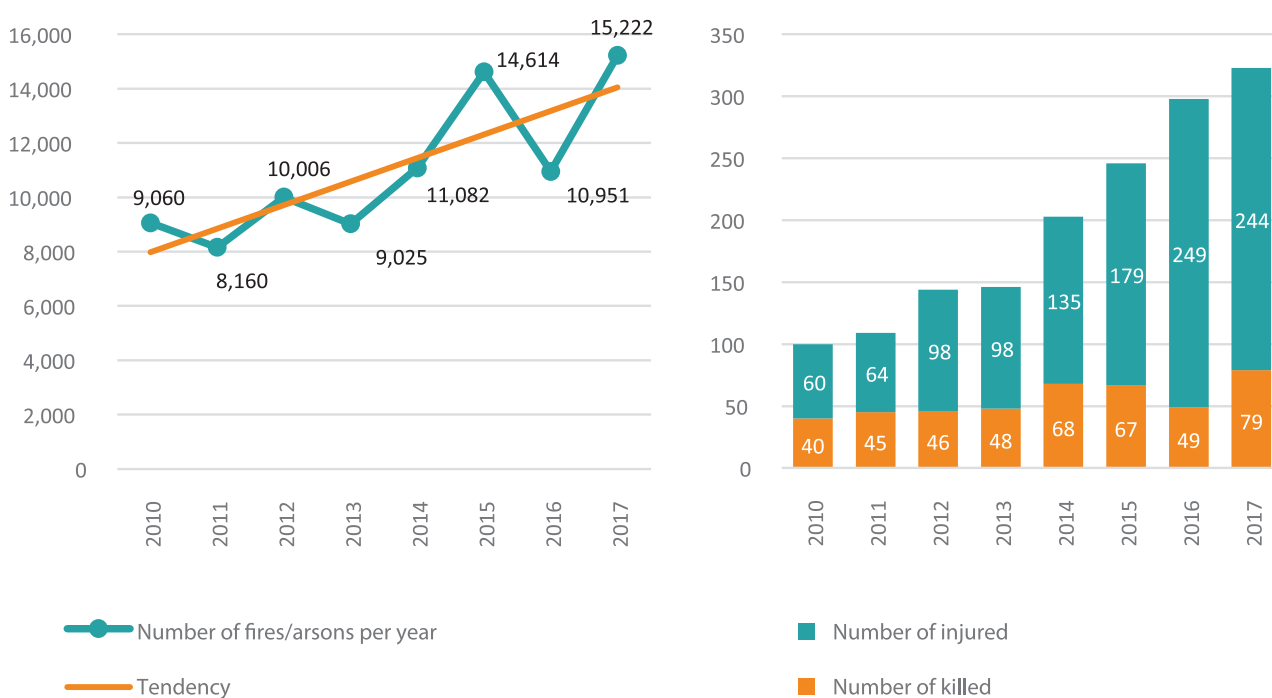
1. INTRODUCTION

1.1 AUDIT MOTIVATION

Ensuring the constitutional right to protect life, health and property of the population is one of the foremost tasks of the state, which requires proper functioning of the civil security system, including the existence of an adequate fire safety and fire prevention mechanism.

In recent years, there has been a growing tendency in the country in the number of fires and those injured as a result of them. The chart below provides information on the number of fires/arsons in 2010-2017 and the number of those killed and injured by fires.

Chart 1. Number of fires/arsons that occurred in Georgia in 2010-2017 and the number of those killed and injured by fires²



According to statistics, more³ than 85% of material damage comes from fires in buildings. Therefore, the existence of an effective fire safety system in buildings is crucial for fire prevention and early liquidation.

The chart below summarizes the number of buildings destroyed and damaged in Georgia in 2016-2017 and the amount of damage caused by fires in buildings.

² National Statistics Office of Georgia, fires registered in Georgia, 2001-2017.

³ The data is calculated from the consolidated database of fires/arsons of 2016-2017 submitted by the Service in an electronic form. The amount of damage in the database is represented for only 32% of fires.

Chart 2. Buildings destroyed/damaged by fire in Georgia and the amount of damage in 2016-2017⁴



It is noteworthy that in 2004-2014, there was no state fire supervision in public facilities in Georgia. An important fire safety mechanism - state fire supervision - has been in place since 2015 but increasing number of fires indicates to the lack of effectiveness of state-implemented mechanisms and to the large number of buildings where fire safety requirements are still violated.

It should also be noted that control over fire safety rules does not apply to certain types of facilities, including **multiple family dwellings**, the safety of which depends on measures to improve fire prevention and fire response capabilities in the population.

1.2 THE PURPOSE OF THE AUDIT AND KEY QUESTIONS

The purpose of the performance audit is to evaluate the effectiveness of the measures taken by the SSA-Emergency Management Service (hereinafter - the Service), identify deficiencies in the process and issue appropriate recommendations.

Based on audit purposes, the following was considered to be the main question:

⁴ The data is calculated from the consolidated database of fires/arsons of 2016-2017 submitted by the Service in an electronic form. The number of fires/arsons in buildings includes the number of fires and arsons that have not damaged or destroyed any buildings. The amount of damage is calculated for all fires in buildings for which the data was filled in the electronic database provided by the Service.

To what extent does the fire-safety inspection carried out by the Service ensure compliance with fire safety requirements at the facilities?

The sub-questions of the audit are:

- › How organized is the process of planning fire-safety inspections?
- › To what extent do recommendations issued by inspectors ensure elimination of the causes of fires and improvement of skills of population to respond to fires?
- › To what extent are the recommendations issued by the Service to address violations of fire safety requirements fulfilled?

1.3 EVALUATION CRITERIA

The following legal acts are used as evaluation criteria during the audit:

- › Law of Georgia on Civil Security, 2014;
- › Law of Georgia on Civil Security, 2018;
- › Code of Administrative Offenses of Georgia, 1984;
- › Resolution №370 of the Government of Georgia of July 23, 2015 on the Approval of Technical Regulations on Fire Safety Rules and Conditions;
- › Resolution # 371 of the Government of Georgia of July 23, 2015 on the Approval of the Regulation on Implementation of State Fire and Civil Security Supervision in Georgia.

1.4 SCOPE OF AUDIT

The auditee is the SSA-Emergency Management Service. During the audit, the Service was a special purpose state agency under the direct control of the Prime Minister. Changes have been made by the audit approval period, and as of January 1, 2019, the Service is the state subordinate agency of the Ministry of Internal Affairs of Georgia.

The audit period comprised 2016-2017 and the first half of 2018. When drafting findings and recommendations of the report, the processes in the Service up to the end of 2018 were considered.

Since the Service conducts most of the inspections in Tbilisi, three districts of Tbilisi were selected for analysis at random: Isani-Samgori, Mtatsminda-Krtsanisi and Vake-Saburtalo. In addition, specific information was also requested from the regions based on the analysis of fires in 2016-2018.

The audit report examines the effectiveness of the activities of the Service in facilities subject to supervision as provided for by the Law of Georgia on Civil Security (see Chapter 2 for information on facilities). Accordingly, the audit report does not assess whether it is expedient to extend the list of legal entities, defined by the law.



1.5 AUDIT METHODOLOGY

In order to answer the audit questions, the audit team used different types of analysis:

- › Analysis of the legal basis and regulatory norms;
- › Analysis of documentary information;
- › Analysis of statistical information;
- › Interviews with relevant officials of the Service.

The audit procedures performed by the audit team are detailed in Appendix №1.

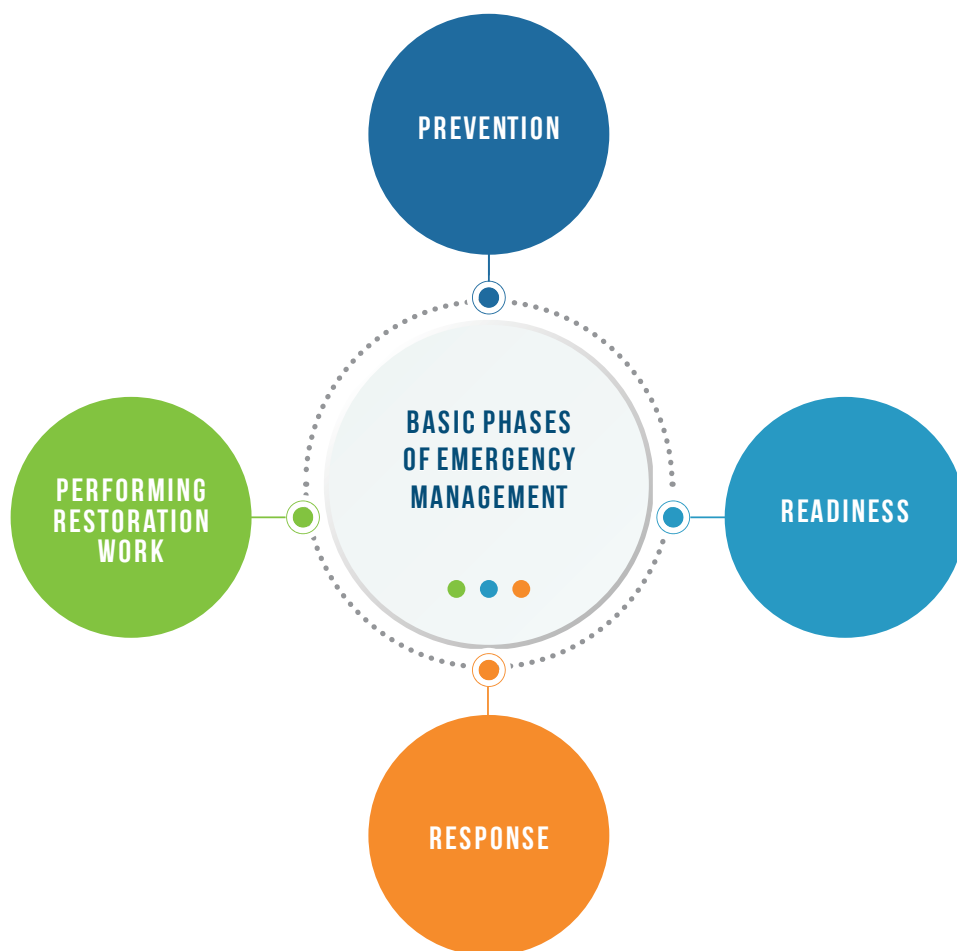


2. GENERAL INFORMATION

BASIC PHASES OF EMERGENCY MANAGEMENT

Fire is one of the types of emergency that causes material damage, endangers human life and health, harms public and state interests. Fire, as well as all types of emergency management processes, has the following key phases:⁵

Chart 1. Basic phases of emergency management



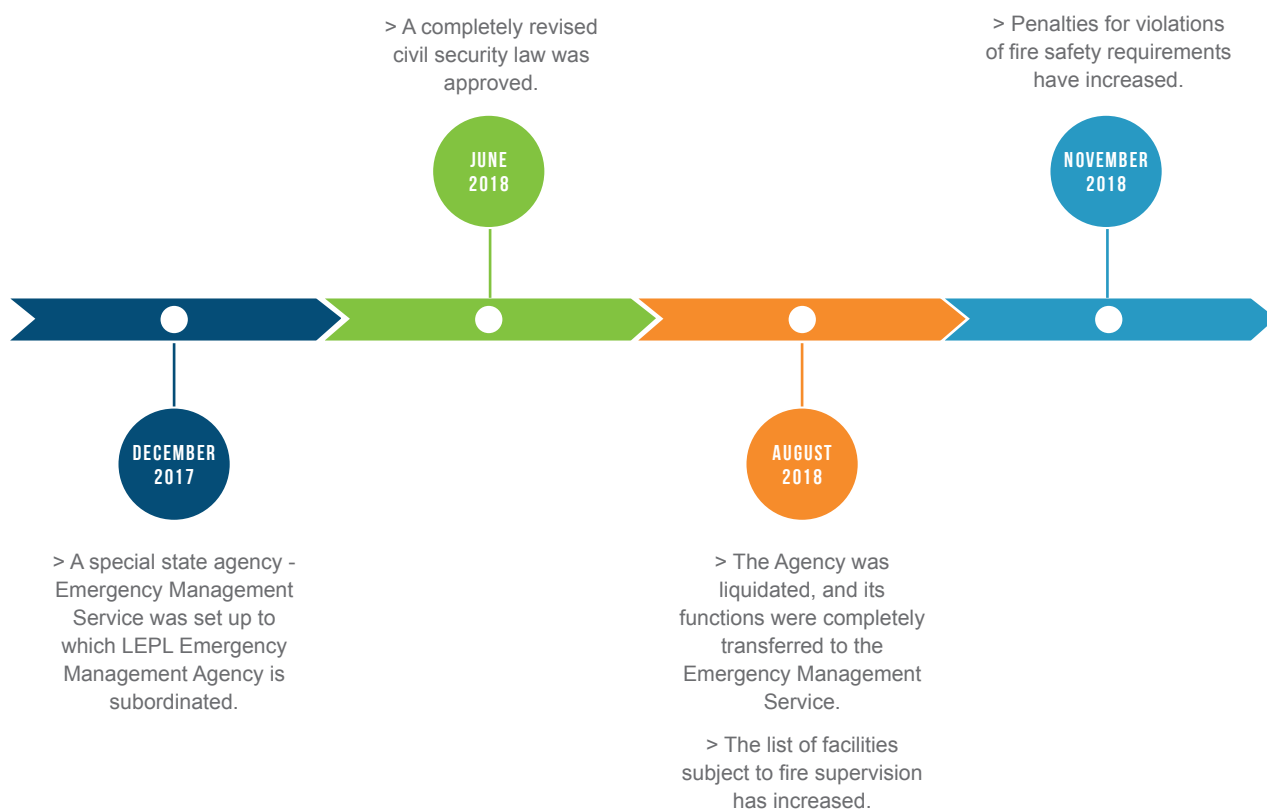
The existence of a well-functioning fire prevention system has a particular role in reducing the effects of the fire and its negative impacts, which in turn ensures that the state uses less resources for response measures and restoration activities.

⁵ Law of Georgia on Civil Security, 2018.

CIVIL SECURITY SYSTEM REFORM

2018 is a year of reforms of the civil security system. The changes made under the reform are summarized in the chart below.

Chart 2. Changes made within the framework of civil security reform



THE MAIN STATE MECHANISMS FOR FIRE PREVENTION

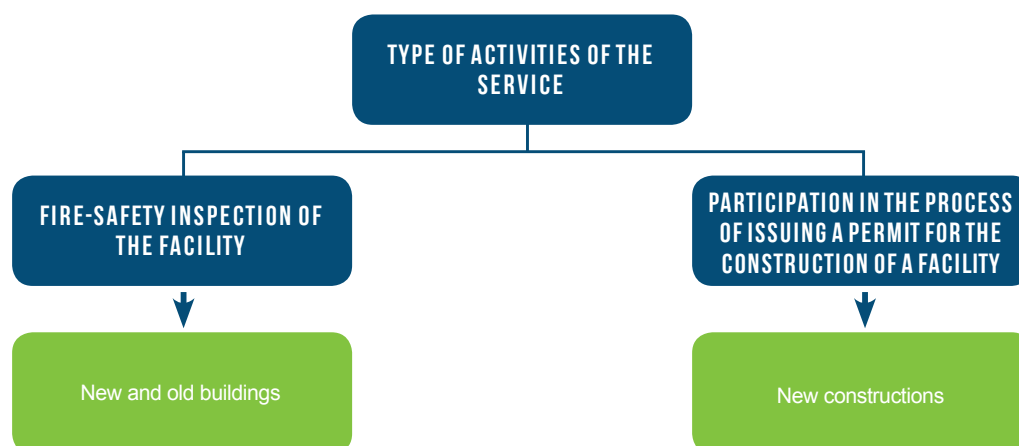
The main fire prevention mechanism is State Fire Supervision, within which the compliance with fire safety requirements is inspected in facilities subordinated to state fire supervision (hereinafter referred to as the facility).

According to the Fire Supervision Regulations,⁶ the main areas of supervision are: fire-safety inspections carried out by the service inspectors at the facilities and participation in the process of issuing construction permits.

Both these mechanisms should ensure compliance with the fire safety requirements for both old and new constructions (see sections 2.1 and 2.2 for details).

⁶ The rules and conditions for conducting state fire supervision for the Service shall be governed by the Regulation on the Performance of State Fire and Civil Security Supervision in Georgia, as approved by Resolution No. 371 of the Government of Georgia.

Chart 3. Mechanisms of the Service to ensure fire safety



Technical regulations⁷ determine general fire safety requirements in Georgia, and study of compliance of new constructions with fire safety requirements is carried out according to technical regulations “Buildings safety rules” (hereinafter referred to as the safety technical regulations) approved by resolution №41 of the Government of Georgia. The aforementioned resolution came into force in 2017.

In addition to the above regulations, the Service in the process of fire supervision applies construction norms and rules adopted in Georgia for operations (hereinafter referred to as SNiPs), and since 2017 Tbilisi City Hall has been requesting an expert assessment of fire safety during the agreement of the construction project.

FACILITIES SUBJECT TO SUPERVISION

From August 1, 2018, the list of facilities subject to supervision will be limited to the following categories of facilities:

- › Buildings owned by state authorities and municipal authorities;
- › Educational, childcare, sports, medical and entertainment buildings;
- › Objects included in the list of cultural heritage sites;
- › Public facilities with the height of 28 meters or 2 and more than 2 underground floors;
- › Multifunctional buildings and complexes, shopping malls and complexes, hypermarkets, club and leisure centers, buildings of hotels (including family hotels), tourist bases, sanatoriums, holiday homes, camping sites and public catering facilities;
- › Buildings/territory of retail and wholesale trade with a total area of 2,000 square meters and more;
- › Petroleum bases and terminals with the total capacity of 500 cubic meters or more, facilities of petrol stations and complexes thermal power stations and HPPs;

⁷ “Technical Regulations on Fire Safety Rules and Conditions” approved by Resolution No. 370 of the Government of Georgia.

- › Warehouses and storage facilities for inflammable substances, materials, products and raw materials with a total area of 1,000 sq.m. and more;
- › Grain storage and/or processing plants (mills), explosive inflammable facilities, as well as inflammable facilities having an explosive inflammable storage facility and/or site;
- › Fire hydrants.

From the listed facilities, since August 2018, all types of hotels (including family), club and leisure centers, hydrants, public catering facilities, commercial facilities, buildings of thermal power plants and hydro power plants have been added to the list of facilities subject to supervision at the stage of reform. As a result of this change, the list of facilities will only increase⁸ by about 6,000 at the expense of hotels and restaurants and will include at least 15,000 facilities⁹.

Residential buildings are not subject to fire supervision in Georgia, however, according to the statistics of fires/arsons in 2016-2018¹⁰, 70% of fires and arsons in facilities occur in residential buildings.

The table below shows the distribution of fires/arsons in 2016-2018 by facilities.

Table 1. Distribution of fires/arsons in buildings by facilities in 2016-2018

Facilities	Number of fires/arsons	%	Fire supervision
Residential buildings	8,128	70%	Not subject to
Agricultural buildings	732	6%	Part is subject to
Industrial buildings	480	4%	Part is subject to
Buildings, facilities and storage facilities of trade enterprises	409	4%	Part is subject to
Industrial buildings, equipment	398	3%	Part is subject to
Public service buildings, facilities	379	3%	Part is subject to
Other types of buildings	1,073	10%	-

In some European countries, according to the practice,¹¹ there are fire inspections in residential buildings (Finland, Greece, Italy, Portugal, Slovenia). In addition, in some countries where fire inspections are not carried out, other preventive measures¹² may be adopted to ensure fire safety as required.

8 National Statistics Office of Georgia, Business Register by types of activities as of June 1, 2018: http://geostat.ge/?action=page&p_id=469&lang=geo

9 The number of facilities inspected in 2017 (only the sum of detailed and fire-safety control inspections) was taken as the number of facilities existing prior to the reform, as the territorial units of the Service did not fully list the facilities subject to supervision in the Action Plan.

10 Information on fires/arsons of 2018 is provided as of October 21, 2018.

11 Swedish Rescue Service Agency - Prevention of fires and other incidents, report and recommendations, 2003.

12 For example, all homeowners in Belgium are required to have a valid electrical inspection certificate. In Finland, Denmark and Belgium, homeowners are obliged to ensure cleaning chimneys on a regular basis by a specialized company. In most European countries – smoke detectors are installed in flats upon request, which ensures timely detection of fires (Denmark, Finland, Norway, Sweden).

As noted in the audit scope subsection, the audit report only deals with the process of fire-safety inspection of the facilities subject to supervision.

RESOURCES ALLOCATED FOR FIRE SUPERVISION

In 2017, there were 201 inspectors employed in the state fire supervision area. The inspectors were distributed in the regions of Georgia and the districts of Tbilisi. Tbilisi district inspectors were subordinated to Tbilisi Emergency Management Main Division.

In 2018, as part of the ongoing reform, the number of inspectors has decreased six times (up to 32 inspectors), although the number of facilities to be inspected has increased by approximately 1.6 times (to at least 15,000 units). After the change, the inspectors are based only in Tbilisi.

Assuming that it will take one day for two¹³ inspectors to inspect a facility of average size and complexity and they will devote working days to only fire-safety inspection¹⁴, 32 inspectors will inspect approximately 4,000 units per year (less than a third of the facilities subject to supervision).

The mid-term and long-term strategies are negatively affected by the frequent change of senior management of the Service, which has taken place 5 times in 2017-2018. Structural changes were also important - the separation of the Agency from the Ministry of Internal Affairs, the creation of a separate Service under the immediate control of the Prime Minister and the subsequent liquidation of the Agency. Changes have been made during the audit approval period and from January 1, 2019, the Service continues to operate under the Ministry of Internal Affairs of Georgia.

In 2017 only 4% of the total budget, i.e. GEL2.7 million, was spent on fire supervision.

2.1 FIRE-SAFETY INSPECTION

In order to control the fire safety requirements in the facilities and eliminate the identified violations, the Service carries out: detailed, control and targeted fire-safety inspections.¹⁵

In 2017, 11,676 inspections were conducted by 201 inspectors employed by the State Fire Supervision Service throughout Georgia (see Chart No. 3), which according to the Service, almost completely covered facilities subject to fire supervision, as of 2017.

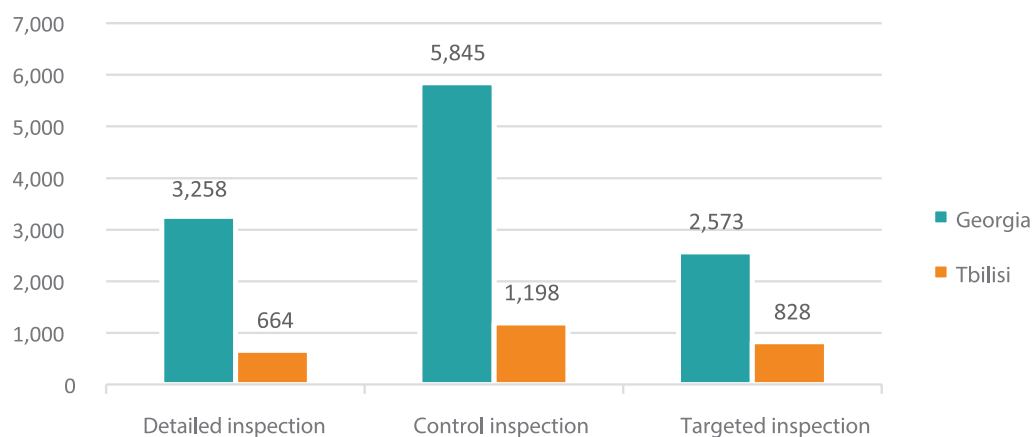
13 According to the Service, not less than two inspectors will carry out inspection from 2019.

14 Prior to reorganization of 2018 the obligation of the inspector was to compile the fire/arson acts and registration cards.

15 Resolution No. 371 of the Government of Georgia of July 23, 2015 "On the Approval of the Regulation on State Fire and Civil Security Supervision in Georgia".



Chart 3. Number of inspections carried out in 2017 by type of inspection



The process of the response of the Service based on the planning, conducting and results of the inspection, is summarized in the below chart.

Chart 4. The process of conducting the fire-safety inspection



In case of failure to comply with the recommendations, the Service has two further response mechanisms: **fining** the facility or **suspending** the facility or separate works in whole or in part based on the court order.

In 2017 and the first half of 2018, the Service recorded 265 penalties in three selected districts, with only 1 case of suspended activities registered across Georgia.

Since November 2018 the amount of fines has increased from GEL 50-1,000 to GEL 300-10,000. The amount of fines depends on the category of violation. For example, violations of the requirements for evacuation roads and fire alarms result in fines from GEL 1,000 up to GEL 5,000, and in case of violation of requirements established for water supply and initial works of fire-fighting operations in the amount of GEL 1,000.

2.2 PARTICIPATE IN THE PROCESS OF ISSUING A CONSTRUCTION PERMIT

During the construction of the facility, fire safety requirements must be considered during the design and construction stages. The issuance of permits for all three¹⁶ stages of facilities, as well as state supervision of construction and commissioning of the building, shall be carried out by the executive body of the local self-government unit.

Following the entry into force of the Technical Regulations for the Safety of Buildings in 2017, the expert opinion should be submitted for the design documentation, which assesses compliance¹⁷ of the design documentation with the Technical Regulations.

Since 2018, not only the expert, but the Service are obliged to evaluate fire safety requirements of facilities subject to supervision, which draws up the conclusion on the said design documentation.

According to the Service, using Technical Regulations of safety of buildings is associated with difficulties as they should be brought in line with the reality of Georgia (currently it is based on American standards). In addition, the document makes references to more than 40 NFPA standards¹⁸ without reference to a specific article, further complicating understanding of fire safety requirements in relation to a particular issue.

Unavailability of Georgian versions of these standards also creates difficulties, due to which fact, the Service, along with Technical Regulations, is also guided by SNiPs allowed in Georgia, with external experts who evaluate construction projects only through technical safety regulations for buildings.

¹⁶ Except for V class buildings (buildings with increased risk factor), whose construction permit is issued, and state supervision of construction is implemented by the LEPL - Technical and Construction Supervision Agency of the Ministry of Economy and Sustainable Development of Georgia.

¹⁷ Resolution # 57 of the Government of Georgia of March 24, 2009 "On the Procedure for Granting Construction Permits and Permit Conditions".

¹⁸ NFPA standards – www.nfpa.org



AUDIT FINDINGS

3. THE PROCESS OF PLANNING FIRE-SAFETY INSPECTIONS

The process of scheduling inspections by the Service is carried out in accordance with the stages outlined in the chart:

Chart 5. Inspection planning process



3.1 COMPLETENESS OF THE LIST OF FACILITIES SUBJECT TO FIRE SUPERVISION

The list of facilities subject to supervision is set out in the Law ‘On Civil Security’ (see Chapter 2 for information about facilities). The Service establishes an annual action plan for the facilities to be inspected, which is a renewable document.

The study revealed that the list of facilities at the Service was incomplete. In particular, the audit team has found at the reference webpage¹⁹ 231 facilities continuously functioning in the past years, which by their function were subject to supervision. Of these, 41 (18%) facilities were not registered with the Service. Accordingly, no inspection was carried out at these facilities.

The reason for this was that the Service did not have a reliable source of information about the facilities (for example, the Revenue Service) and the inspectors found the facilities on their own. During the audit, inspectors registered objects in the designated areas by means of physical identification, and information on relinquished facilities was obtained when warning the facility of commencement of the inspection or arriving directly at the site.

It is expected that following the reorganization and legislative changes in the Service in 2018, the door-to-door registration principle will become even less effective as the list of facilities has increased and the number of inspectors decreased. In addition, inspectors are located only in Tbilisi.

In November 2018, the Service applied in written to the Revenue Service for information on restaurants and hotel type establishments, but to no avail.

According to the Tax Code, information received by the tax authority about a taxpayer is a tax secret. The tax authority has the right to disclose such information only to the Agencies²⁰ specified in the Tax Code, and the mentioned list did not include the Service.

¹⁹ The list of educational, sport, medical facilities and recreational centers was found at www.yell.ge.

²⁰ Tax Code of Georgia, Article 39.



BETTER PRACTICE OF FORMING DATABASES FOR INSPECTION IN GEORGIA

LEPL National Food Agency searches business operator databases through LEPL National Agency of Public Registry. In particular, the Agency periodically receives information from the Register of Economic Activities, which contains information on the economic activities of the business operator, its change and termination, as well as the location (address) of the economic activity.

However, registration in the Register of Economic Activities is mandatory for certain types of activities only, and this Register will not be used to identify all types of facilities subject to supervision.



3.2 STATISTICAL DATA NECESSARY FOR THE SELECTION OF FACILITIES SUBJECT TO INSPECTION AND SELECTION METHODOLOGY

Identification of risk areas involves identifying facilities where there is a high incidence of fires or a high likelihood of fire occurring, but inspections cannot be planned solely based on this indicator. For example, along with the likelihood of fire occurring, it is important to consider the impact of the fire (the expected loss, number of fatal cases and injuries, etc.).

In addition, the results of previous inspections may serve as the basis for subsequent inspections, for example, focus can be made on inspection of facilities, whose indicator of compliance with recommendations is low, and violations cause serious harm and, on the contrary, repeated inspections should not be carried out in the event of minor violations in the facility.

RISK-BASED SELECTION METHODOLOGY FOR FACILITIES

According to the Fire Supervision Regulation, detailed inspection of facilities of special importance is carried out once every three years, and control inspection is carried out annually. The terms of inspection of the remaining facilities shall be determined by the supervisory authority itself, considering the relevant conditions and circumstances.

Prior to the reform of 2018, the Service included in its action plan all facilities for which it had information and inspected them throughout the year. Accordingly, risk-based facilities were not selected.

At the background of increase of the number of facilities subject to inspection and the reduction of resources, the methodology and criteria for selecting the facilities were not developed by the Service.

The study revealed that in three selected areas the facilities of particular importance represent more than half of the facilities included in the action plan. Consequently, given that approximately 4,000 facilities may be inspected with reduced resources, the human resources of the Service alone would not be sufficient to inspect facilities of particular importance. Given these circumstances, facilities should be prioritized, and appropriate methodology developed for this purpose.

STATISTICAL INFORMATION REQUIRED TO IDENTIFY RISKS

The study revealed that during the audit, the Service did not record statistics on the number, severity and non-compliance of recommendations identified in specific sites. Although the Department of Supervision of the Service has been conducting inspection statistics since August 1, 2018, its use is complicated, as the completeness and availability of historical information is limited.

Historical fire/arson records were produced by fire registration cards, which were filled by the inspector²¹ till the reform²² of 2018. In addition, part of the information contained in the cards is provided by the territorial units of the Ministry of Internal Affairs, which conducts investigations in the event of a fire and reports the cause and damage to the Service. The Department of Strategic Planning and Technological Development of the Service collects the cards monthly and consolidates them electronically.

Analysis of 2016-2018 consolidated fire databases showed that statistics on fires were incomplete (see Table 2).

Table 2. Potential share of fires, whose statistics are not included in 2016-2018 database²³

Data	Potential share of fires, whose statistical indicators are not included in 2016-2018 database
Conditions contributing to death/trauma	84%
Causes of fire	79%
The amount of damage	64%
Causes of death	40%
Subordination of facilities to fire supervision	34%
Causes of fire	10%

According to the Service, the competence of the inspector does not comprise identification of the causes of and damage by fires that has traditionally been the scope of the territorial authori-

21 Order # 636 of the Minister of Internal Affairs of Georgia of September 1, 2015 "On approval of the rule of registration of fire and its results".

22 After the reform, this function of inspectors was given to firefighters.

23 The above figure does not include any penalties. In 2016-2018, 6,036 fires broke out in buildings.

ties of the Ministry of Internal Affairs. However, as shown in the table, in 34% of the fires, there is no information as to whether the facility is subject to supervision, which was the sole responsibility of the inspector. However, the fire object cannot be identified in the electronic database, since the fire registration cards don't transfer the name of the facility and the address to the electronic database.

Incomplete statistical information hinders identification of the type of facilities subject to supervision, where fires are particularly damaging and prevents identification of critical/systematic problems and inconsistencies to plan response measures.



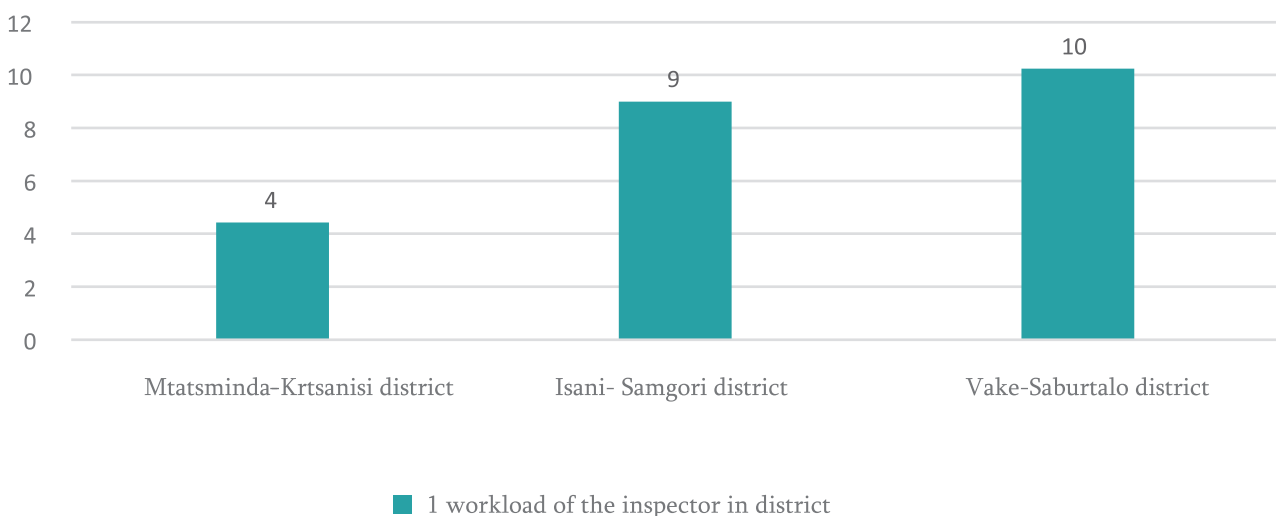
3.3 CALCULATION OF INSPECTION RESOURCES

DISTRIBUTION OF INSPECTORS

The study revealed that the inspectors were not designated to the territorial units with due account of the number of facilities. For example, the number of inspectors employed in Mtatsminda-Krtsanisi district in 2017 was higher than the number of inspectors employed in Vake-Saburtalo district, while there are more facilities subject to supervision in the latter.

In the selected districts, in 2017, the study of the workload of the inspectors revealed that the average rate of inspections carried out by 1 inspector was significantly different in the districts of Tbilisi.

Chart 4. According to districts, in 2017, on average, the number of inspections conducted by one inspector per month



Following the amendments to the Civil Security Act in 2018, as a result of the reorganization of the Service, there is no longer a regional-territorial division. Inspectors are based in Tbilisi and conduct inspections both in the capital and in the regions. Consequently, inspectors must travel to Tbilisi from the region in order to carry out inspections, which requires additional time resource.

The Service does not specify how facilities will be distributed to inspectors and how many inspectors will do inspections (as of the data of the first half of 2018, in 96% of inspections one inspector carried out the inspection, though according to the Service, no less than 2 inspectors will carry out inspections from 2019).

CALCULATION OF TIME REQUIRED FOR INSPECTION

The Service has not specified the average time required for control and detailed inspection of a specific type of facility. The detailed inspection procedure is much more complex than the control inspection and includes the following steps:

Chart 6. Steps to conduct a detailed inspection



In case of the control inspection, violations in the facility reflected in the recommendation are inspected and handed over at the site, and in case of failure to eliminate violations, the penalty protocol will be drawn up.

However, the analysis of 2017 action plans of the selected districts revealed that one day was allocated for inspectors to conduct a detailed and control inspection, while inspectors in most cases, inspected several facilities within the same term. Specifically, more than 40% of control inspections conducted in 2017 took less than a day. The existence of the aforementioned standard is important in terms of quality assurance of supervision and human resource planning.



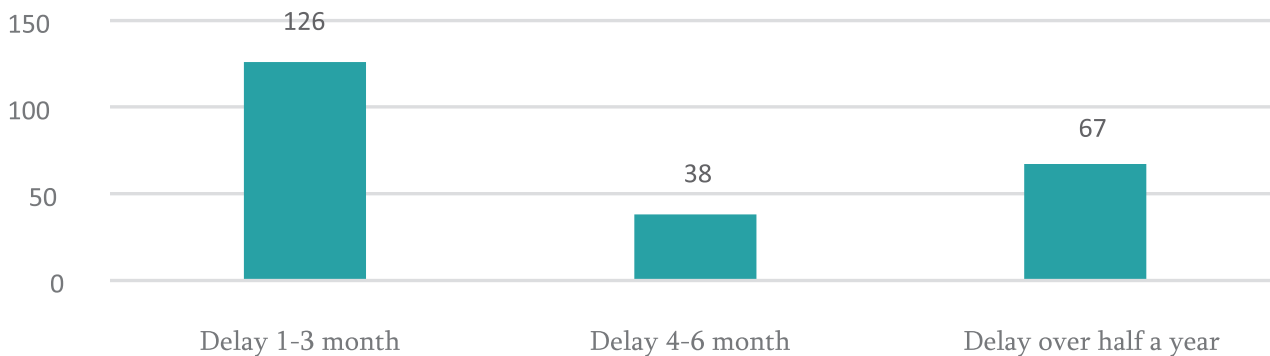
3.4 TIMELINESS OF CONTROL INSPECTIONS

According to the Fire Supervision Regulations, inspection of objects of particular importance shall be carried out not more than one year after the last inspection.

The study revealed that 47% (231 objects) of the objects of special importance included in the action plan in 2017 were planned with one-year delay from the last inspection, due to which fact in 80% of these facilities inspections were carried out with delay.

The chart below shows the number of facilities in the selected areas in 2017 Action Plan, according to the range of minor infringements.

Chart 5. Number of delayed control inspections



RECOMMENDATIONS:

- › In order to fully register the facilities subject to state fire supervision, the Service, in collaboration with other state agencies (e.g., Revenue Service), should systematically specify the list of facilities;
- › In order to optimally carry out fire-safety inspections, the Service should ensure that the inspections are properly planned and that the criteria for selecting the inspection facilities, the methodology and the distribution system for inspectors are to be developed.

4. QUALITY OF RECOMMENDATIONS GIVEN

The main product of the activities of the Service is the recommendation, which reflects recommendations for the elimination of fire safety violations.

4.1 IMPACT OF RECOMMENDATIONS ISSUED BY THE SERVICE

The audit team examined 32 firefighting units²⁴ subject to fire supervision. The causes²⁵ of the fire/arson were compared to the deficiencies identified by the inspector in the given facility during the last inspection.

In 17 out of 32 facilities it was found that the deficiencies named as causing fires/arsons were not identified by the inspectors during the inspection and therefore no recommendation was issued on them. This may be partly explained by the natural changes that occurred within the period from the inspection to the fire or the human intervention following the inspection. However, where a system of recommendations for completeness and quality monitoring is not in place, the above statistics on the difference between the causes of fires/arsons and the results of inspections (in more than half of cases) may be an indicator of the need to improve the quality of recommendations.

Table 3. Number of facilities for which recommendation on causes for fire/arson or factors contributing to fire development was not issued

Cause of fire/arson/a factor contributing to the development of fire	Number of objects for which recommendation was not issued
Automatic fire alarm malfunction	1
Violation of rules of arrangement and operation of electrical equipment	9
Violation of the rules of furnace installation and operation	7

COMPLIANCE AND QUALITY CONTROL MECHANISM OF RECOMMENDATIONS ISSUED BY THE INSPECTOR

As the analysis of the minutes of meetings of 2017 revealed, the quality of recommendations was often unsatisfactory, and department heads and curator-inspectors of Tbilisi Department of Emergency Management Unit were assigned to tighten control over the quality of recommendations. The recommendations are signed by the head of the department and the head of Tbilisi Emergency Management Unit. This control ensured that the suggestions contained in the recommendation were clearly understood and the basis for the suggestion was properly stated but failed to establish whether the suggestion was issued for all violations.

²⁴ Selection methodology. See Annex 1, paragraph 3.

²⁵ The cause of fire and the contributing factor to the development of fire are taken from 2016-2018 Consolidated Fire Databases, electronically supplied by the Service.



Since August 2018, some inspectors have documented violations identified during inspections in the forms of photographs, although this is not systematic, and the role of this process in ensuring quality control is not specified.

THE POLICY OF ADVANCE TRAININGS OF INSPECTORS

The Service does not have measures to enhance qualification of inspectors with the aim of improving the quality of recommendations. Most of the inspectors worked as firefighters prior to the appointment and have been trained in technical regulations and SNiPs in this capacity. According to the Service, workshops are being held for inspectors to share their experience and correct gaps, but these trainings/meetings are not recorded.

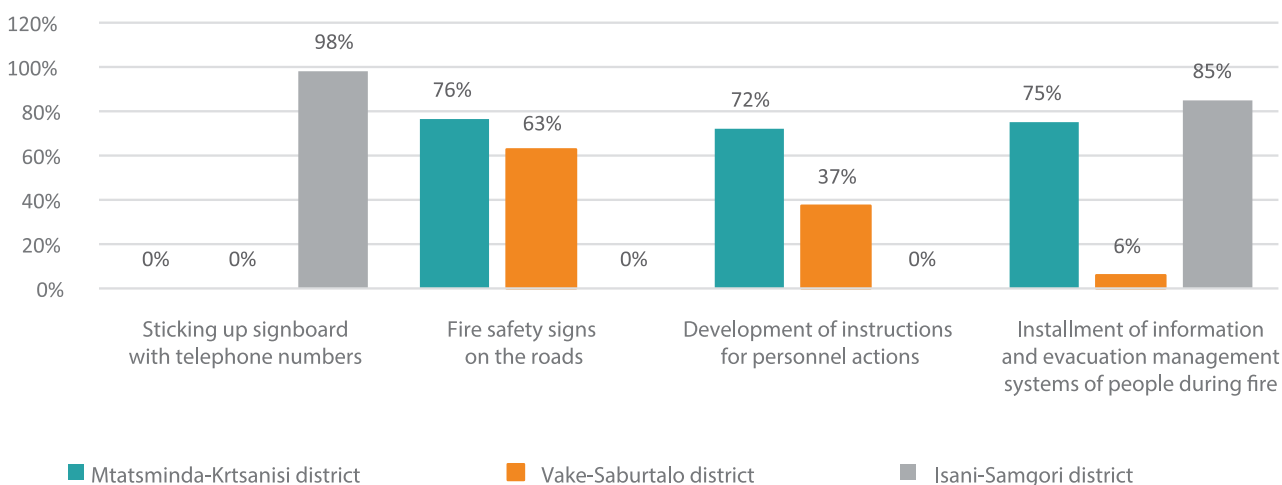
Following reorganization, a training center was established in the Service, which is responsible for retraining and advance trainings of the staff. A study/training module has not been developed to enhance the qualifications of fire inspectors.

4.2 UNIFORMITY OF RECOMMENDATIONS ISSUED BY DISTRICTS

In order to study the uniformity of recommendations issued by the inspectors, the audit team in the selected areas studied the rate of issuing recommendations for the requirements of the technical regulations specified below:

1. Signboards with **telephone numbers** should be displayed in places of primary means for fire extinguishing and fire taps, as well as at evacuation exits.
2. **Fire safety signs** shall be posted on evacuation routes and exits.
3. **Instructions for personnel actions** to ensure evacuation during fire should be developed for facilities of mass gathering of people (more than 50).
4. In educational, childcare, medical and other public places, it is necessary to install **information and evacuation management systems of people during fire**.

Chart 6. Rate of issuance of selected recommendations by districts²⁶



²⁶ The data is calculated according to detailed analysis of recommendations of the first half of 2018.



As the graph shows, all three districts had different rates of recommendations, and specific recommendations were not issued in some areas. For example, recommendation No. 1 was not issued in Mtatsminda-Krtsanisi and Vake-Saburtalo districts, and No. 3 in Isani-Samgori district. It should be noted that the absence of a recommendation on a specific request does not directly indicate that the inspectors refrained from examining the specific issue. For example, recommendation No. 2 was not issued in Isani-Samgori district, although in 85% of inspections of the district recommendation No. 4 was issued, one part of which is recommendation No. 2.

One of the reasons for inhomogeneous issuance of recommendations was that inspectors did not have internal working documents used during the inspection. For example, they did not have a **form filled in during the inspection** for all types of facilities that would combine all important fire safety requirements.

Following the reform, a form²⁷ to be filled in during the inspection was drafted as a project, although this form has not been approved and is not used in practice.

A SAMPLE OF A FORM TO BE FILLED DURING THE INSPECTION OF THE FACILITY

LEPL - National Food Agency has developed a form for filling in during the inspection, which covers the requirements for various issues. The requirements are specifically broken down and it is up to the inspector to determine whether each request is satisfied. Below is part of requirements of the facility towards one of the issues:

9.	Requirements for the premises where food/animal food is produced and/or processed	Complies	Does not comply	Note (justification in case of negative result)	Instructions
9.1	The entrances are arranged in such a way as to exclude any contamination of food/animal food in the enterprise.				
9.2	Flooring: easy to clean; allows disinfection if necessary; water-proof; absence of absorption; washable; made of non-toxic material; allows for adequate drainage.				

In addition to the above, the Service has not developed a unified consolidated fire safety standard that will combine all fire safety requirements for facilities of various functional purposes. Specifically, the technical regulations cover general requirements for fire safety for facilities of various functional purposes, but do not cover all the important issues,²⁸ which is why inspectors,

²⁷ For educational and medical facilities only.

²⁸ For example, technical regulations do not specify what type of fire alarm system, automatic fire extinguishing equipment,

in addition to the legislation of Georgia, use SNiPs allowed for operation in Georgia that are not translated into Georgian.

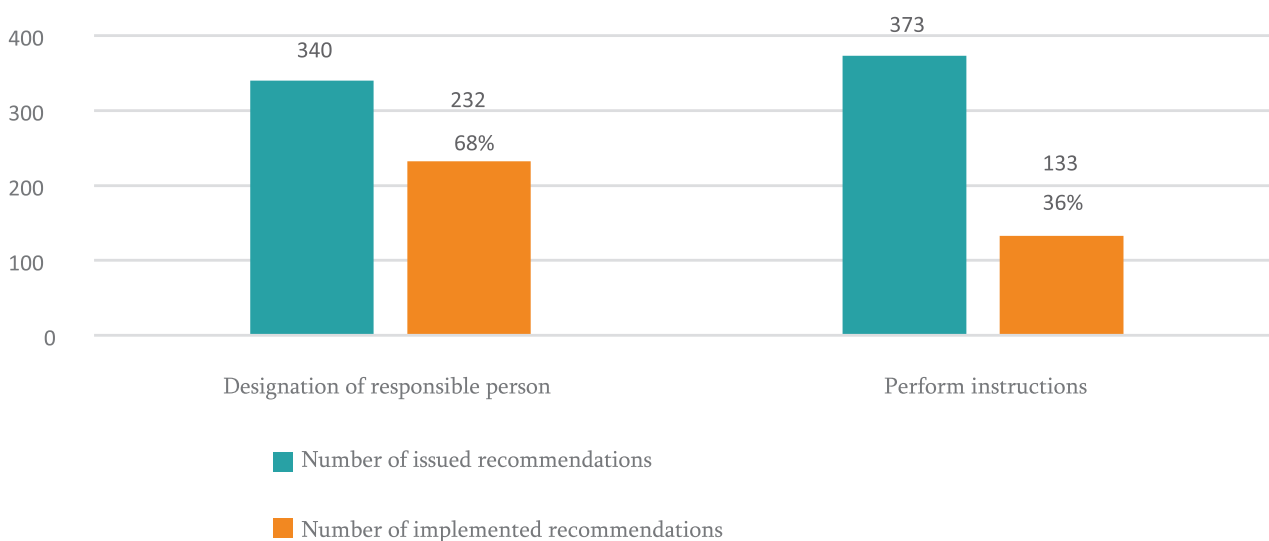
4.3 RECOMMENDATIONS FOR IMPROVING FIREFIGHTING SKILLS

Fulfillment of fire safety requirements in buildings is not a 100% guarantee of fire safety. Consequently, it is important for people in the building to be able to respond timely to the fire. Technical regulations to improve firefighting skills include the following requirements:

1. Provision of fire safety instructions to employees by the head of the facility or the person responsible for fire safety.

The study revealed that in most facilities responsible persons were not designated, so no briefings were held in the facilities. After issuing recommendations on these violations by inspectors, most facilities have complied only with the recommendation to designate the responsible person.

Chart 7. Indicator of implementation of recommendations issued in 2017 to identify and instruct responsible person



A possible reason for this is the lack of responsibility in fire safety training issues by those responsible for the facilities. In addition, the service has not shared its training program for specific types of facilities (the training program is developed as a project in the Service), so responsible persons might not have the necessary knowledge to conduct trainings for the employees of the facility themselves.

informing and evacuation management systems for people during fire are required for a particular facility.



2. Training the activities of personnel with the aim of evacuation during the fire.

The study revealed that the inspectors issue recommendations on developing an instruction for personnel actions, but in 2017 and the first half of 2018, in the selected districts there was no recommendation for practical training of actions given in the instruction.²⁹ Conducting training evacuations is an internationally recognized practice in other countries that was not implemented in Georgia except for education and training institutions (where the Service itself performed simulation exercises).

3. Conducting classes for students of facilities in educational and childcare institutions with a program specifically designed to study fire safety rules.

In 2017 and the first half of 2018, the Service did not issue a recommendation for educational and childcare facilities to conduct trainings for students, however, the Service itself conducts trainings in the institutions mentioned above. Specifically, within the framework of the “Security Lesson 10” program, in public schools of Tbilisi in 2017, 252 lessons were conducted in 19 public schools. Also, simulation exercises were conducted in 4 kindergartens and 1 school outside the framework of the program. In addition, with the help of the Service the staff is trained, and emergency staff is created.³⁰

RECOMMENDATIONS:

- › In order to eliminate all significant violations of fire safety requirements, identified as a result of fire-safety inspection, the fire department is required to:
 - Methodologically organize the fire-safety inspection process, including the development of a uniform standard and a form to be completed by inspectors during the inspection;
 - Develop inspectors advanced training policy and training module;
 - Introduce an appropriate quality control mechanism for inspectors’ performance, which ensures the completeness and quality of the recommendations issued.

29 In 2017 the recommendation was issued for only 9 facilities, and in 2018 - for 17 facilities.

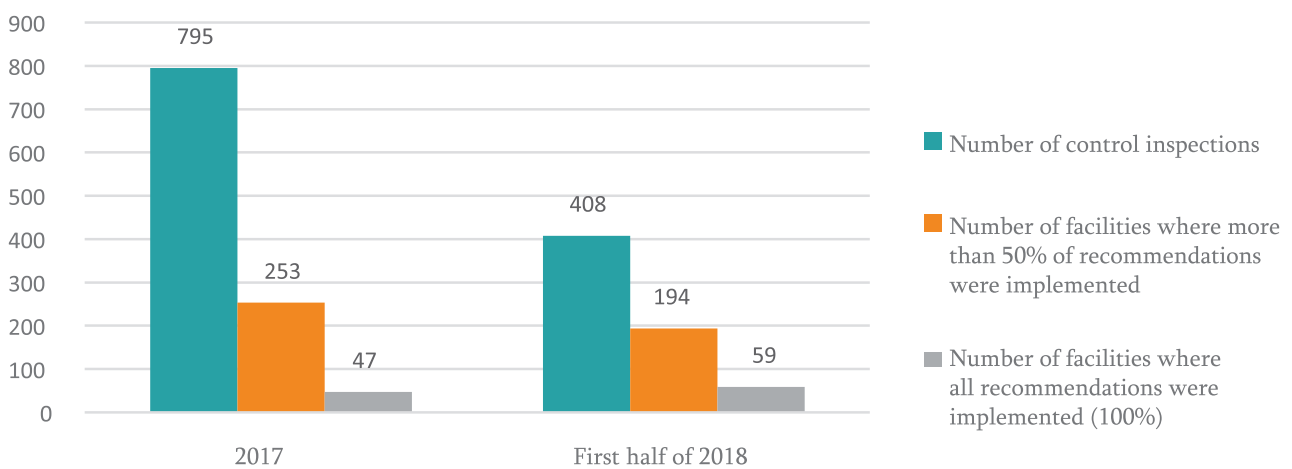
30 In 2017, it was created in 26 schools and kindergartens.



5. ENSURE COMPLIANCE WITH THE RECOMMENDATIONS ISSUED

An analysis of control inspections conducted in 2017 and the first half of 2018 revealed that the compliance with recommendations issued by the Service was low, which may be related to both the lack of enforcement mechanisms and failure to use the existing mechanisms by the Service. Indicator of recommendations compliance in selected areas is given below:

Chart 8. Recommendation compliance rate in 2017 and first half of 2018



5.1 EXISTING SANCTIONING SYSTEM

The penalties for violating fire safety requirements prior to November 1, 2018 were small³¹ and failed to provide incentives for companies to comply with cost-related recommendations.

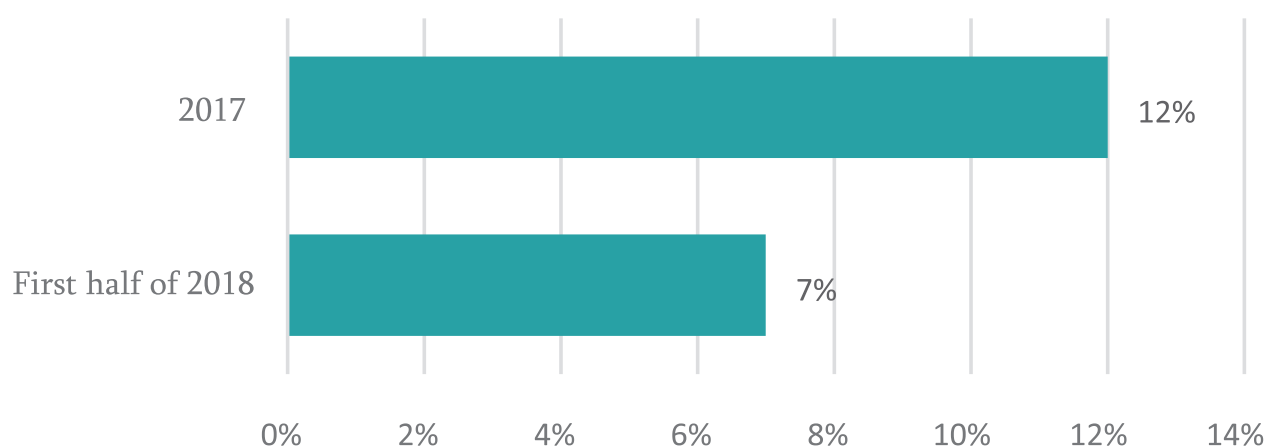
From November 1, 2018, according to amendments to the Code of Administrative Offenses, the minimum amount of fine is GEL300 and the maximum amount is GEL10,000.

It is noteworthy that the amount of fine is not differentiated by the number of irreparable violations, which provides incentives for the facilities not to comply with the remaining recommendations if they fail to comply with one recommendation. The chart below shows the facilities that did not comply with any of the recommendations.

³¹ Code of Administrative Offenses of Georgia, 1984.



Chart 9. Facilities that did not comply with any of the recommendations



■ Facilities that did not comply with any of the recommendations

In addition, the fine is not differentiated according to the size of the facility. For example, a small-income facility can be fined with the same amount as a large facility.

5.2 USE OF RESPONSE MECHANISMS BY THE SERVICE

FINING FACILITY FOR VIOLATIONS OF FIRE SAFETY REQUIREMENTS

One of the main mechanisms of responding to violation of fire safety requirements by the Service-the demand to fine facilities-has been in force since January 1, 2016. By this time, fire and safety inspections had just begun, and the Service had largely worked to specify the list of facilities.

At the initial stage, the Service failed to properly organize fining process and communication with the inspectors in this regard (according to the minutes of the meeting, the first consultation on fining the facility was held in April 2017 in Tbilisi Main Division).

According to the Service, fire safety issues were still new for Georgia, and required efforts to raise awareness in this area more than the punitive approach. Due to this fact, the Service had a liberal approach to facilities for some time and started fining in the second half of 2017, but only in part of facilities. In addition, in most cases, minimum penalty³² was imposed.

Chart №10 shows the number of facilities with violations and the ones fined by the Service in selected areas in 2017.

³² According to the Code of Administrative Offenses of Georgia, the fine will be imposed on the organization within the sanction that is specified for more serious violations.

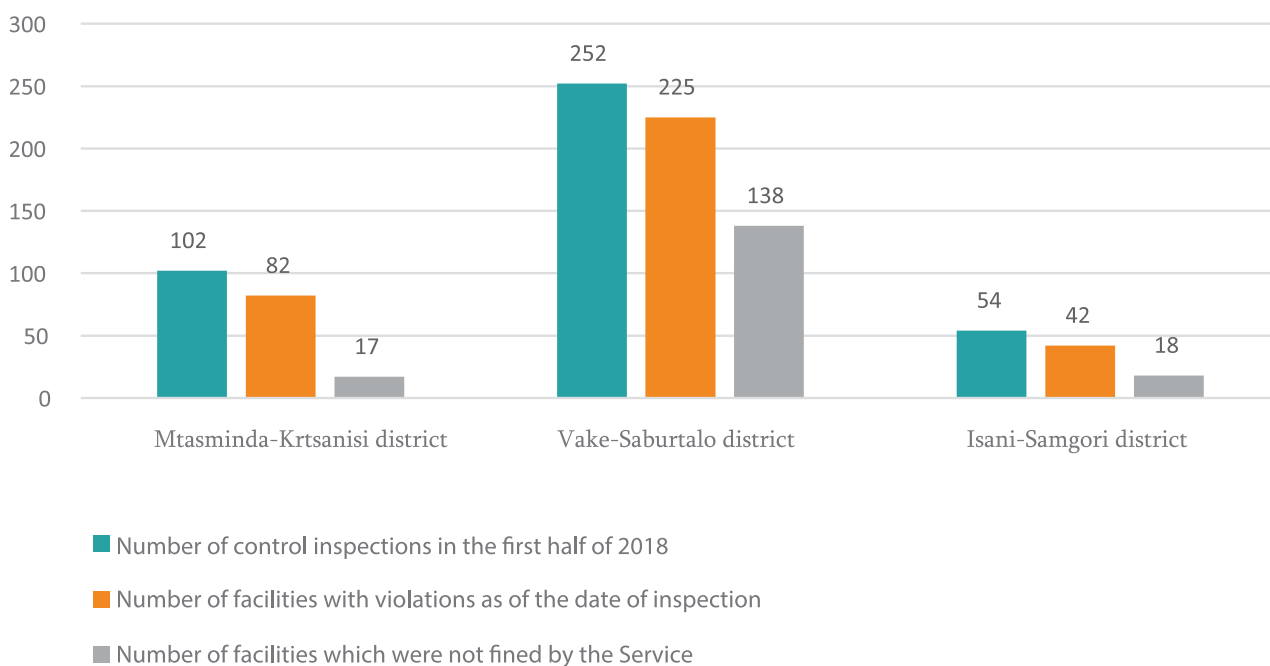
Chart 10. Number of facilities with violations and the ones fined by the Service in 2017



The study revealed that in 2017 in case of fining all facilities that have violations and imposing the correct amount of fine, approximately GEL50,000 would additionally be received by the Treasury Service from private organizations.

The analysis of the first half of 2018 revealed that the Service has begun to use fining mechanism more actively. However, the fine did not apply to all facilities where violations could not be remedied for the relevant period. In addition, the practice of penalties differs in three selected areas, as is clearly shown in the chart below.³³

Chart 11. Number of facilities with violations as of the date of inspection and the number of facilities not fined in the first half of 2018



³³ The number of facilities that have not been fined is deducted from the number of facilities that have not been fined, explanation about which is acceptable: the facility was relocating to another address, repair works were ongoing, etc.

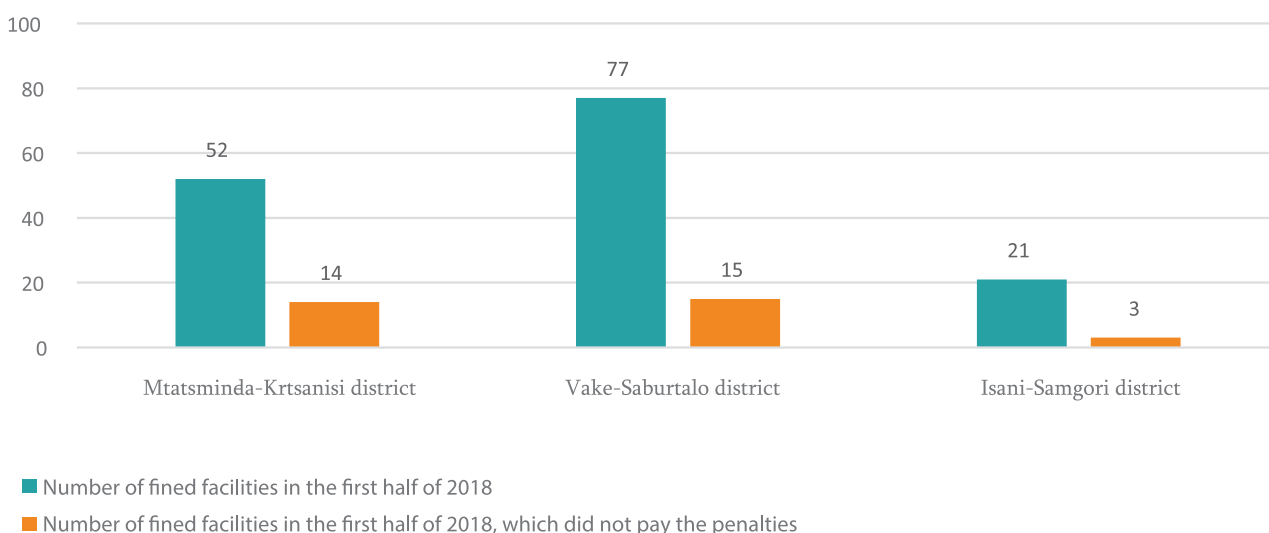
As the chart shows, as a result of inspections carried out by inspectors in the first half of 2018, 173 facilities were not fined. According to the Service, some of these facilities were not fined because compliance with the recommendation was initiated by the facility (22 facilities) or the facility requested extension of terms through a letter (19 facilities). It is noteworthy that, for the reasons stated, the failure to file a fine is not provided for in the Fire Supervision Regulation and the Code of Administrative Offenses.

There are no internal control mechanisms in place at the Service to ensure effective application by inspectors of response mechanisms defined by the legislation. The inspectors are not obliged to indicate in the cards the reasons why the relevant agency/institution was not fined.

CONTROL MECHANISMS FOR PAYMENT OF FINES

A study of the case revealed that some of the facilities fined in the first half of 2018 did not pay fines. The chart shows the number of facilities fined in selected areas and the status of payment of fines.

Chart 12. Penalty payment indicator for facilities fined in the first half of 2018



The Service does not have fine payment control mechanisms in place for fined facilities. During the inspection, the Service did not request information on the receipt of penalties from the Treasury Department of the Ministry of Finance of Georgia, therefore, it did not apply to LEPL National Bureau of Enforcement.

REQUEST FOR SUSPENSION OF ACTIVITIES IN WHOLE OR IN PART

Complete or partial suspension of activities is a severe form of response because it suspends the economic activity of the facility and deprives it of its revenue.

The Service has not applied to the court in 2017 with the request to completely or partially suspend facilities, production sites, storage facility exploitation or works. In 2018, activities were suspended for only one facility.

It should be noted that according to the Fire Supervision Regulations, grounds for referral to the court are violations and/or non-compliance with the requirements of technical regulations, fire safety and other documents of technical regulations, which creates fire hazard and/or threatens human safety, however, it is not discussed which non-compliance is critical. Accordingly, the legislative framework in this respect is general and relies entirely on the professional reasoning of the inspector.

Given that the court's request for suspension of activities is a severe form of response, the methodological support of the inspector in applying this form of penalty is of great importance.

5.3 WAYS TO ELIMINATE VIOLATIONS IN PUBLIC INSTITUTIONS

Approximately 40% of facilities subject to supervision, inspected in 2017 were state-owned and local government-owned buildings (including buildings of schools, kindergartens, ministries, LEPLs, etc.).

Noncompliant recommendations of approximately 90% of these facilities were recommendations issued for elimination of fire safety requirements defined for evacuation roads, evacuation and emergency exits, fire alarms, and fire safety requirements for people information systems.³⁴

For the purpose of timely elimination of violations in these public facilities, it is necessary for the relevant Ministry/self-government unit to have information on systemic violations in its subordinate agencies and recommendations to be taken into consideration first.

The Service sent an official letter on systematic deficiencies only to Tbilisi City Hall - in relation to violations in kindergartens and to the Ministry of Education, Science, Culture and Sport – in relation to violations in schools. No communication was carried out on systemic violations with other Ministries and self-government units during the inspection.

RECOMMENDATIONS:

- › In order to effectively operate the system of sanctioning facilities subject to supervision, the Service should develop a proper control mechanism that will, in accordance with the law, fine all facilities that violate fire safety requirements and fines will be recovered.

34 The analysis is based on the results of the control inspections carried out in the selected districts in 2017.



CONCLUSION

Based on the findings of the audit, the State Audit Office considers that to ensure fire safety in facilities, state subordinate agency -Emergency Management Service has potential to improve in the following areas:

- › When establishing the multitude of facilities subject to supervision, collaboration with other government agencies (such as the Revenue Service) will enable the Service to have better and regularly updated information on auditees;
- › Given the increased number of facilities and reduced human resources, risk-based selection of facilities subject to supervision will enable productive allocation of resources required for the inspection of the Service. For this purpose, it is important to calculate the time required for inspection and to develop: criteria for the selection of facilities, the appropriate methodology and the system of designating inspectors on sites;
- › Systematical work to improve the qualifications of inspectors, develop monitoring mechanisms for their recommendations and methodological organization of inspection process will facilitate improvement of the quality of recommendations issued and ensure elimination in the facilities subject to supervision;
- › The development of an appropriate system for the control of imposing of fines and the recovery of fines from facilities that have violations, will facilitate the Service to efficiently implement the sanctioning process and ensure monitoring of payment of fines. These are prerequisites for better compliance with the recommendations issued by the Service.



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ANNEXES

Annex 1. Procedures for answering audit questions

1. The audit team has combined detailed and control recommendations 1,216 of 2017 and **633** of the first half of 2018 submitted by the Service for the purpose of analysis, as follows:
 - › Recommendation number;
 - › Inspection type;
 - › Inspectors conducting inspection;
 - › Dates of detailed and control inspections;
 - › Number of issued and implemented recommendations.

This information was compared with the action plans of the selected districts, which provides information on the type of inspection, the type of facility and the date of the inspection. In addition, recommendations were selected and indicators of their issuance and implementation were identified.

These recommendations are: recommendations related to fire alarm and broadcasting systems, evacuation exits, primary fire extinguishers, water supply, electrical equipment and improvement of population response skills in the event of a fire.

In addition to this information, the audit team consolidated the information related to the fines, in particular the date of the fine and the amount of the fine. Based on this information, the audit team calculated the following indicators:

- › Timeliness of control inspections;
 - › Inspector load;
 - › Share of buildings owned by state and local government bodies;
 - › Share of facilities of particular importance;
 - › Recommendations were identified that were not issued in some selected areas;
 - › Indicator of compliance with recommendations, including compliance with frequently issued recommendations;
 - › According to the recommendations that were not followed, the amount of fines for the facility, etc. was determined.
2. In order to verify the completeness of the list of facilities subject to supervision, the audit team selected from the facilities subject to supervision educational, sports, medical and recreational centers and searched information about facilities on the website: yell.ge – for Vake-Saburtalo, Isani-Samgori and Mtatsminda districts. The retrieved data about the facilities was compared with the action plans and data of recommendation database of the selected districts. The remaining facilities were contacted by telephone to confirm that the facility was operating at the specified address for the past 2 years and had not undergone a fire-safety inspection.



3. To determine the extent to which fire-safety inspections ensure fire prevention, the audit team requested letters based on the fires/arsons occurring in Georgia in 2016-2018. In particular, the audit team identified facilities from the bases that were inspected by the Service and whose:
 - › fire/arson causes are related to violation of the rules of installation and exploitation of electronic equipment and ovens;
 - › conditions that facilitated the development of fire were the lack and/or malfunctioning of fire alarms, human broadcasting systems, and primary fire extinguishers.

Total of 62 recommendations were selected, 32 of which were provided by the facility. The reasons for the fire/arson in these facilities were compared with the recommendations issued by the inspectors.

4. The amount of fines for each facility is determined based on the amounts specified in the Code of Administrative Offenses. This was compared to the amount of fines imposed by inspectors. For facilities inspected in the first half of 2018, in the event of facilities not being fined, an explanation is additionally received for each individual case from the Service.

For facilities fined in the first half of 2018, the indicator of payment of fines is set according to the amounts deposited on the Treasury Code 3254 provided by the Treasury Service of the Ministry of Finance of Georgia (information provided as of October 1, 2018). The comparison was carried out according to the fine protocol number, the name of the infringer organization, the name and surname of the fined person.



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Name, surname

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