



## Regulated professional activities

# Fire protection

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### Introduction

Under the Agreement on the Free Movement of Persons (AFMP<sup>[1]</sup>), professionals from the EU/EFTA can have their qualifications recognised if the professional activity for which they are qualified in their country of origin is regulated in Switzerland.

This document aims to describe the Swiss regulations in the sector concerned. Regulated professional activities are those that are subject to specific training requirements and where access to the profession in question is only possible for professionals holding a specific qualification that is defined in relation to the Swiss education system. Foreign professionals can only access a regulated professional activity once their qualifications have been recognised.

The procedures differ depending on the duration of the professional activity in Switzerland: in the case of establishment in Switzerland, recognition of foreign professional qualifications is required before commencement of the regulated professional activity: [www.sbf.admin.ch/becc](http://www.sbf.admin.ch/becc). Service providers established in an EU/EFTA country, who wish to pursue a regulated professional activity in Switzerland as self-employed persons or on secondment for a maximum of 90 working days per calendar year, are subject to a declaration requirement. The professional qualifications are verified by means of a fast-track procedure: [www.sbf.admin.ch/declaration](http://www.sbf.admin.ch/declaration)

If holders of foreign professional qualifications wish to pursue a professional activity other than those described in this document, they are free to do so without obtaining recognition of their qualifications (non-regulated professional activity). In this case, it is the job market that will dictate their chances of finding employment or being awarded jobs in the case of self-employed persons.

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<sup>[1]</sup> Bilateral agreement of 21 June 1999 between the Swiss Confederation and the European Community and its Member States on the free movement of persons, SR 0.142.112.681.

## **1) Scope of application of federal legislation**

Fire protection is a **regulated** professional activity.

Under the auspices of the **Swiss Conference of Directors of Public Works, Planning and Environmental Protection (DPPE)**, an **Intercantonal Agreement on the Elimination of Technical Barriers to Trade (IA-ETBT)** was signed on 23 October 1998. Art. 3 of this agreement stipulates that the IA-ETBT will be implemented by an **intercantonal authority responsible for technical barriers to trade (AIET)** and that this intercantonal authority will be able to establish regulations and guidelines that are binding in all cantons (art. 7-9).

**On 18 September 2014, the AIET declared as mandatory** the issued by the **Association of Cantonal Fire Insurance Companies (AEAI)**. Fire protection requirements are therefore developed and published by the AEAJ on behalf of the AIET. In such a case, the directives are binding. The sovereign task of implementing and interpreting these provisions falls to the cantons and, as a result, to the competent fire protection authorities and the courts.

The fire protection standard, declared binding by the AIET for all cantons, establishes the framework for fire protection in terms of general duties, construction, fire protection equipment, organisational aspects and associated fire protection measures. It also determines the applicable safety rules. The fire protection standard is supplemented by fire protection directives, which set out the requirements and detailed measures for its implementation. The AEAJ is able to publish other documents in parallel with legal provisions. Examples include fire protection explanatory notes, fire protection manuals or FAQs, which reflect the latest level of technology. All these additional documents are recommendations. The AEAJ has also been mandated by the AIET to undertake a complete revision of Swiss fire protection regulations.

Chapter 3.2.2 of the directive entitled **Quality Assurance in Fire Protection** (2015) provides that the fire protection quality assurance manager must be recognised as an AEAJ-certified level-one or level-two fire protection specialist, or have equivalent training, in line with the category of buildings in which quality assurance is to be carried out.

The four building categories are described in Chapter 5. Each category requires that the quality assurance manager possess a specific qualification level:

- **Category 1 quality assurance:** small and simple buildings, with a limited number of different units for use and no increased fire risk due to their use or construction
- **Category 2 quality assurance:** small or medium-sized buildings, with several different or extensive uses and which may present increased fire risks as a result of their use or construction.
- **Category 3 quality assurance:** medium- to large-sized buildings, with many different or extensive uses and increased fire risks due to their use or construction.
- **Category 4 quality assurance:** large buildings, with many different or extensive uses and high fire risks due to their use or construction.

The person responsible for quality assurance must be someone recognised as an **AEAJ-certified fire protection specialist for category 2 projects** as well as an **AEAJ-certified fire protection specialist for category 3 and 4 projects** Category 1 projects are not subject to any regulation.

**Respective roles of the AEAJ and SERI :**

The AEAJ is the sponsor of level-one and level-two federal professional examinations for fire protection specialists. The AEAJ conducts the examinations in accordance with SERI-approved examination rules and thus indirectly issues these two professional qualifications. The federal professional examination is conducted under SERI supervision.

At the same time, the AEAI also offers continuing education and training courses (e.g. preparation for federal professional examinations) and issues its own industry certificates. These industry certificates are not supervised by the federal government.

SERI and the competent authority that decides whether foreign qualifications are equivalent to the Swiss level-one and level-two professional qualifications awarded to fire protection specialists. The entire procedure is handled by SERI directly as it is the authority responsible for the recognition of foreign qualifications. The AEAI works as an expert agency to prepare the examination for compensatory measures to fill gaps in essential training needs (e.g. knowledge of Swiss standards).

## **2) Specific details for EU/EFTA citizens who wish to provide services in Switzerland**

In accordance with the Agreement on the Free Movement of Persons (AFMP), professionals who are legally established in the EU/EFTA may provide services in Switzerland without permanently establishing themselves in the country. In such cases, the duration of service provision is limited to 90 days per calendar year.

If the profession they wish to pursue is regulated, they can take advantage of a fast-track verification procedure for their professional qualifications, as set out in EU Directive 2005/36/EC<sup>1</sup> and the DRPA<sup>2</sup>. The service provision **must be declared in advance to SERI**<sup>3</sup>.

The situation is different for fire protection specialists and experts, however, as their profession will not be included in the DRPA until 2021.

As Swiss fire protection standards are often different from those of the country of origin, it is however strongly advised to have one's professional qualifications recognised by following the procedure for professionals wishing to establish themselves in Switzerland, by registering on the [online platform](#).

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<sup>1</sup> Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, OJ L 255 of 30.9.2005, p. 22, in the current version in accordance with the agreement on the free movement of persons and the revised EFTA Convention.

<sup>2</sup> Federal Act of 14 December 2012 on the Declaration Requirement and the Verification of Service Provider Qualifications in Regulated Professions, SR 935.01.

<sup>3</sup> [www.sbf.admin.ch/declaration](http://www.sbf.admin.ch/declaration)