

PURPOSE OF THE PRESENTATION

THE ROLE OF FIRE PROTECTION ASSOCIATIONS IN FIRE MANAGEMENT



LEGISLATIVE FRAMEWORK-MANDATE

- The National Veld and Forest Fire Act, 1998 (Act No. 101 of 1998)

“Chapter 2 of the Act regulates the establishment, registration, duties, and functioning of FPAs. These associations must deal with all aspects of veldfire prevention and fire fighting”

- Fire Protection Association Regulations *in terms of Section 20 of the NVFFA*



WHAT ARE FPAS

**FIRE PROTECTION ASSOCIATIONS ARE
COMMUNITY BASED NATURAL RESOURCE
MANAGEMENT ORGANIZATIONS FOR THE
COLLECTIVE MANAGEMENT OF VELDFIRES
USING LOCAL KNOWLEDGE WITHIN THE
FRAMEWORK PROVIDED BY THE ACT**



WHY FIRE PROTECTION ASSOCIATIONS



- Necessary for landowners to co-operate in managing conditions that determine the occurrence of veldfires,
- Veldfires often become emergencies because they threaten lives and property where they have started, or when they spread beyond the boundaries of any one property

WHEN MAY A FPA BE FORMED



- **s3: any group of owners who wish to co-operate to predict, prevent, manage, or extinguish veldfires may form a FPA**

- **The area where a FPA is formed should be relatively uniform in terms of the following:**
 - **Having regular veldfires**
 - **its veldfire risk**
 - **Its climatic conditions**
 - **its forest type or**
 - **other vegetation**

MEMBERSHIP OF FPAs



- Membership of FPA is voluntary for most landowners
- Private landowners can choose whether to join a FPA or not, this is because of the following:
 - The right to freedom of association
 - Landowners themselves need to make firm commitment to co-operate through the FPA
 - State landowners including municipalities are however compelled to join a FPA in their areas in terms of section 4 (7 & 8)

BOUNDARIES OF FPA

- The act does not specify the size
- The duty to decide rests with the local people (owners)
- Area should have uniform veldfire risks, climate, forest and other vegetation
- However area should not be too big to hinder fulfilment of duties or too small to justify cost of formation

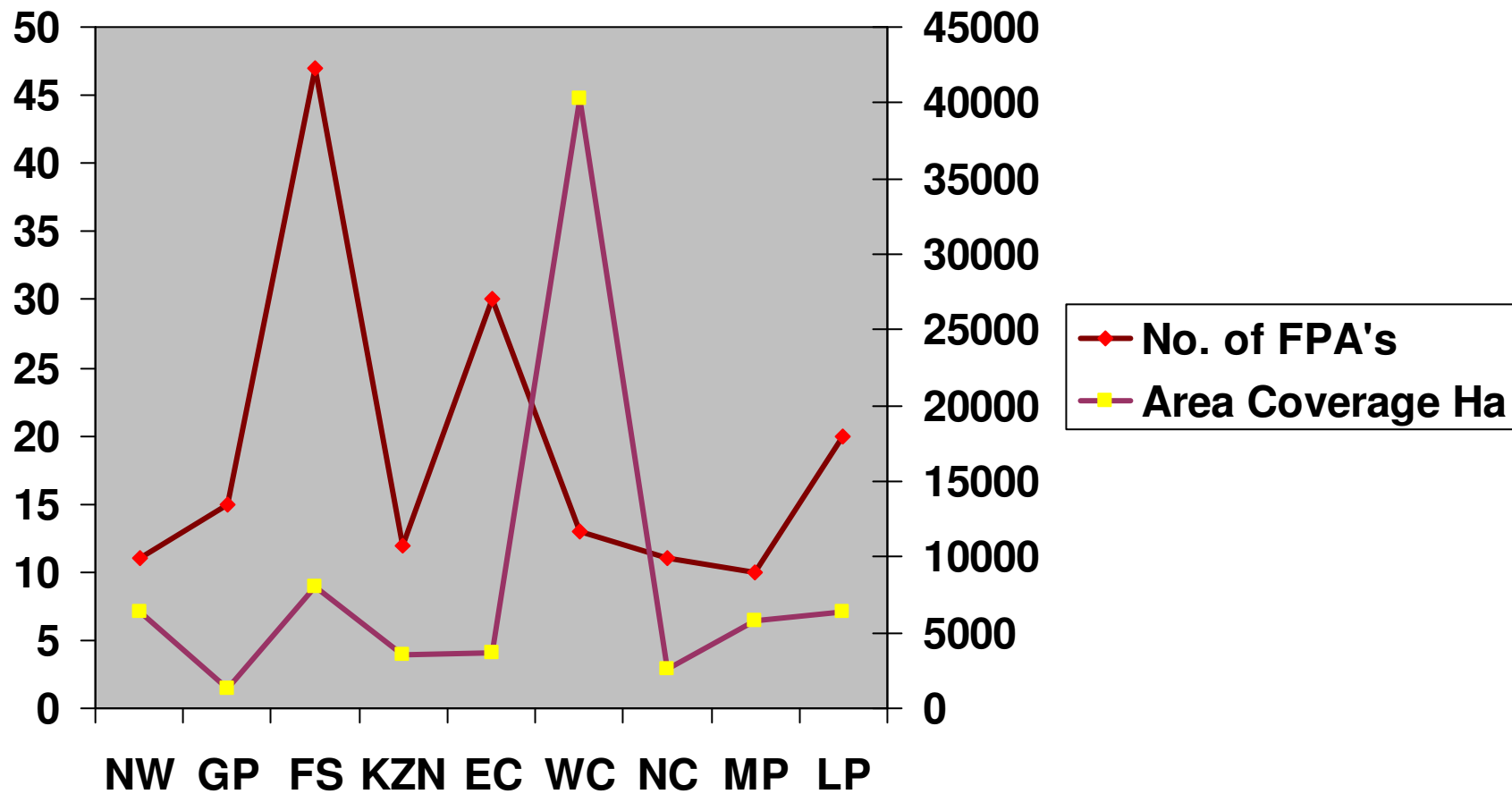


ADVANTAGES OF JOINING A FPA

- **Benefits of co-operation in fighting & preventing veldfires through veldfire management strategies developed by FPAs**
- **Cost-saving by avoiding duplication of services**
- **Fire Protection Officers (FPO) empowered to enforce provisions of the Act and rules**
- **Free access to research commissioned by the Minister**
- **Decreased risk of veldfires**



NUMBER OF FPAs AND AREA COVERAGE (Ha) PER PROVINCE



CHALLENGES FACING FPAS AS PER THE SUBMITTED ANNUAL REPORTS

- Lack of funding for FPA operations (training, equipment and firebreaks).
- Some municipalities are reluctant to join and support FPAs as they are also struggling to fund basic needs for their constituencies.
- FPOs not really enforcing the Act through powers delegated to them.
- Non-compliance by Government departments.
- Filling of FPO positions due to lack of capacity within FPAs
- Non-compliance by FPAs in terms of submission of Annual reports due to lack of capacity



CHALLENGES FACED BY THE DEPARTMENT



- Some FPAs not submitting Annual Reports as required by the Act
- Collection of Fire Statistics
- Implementation of the National Fire Danger Rating System
- Funding

PROPOSED INTERVENTIONS TO REMEDY THE SITUATION



1. Proposed Amendments

- The definition of “Veldfire” in terms of section 2 (1) (xix)
- Formation of FPAs under section 3 (3) of the Act
- The condition of municipalities to support FPA (section 4 (7) (a) & (b))
- Section 10 (2) to provide for use of high intensity fires (hot burning) for ecological reasons
- Section 11 (a) brought about by Departmental name changing-DEAT now DEA
- Section 25(3) (c)-a need to amend “firebreak” wording

PROPOSED AMENDMENTS (CONTINUED.....)

Proposed Wording for S 25 (3)

Chapter 7: Offences and Penalties

➤ Section 25(3) (c) reads as follows:

*“Any person who burns a **firebreak** when a fire protection association has objected in terms of section 12(4)(a), is guilty of a second category offence”.*

Proposal: To change the word “firebreak” to read as:

*“Any person who **uses or maintain a fire in the open air** when a fire protection association has objected in terms of section 12(4)(a), is guilty of a second category offence.*



PROPOSED ALIGNMENT BETWEEN THE NVFFA AND THE DRAFT FIRE AND RESCUE SERVICES BILL (FBSA)



- Section 6 (2) of the NVFFA mandating the Chief Fire Officers of municipalities to assume the position / responsibility of a Fire Protection Officer on a FPA unless s/he declines this on good grounds, to be referenced in the envisaged /amended Fire Brigade Services Act
- Section 7 of the NVFFA: Relates to the issue of financial and other assistance to FPAs-Improving the role that municipalities could play in funding and providing any other form of assistance to FPAs

PROPOSED ALIGNMENT BETWEEN THE NVFFA AND THE DRAFT FIRE AND RESCUE SERVICES BILL (FBSA)-CONTINUED



- Implementation of measures to achieve compliance with and enforcement of the Act-to enable municipal authorities to also monitor compliance with and enforce of the NVFFA in line with the DAFF approved policy on Compliance and Enforcement to be referenced as follows:
 - Whether every Fire Protection Officer has to acquire the status of a “peace officer” and to qualify for appointment as such as is the case with the appointment of a Chief Fire Officer
 - Whether the powers for search, seize and arrest are captured similarly in both pieces of legislation or associated regulations
 - Conversion of FPA rules into municipal buy-laws in order to bind non-members within the municipal area. Whether this could be made environmental issues that are enforceable under the envisaged amendment.

2. PREVENTION AND PREPAREDNESS MEASURES

- FPA Funding policy
- NFDRS Implementation
- Veldfire Disaster Management Plan
- Veldfire risk profile
- FPA training in partnership with FIETA
- Education and awareness
- Issuing of prohibition notices



3. OTHER MEASURES

- FPA-Municipality Boundary alignment
- Training of Judicial officers



DON'T START FIRES YOU CANT STOP - BE FIREWISE



agriculture, forestry & fisheries