



# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

## GUIDELINE TO ASSESS FORM 2 APPLICATION FOR THE REGISTRATION OF A FIRE PROTECTION ASSOCIATION PART 2 AND APPLICATION FOR THE REGISTRATION OF THE FIRE PROTECTION OFFICER

An FPA must apply for registration in two parts. The first part is the completion and submission of Form 1, "Application to register a fire protection association Part 1", for the Department's approval. The second part is the completion and submission of Form 2, "Application for the registration of a fire protection association Part 2 and application for the registration of the fire protection officer", along with the documents required: the minutes of the founding meeting, the FPA's constitution, the FPA's business plan, which includes its veldfire management strategy and rules, and the minutes of the meetings which approved the constitution, appointment of the FPO, the business plan and Form 2.

Form 2 is designed to enable:

- the Minister to decide whether to register the FPA, thereby conferring on it its powers and duties under the Act, and
- the Director-General to decide whether to register the FPO, thereby conferring on him/her his or her powers and duties under the Act.

The Minister must be satisfied that the FPA is capable of performing its duties under the Act and is representative of owners in its area. The Director-General must be satisfied that the FPO is able to enforce the Act in a responsible manner. Form 2 is designed to enable both of them to establish what they need to.

### 1. Name of the Fire Protection Association (the information for this item should be the same as in Form 1)

Elements in application form	Guiding notes
1.1. Name:	<b>Assessment criterion: The name must correspond with that in Form 1, as in the Department's FPA register.</b>
1.2. District(s) or Metropole(s):	<b>Assessment criterion: The name must correspond with that in Form 1, as in the Department's FPA register</b>
1.3. Province:	<b>Assessment criterion: The name must correspond with that in Form 1, as in the Department's FPA register</b>

### 2. Particulars of the representative of the Fire Protection Association (this person should not be the proposed Fire Protection Officer)

Elements in application form	Guiding notes
2.1. Surname 2.2. Initials 2.3. Title	This should be the name of the person applying on behalf of the FPA. Full details are needed in case the person applying has changed since submitting Form 1. A person other than the designated FPO should make the application to avoid conflict of interest.  <b>Assessment criterion: items are complete.</b>
2.4. Postal address:	The nature of the information required here is self-evident.  <b>Assessment criterion: item is complete.</b>
2.5. Physical address (only if different from postal address):	The nature of the information required here is self-evident.  <b>Assessment criterion: item is complete if 3.4 is not given.</b>
2.6. Contact telephone number during office hours 2.6.1. area code:	The nature of the information required here is self-evident.



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Elements in application form	Guiding notes
2.6.2. number: 2.6.3. ext.: 2.6.4. cellphone:	<b>Assessment criterion: items are complete.</b>
2.7. E-mail address:	

### 3. Address of the office of the Fire Protection Association, if established

Elements in application form	Guiding notes
3.1. Physical address (and all items to 3.3):	This should be the address of the office for the FPA.  <b>Assessment criterion: item is complete and agrees with the FPA register.</b>
3.4. E-mail address:	<b>Assessment criterion: item is complete (nil if not available).</b>

### 4. Particulars of founding meeting

Elements in application form	Guiding notes
4.1. Attach copies of advertisements of the founding meeting published in newspapers, if any	<b>Assessment criterion (a) copies of advertisements are attached (b) newspapers used to advertise are the ones that reach most owners in the area (c) if no newspaper advertisements are attached then 4.2 must be complete.</b>
4.2. Describe other means by which owners were notified of the founding meeting, if any	<b>Assessment criterion: (a) item is complete (nil if other media than those in 4.1 not used) (b) if alternatives to 4.1 used these may be one or more of: (i) newsletters of associations to which owners belong and which collectively include most owners (b) letters, faxes or e-mail messages to owners (c) copies of notices posted in public places, and a list of the places in which these were posted and (d) detailed invoices for local or regional radio broadcasts. The initiator must have taken reasonable steps to reach owners, but need not prove that all owners have been reached.</b>
4.3. Attach the minutes of the founding meeting, including the attendance register	<b>Assessment criterion:</b>  <b>(1) the minutes must be attached to Form 2 in hard copy and signed by the Chairperson; (2) the Chief Fire Officer(s) or their delegate(s) must have attended the meeting. If a delegate has attended, a copy of the written authorisation to the delegate signed by the CFO must be attached. (3) The attendance register must record:</b> <ul style="list-style-type: none"> <li>• the names, contact details and property names of all owners who attended the meeting</li> <li>• the names, contact details and property names of all owners who were represented at the meeting and the names and contact details of the owners or organisations who represented them.</li> </ul> <b>(4) The minutes must indicate: (a) whether or not there was unanimous support among owners or their representatives for the formation of the FPA; (b) the number of votes cast in favour of the said formation; (c) the number of votes cast</b>



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	<p><i>against the said formation; and (d) the number of owners or their representatives who abstained from casting their votes on the said formation.</i></p> <p><i>(5) The minutes must: (a) give the name of the FPA (b) describe its area, (c) give the names of the executive committee.</i></p> <p><i>The DAFF Fire Adviser must be satisfied that the minutes of the meeting are an accurate reflection of what took place there.</i></p>
4.4. Attach a list of names and contact details of members of the elected Executive Committee	<b>Assessment criterion: the item is complete and includes at least the details of (a) the Chairperson (b) the Secretary and (c) the Fire Protection Officer designate.</b>

## 5. Declaration that no owner has been deliberately excluded from the formation of the Fire Protection Association

Elements in application form	Guiding notes
5.1. Signed declaration as in Form 2	<b>Assessment criterion: (a) the declaration is complete (b) the Forest Officer trained to advise FPAs is satisfied that the declaration is true and (c) the signature is that of the Chairperson of the FPA, the FPO or a similarly responsible person.</b>

## 6. Constitution of the Fire Protection Association

Elements in application form	Guiding notes
6.1. Attach a copy of the constitution of the Fire Protection Association	<p>The constitution must accompany the application. If the FPA is applying in terms of section 4(3) (which allows the Minister to register existing organisations), then its founding law or constitution must comply with section 4(6): it must allow all owners in the area of the FPA to join provided they undertake to abide by its constitution and rules.</p> <p><b>Assessment criterion: (a) the copy of the constitution of the FPA may be attached as a hard copy or accompany the electronic copy of Form 2 as an electronic file (b) the text of the constitution should follow closely the requirements set out in the Regulation 4 but need not comply in every detail (c) if the application is in terms of s4(3), the constitution complies with s4(6).</b></p>

## 7. Declaration that the membership of the Fire Protection Association will be representative of owners within the area

Elements in application form	Guiding notes
7.1. Signed declaration as in Form 2	<b>Assessment criterion: (a) the declaration is complete (b) the Forest Officer trained to advise FPAs is satisfied that the declaration is true and (c) the signature is that of the Chairperson of the FPA, the FPO or a similarly responsible person.</b>

## 8. Record of any objections to the formation of the Fire Protection Association



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Elements in application form	Guiding notes
8.1. Attach a list of the names and addresses of those objecting, and describe the nature of objections raised, if any	<b>Assessment criterion: (a) the list is attached to Form 2 or there is a nil return (b) the Forest Extension Officer is satisfied that the return is a reasonable reflection of the real situation.</b>

## 9. Particulars of the Fire Protection Officer of the Fire Protection Association

Elements in application form	Guiding notes
9.1. Surname 9.2. Initials 9.3. Title 9.4. ID number 9.5. Position held in employer organisation 9.6. Contact address	<b>Assessment criterion: items are complete.</b>
9.7 Curriculum vitae attached 9.8 Please provide the details of two referees	<p>The proposed FPO must “be able to enforce the Act in a responsible manner”, i.e. the candidate must be able and responsible.</p> <p>The curriculum vitae and the testimony of the referees must confirm that the proposed FPO has or will within a reasonable time have:</p> <ul style="list-style-type: none"> <li>(i) adequate knowledge of veldfire conditions, behaviour and control within the area of the FPA</li> <li>(ii) adequate skills and experience in the management and fighting of veldfires especially when they have exceeded a single owner’s capacity</li> <li>(iii) certified qualifications appropriate to the level of veldfire risk within the area of the FPA</li> <li>(iv) previous experience in managing firefighting resources appropriate to needs of the FPA</li> <li>(v) experience in the technologies of veldfire management appropriate to the level of veldfire risk within the area of the FPA e.g. fire danger ratings and aerial support (not mandatory in low-risk FPAs)</li> <li>(vi) proven co-ordination, command and control skills, as reflected for example in the management of Joint Operating Centres or equivalent co-ordination structures</li> <li>(vii) proven negotiation and facilitation skills appropriate to the needs of the FPA .</li> </ul> <p>Note that the nature and level of veldfire risk in the area of the FPA must be evident in the contents of the veldfire management strategy. The nature and level of support to be provided from an Umbrella or other sources will also be taken into account.</p> <p><b>Assessment criteria: (a) the items are complete and (b) the Forest Officer trained to advise FPAs judges that the proposed FPO adequately complies with these requirements.</b></p>
Elements in application form	Guiding notes
9.9 Is the Fire Protection Officer the	The Act requires that the local Chief Fire Officer should be the



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<p>Chief Fire Officer of your Fire Service?</p>	<p>FPO unless he or she declines the position. If there is more than one fire service within the area of the FPA, then the FPO must be appointed from among the willing candidate CFO's, and this should be reflected in the minutes mentioned in 4.3 above. Where there is no municipal fire service within the area then the FPO cannot be the CFO. Note that the local fire service will be the function of metropolitan local government in the case of Metropolises, or the local municipality in the case of District Municipalities unless District government executes the service as an agency for the local municipality.</p> <p><b>Assessment criteria: (a) item is complete (b) if the proposed FPO is a delegate of the municipal CFO then the relevant document must be attached to the application and be complete with regard to the terms of the delegation (c) if a CFO is not appointed then the reasons for this must comply with the provisions of the Act, i.e. either (i) the CFOs have declined or (ii) there is no CFO in the area of the FPA.</b></p>
<p>9.10 If yes, give the name of Fire Service</p>	<p><b>Assessment criterion: item is complete.</b></p>
<p>9.11 If no, indicate by choosing the appropriate reason below why the Chief Fire Officer has not been designated:</p> <p>a) There is no designated fire service within the municipality that includes the area of the fire protection association</p> <p>Yes/no</p> <p>OR</p> <p>b) There is a designated fire service within the municipality that includes the area of the fire protection association but the Chief Fire Officer has declined to take the position of Fire Protection Officer</p> <p>Yes/no</p>	<p>The Act as amended provides only for one of two conditions under which a Chief Fire Officer will not be the FPO, as noted in Form 2.</p> <p><b>Assessment criterion: item is complete as relevant to the case.</b></p>
<p>9.12 Have there been any objections to the appointment of the person named above as Fire Protection Officer?</p> <p>Yes/no</p> <p>If yes, please specify (a) how objections have been resolved, if so and (b) the nature of any outstanding objections</p>	<p>This provides an independent check on the acceptability of the designated FPO to members of the Association, and appears here because of some stakeholders' concerns about the competence of available CFOs relative to the magnitude of the risk management problem; [it may be possible to omit this item].</p> <p><b>Assessment criteria: (a) item is complete (b) the information must correspond with the contents of the minutes of the meeting(s) that approved the application (c) outstanding objections must be evaluated in terms of the</b></p>



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	<i>likelihood that objectors' safety will be put at unreasonable risk should the designated FPO be registered.</i>
9.13 Does the Fire Protection Association require the Director-General of the Department to designate an officer of the Department to act as its Fire Protection Officer?	Section 6(4) of the Act states that the DG may designate an officer or employee of the Department to act as the FPO if the FPA does not have the means to do so itself.  <b>Assessment criterion: item must be complete. Given sufficient reason, registration of the FPA will depend on the Department's appointing an officer or employee as FPO. Note that, if the FPA requires the Department to designate an FPO, then the Regional Director should indicate in 18 below that a competent person will be available for this duty from his/her staff complement.</b>

## 10. Particulars of the business plan of the Fire Protection Association

Elements in application form	Guiding notes
10.1. Attach a copy of the business plan	<b>Assessment criterion: a copy of the FPA business plan must be attached to the application, as an electronic file in the case where the FPA has completed its application electronically. See the separate document, "Guide to Fire Protection Associations for the Development of Business Plans", Parts A, B and C.</b>

## 11. Particulars of the rules of the Fire Protection Association

Elements in application form	Guiding notes
11.1. Confirm that the business plan contains the rules of the Association	This requirement is self-evident.  <b>Assessment criterion: the business plan stipulated in item 10 above contains the schedule of rules.</b>

## 12. Umbrella Association that will support the Fire Protection Association (if any)

Elements in application form	Guiding notes
12.1. Name of the Umbrella Association	<b>Assessment criteria: item is complete; name of Umbrella corresponds with the registered or applicant Umbrella for an area that includes the area of the FPA.</b>
12.2. Services to be provided by the Umbrella:	These need to be specified so that the commitment that the FPA expects from the Umbrella is clear.  <b>Assessment criterion: item is complete.</b>
12.3. Name of the Chief Executive Officer of the Umbrella Association:	<b>Assessment criterion: item is complete.</b>
12.4. List of names of other Fire Protection Associations under the same Umbrella:	<b>Assessment criteria: item is complete and entries agree with the Department's FPA register.</b>
12.5. Declaration by the Chief Executive Officer of the Umbrella:	<b>Assessment criteria: item is complete and the declaration confirms Umbrella commitment to provide the services specified in 12.2.</b>



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## 13. Description of the capability of the Fire Protection Association

Elements in application form	Guiding notes
13.1. The National Veld and Forest Fire Act requires that the Minister must be satisfied about the capability of the Fire Protection Association before registering it. This will be judged by the contents of the business plan required in 10 above, and the support if any to be provided by an umbrella association. However, if you wish to add more information relating to capability please do so below.	The business plan of the FPA must be the primary source of evidence of capability.  <b>Assessment criteria: (a) the capability indicated in the business plan must measure up to the overall level of risks assessed for the area of the FPA (b) the overall level of risk assessed for the FPA must approximate the veldfire risk profile for the local municipality, as assessed in the national risk assessment (c) additional evidence of capability provided in 13.1 must supplement the business plan, rather than constituting primary evidence of capability.</b>
13.2. Where the Fire Protection Officer is not the local Chief Fire Officer and a fire service exists within the municipality(ies) that include the area of the Fire Protection Association, include a description of agreements to co-operate with the Chief Fire Officer  OR refer to contents of the business plan where this is set out:	<b>Assessment criterion: appropriate assistance agreements should exist, if necessary, with the relevant fires service for the rendering of firefighting and other services to members of the FPA, as evidenced by this entry or by the contents of the relevant part of the veldfire management strategy.</b>

## 14. Approval of the application to register the Fire Protection Association

Elements in application form	Guiding notes
14.1 Attach a copy of the minutes of the meeting(s) at which members approved: (a) the constitution of the Association (b) the appointment of the Fire Protection Officer (c) the business plan and (d) this application.	<b>Assessment criterion: the minutes should reflect the majority approvals for (a) to (d)</b>

## 15. Statement by an appropriate representative of local government (District or Metropolitan or Local Municipality) of commitment to the Fire Protection Association

Elements in application form	Guiding notes
15.1. Signed statement	This requirement is self-evident.  <b>Assessment criterion: the item is complete. The person signing the statement may be (a) the Mayor, (b) the Chairperson of the Executive Committee or (c) the Municipal Manager, but should not be the same person as that in 16 below.</b>

## 16. Declaration by the representative of the Fire Protection Association

Elements in application form	Guiding notes
16.1. Signed declaration	This requirement is self-evident. The person signing should be



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	the same as the representative in 2 above.  <b><i>Assessment criterion: the declaration is complete.</i></b>
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## 17. Recommendation by the regional representative of the Department of Water Affairs and Forestry

Elements in application form	Guiding notes
17.1. Signed recommendation	This requirement is self-evident.  <b><i>The Forest Officer trained to advise FPAs should be satisfied that the registration application is properly founded and that he or she can show due diligence in the administration of the application.</i></b>  <b><i>Assessment criterion: the items are complete</i></b>





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## 18. DECLARATION BY THE REGIONAL CHIEF DIRECTOR (CLUSTER MANAGER) OF THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

Elements in application form	Guiding notes
18.1 Details of Regional Chief Director (Cluster Manager) and support for recommendation of Forest Officer in 17.	<b><i>Assessment criterion: the Cluster Manager or his/her delegate must complete the items and sign the recommendation.</i></b>