



RULES TO THE MEMORANDUM OF INCORPORATION

(Eastern Cape Umbrella Fire Protection Association NPC)

INDEX

- 1. Definitions**
- 2. Name of the Association**
- 3. Area of the Association**
- 4. Addresses of the Association**
 - 4.1. Physical Address
 - 4.2. Postal Address
- 5. What is ECUFPA?**
- 6. ECUFPA Vision**
- 7. ECUFPA Mission**
- 8. ECUFPA Values**
- 9. The aims of ECUFPA**
- 10. Objects, Duties & Functions and Role & Responsibilities of the Association**
 - 10.2. Duties & Functions
 - 10.3. Role & Responsibilities
- 11. Membership**
- 12. Register of Member FPAs**
- 13. Rights and Duties of Members**
- 14. Termination of Membership**
- 15. Fees, Charges and Interest**
- 16. Decision Making Bodies of ECUFPA**
 - 16.1. ECUFPA NPC Board of Directors
 - 16.2. ECUFPA Executive Committee (EXCO)
 - 16.3. ECUFPA Operations Committee (OPCO)
 - 16.4. Guiding Principles of ECUFPA Committees
 - 16.5. Decision Making Procedures
 - 16.6. Meetings
 - 16.7. Chairperson
 - 16.8. Accountability
 - 16.9. Administration
- 17. Finances**
- 18. Annual General Meeting (AGM)**
- 19. Special General Meeting**
- 20. Dispute Resolution**
- 21. Dissolution**

1. Definitions

- 1.1. **ECUFPA NPC** – means “**EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION NON PROFIT COMPANY**” – NPC Registration No.: 2012/109394/08.
- 1.2. **ECUFPA** – means “**EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION**”.
- 1.3. **MOI** – refers to the Memorandum of Incorporation of the **EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION NON PROFIT COMPANY**.
- 1.4. *The Act* – refers to the Companies Act, 2008, as amended together with any regulations published in terms thereof.
- 1.5. **FPA(s)** – means “**FIRE PROTECTION ASSOCIATION(S)**”.
- 1.6. **NVFFA** – refers to the National Veld and Forest Fire Act, Act 101 of 1998, as amended together with any regulations published in terms thereof.

In addition to any provisions as set out in the Memorandum of Incorporation, as well as the Companies Act of 2008, the **ECUFPA NPC** (Reg. No.: 2012/109394/08) shall form and govern an Association in terms of the National Veld and Forest Fire Act (Act 101 of 1998), as set out in these rules, as amended from time to time.

The **ECUFPA** is also registered as a *NON-PROFIT ORGANISATION* with the *Department of Social Development* – NPO Registration No.: 190-777 NPO.

2. Name of the Association

- 2.1. The name of the Association will be **EASTERN CAPE UMBRELLA FIRE PROTECTION ASSOCIATION**.
- 2.2. Abbreviation: **ECUFPA**

3. Area of the Association

- 3.1. The **ECUFPA** area will cover all registered **FPA**s in the Eastern Cape Province.

4. Addresses of Association

4.1. PHYSICAL ADDRESS:

441 Sprigg Street
Stutterheim
4930

4.2. POSTAL ADDRESS:

PO Box 973
Stutterheim
4930

5. What is ECUFPA?

- 5.1. **ECUFPA** is a not-for-profit association governed by a board of Directors and management control is by an Executive Committee, which is run by permanent staff in its Stutterheim-based provincial office and represents registered FPAs, which in turn is made up of active members.

6. ECUFPA Vision

- 6.1. **ECUFPA** aims, through excellence in education and representation, to promote the protection of life, assets and the environment from veld & forest fires, inclusive of other related emergencies.

7. ECUFPA Mission

- 7.1. To promote an efficient system that supports the activities of all landowners and land users in the execution of their duties as set out in the **NVFFA** and is consistent with the provisions of the **NVFFA**, the Disaster Management Act, and other relevant legislation.
- 7.2. Our purpose is to work cooperatively with all governments, corporate and community organizations for the continuous improvement in standards, legislation, education, products and services.

8. ECUFPA Values

The values that guide the association are:

- 8.1. **Integrity** — behaving ethically, acting with loyalty and honesty, and being prepared to express our views.
- 8.2. **Independence** — being prepared to establish alliances, build trust and foster cooperation without showing favour.
- 8.3. **Professionalism** — an ongoing commitment to the continuous improvement in the delivery of quality fire protection services and standards.

9. The aims of ECUFPA

- 9.1. **Representative Membership** - To maintain a broad membership base which is accurately representative of the fire safety community, in order to provide the resources to build awareness of the association so that the ECUFPA can achieve its other goals.
- 9.2. **Member Services** - To be the primary source of fire protection information and advice that is of benefit to ECUFPA members, the veld & forest fire safety industry and the wider community.
- 9.3. **Continual Improvement in Fire Education** - To support and contribute to the continuing development of national competencies and training packages to

meet legislative requirements and to improve the effectiveness of those employed in veld & forest fire safety and protection.

- 9.4. **Influence Decision Makers** - To take a leading role in influencing all bodies whose decision-making processes affect fire safety.
- 9.5. **Support for Corporate Members** - To support corporate members and their businesses through networking with governments, trade Organisations, international fire protection associations and related bodies, to promote South African fire safety standards, services and expertise to a global audience.
- 9.6. **Communication of the Fire Safety Message** - To be a successful and vital link in communicating the fire safety message to our members, to the fire safety industry, to other businesses and industry, and to the wider community.

10. Objects, Duties & Functions and Role & Responsibilities of the Association

In addition to any objects as set out in section 1.2 of the **MOI**, the association **may** also perform the following:

10.1. Duties & Functions

- 10.1.1. Inform its members of equipment and technology.
- 10.1.2. Promote fire awareness in the Eastern Cape.
- 10.1.3. Coordinate available fire-fighting resources.
- 10.1.4. Execute the powers and duties delegated to **ECUFPA** by the minister.
- 10.1.5. Monitor and evaluate performance of member **FPAs**.
- 10.1.6. Provide a strategy for agreed mechanisms for the co-ordination of actions with adjoining **FPAs** in the event of fire crossing boundaries.
- 10.1.7. Make rules that binds its members.

10.2. Role & Responsibilities

- 10.2.1. **Appointment of Provincial Operations Manager**, including aerial operations responsibility.
- 10.2.2. **Strategic policy and planning** for all **FPAs** in the Eastern Cape and assist with **legal compliancy**.
- 10.2.3. **Liaison and co-ordination** with the provincial and local disaster management centers by **improving communication** and setting a platform for all role players.
- 10.2.4. **Communicating fire danger** ratings to **FPAs** and others.
- 10.2.5. **Weather data collection** for improvements to the predictions from the NFDRS [National Fire Danger Rating System], and collection and dissemination of other relevant data and information.
- 10.2.6. Providing **input data for fire danger ratings** on behalf of its **FPAs**, such a veld curing information.
- 10.2.7. Training of **fire incident command specialists** for support and co-ordination between **FPAs** and other fire-fighting agencies in escalating fire conditions.

- 10.2.8. **May assist or advise members of FPAs where court cases** arise, such as providing expert witness, statistical and weather information.
- 10.2.9. **Management and maintenance of aerial support** services.
- 10.2.10. **Assist with the Coordination of Ground** support.
- 10.2.11. **Co-ordination functions**, such as co-ordination of equipment and other resources between individual **FPAs**, through such measures as mutual assistance agreements and the standard operating procedures they contain, as well as organizing **Training through Accredited Providers**.
- 10.2.12. **Advise and assist Fire Protection Associations to be sustainable** – to promote and support effective and sustainable **FPAs** within the Eastern Cape.
- 10.2.13. **Promote Financial Sustainability of FPAs** – to promote financial sustainability amongst its members. **ECUFPA** will act as an “agent” on behalf of **FPAs** and conclude necessary agreements with various Government Departments and Organisations on both Provincial and National level, such as membership to the respective **FPAs**, thereby assisting **FPAs** to obtain fees, funds and membership.
- 10.2.14. In areas where there is no **FPA** or where the **FPA** is deemed dysfunctional or where there is a dispute around **FPA** membership, area or management, the **ECUFPA** may perform the **FPA** functions as per the **NVFFA**.
- 10.2.15. **Assist in implementing Integrated Fire Management**.

11. Membership

- 11.1. Any **FPA** in the Eastern Cape registered with the *Department of Agriculture, Forestry and Fisheries* under the **NVFFA**, may become a member of **ECUFPA**.
- 11.2. Only **FPAs** that elect to be members of **ECUFPA** are allowed to become members. **FPAs** must apply in writing to become a member of **ECUFPA** and agree to abide by the rules of the **ECUFPA**.
- 11.3. All companies, government departments and parastatals subscribing membership to local **FPAs** via **ECUFPA** will become full members of **ECUFPA**.
- 11.4. The following types of membership will available and shall be determined by the **ECUFPA NPC** Board of Directors. The benefits of the various types of membership shall be stipulated in the “*ECUFPA Fee Structure*” document and will be available from the office. The membership types are:
 - 11.4.1. Limited FPA Membership – Signed consent form only.
 - 11.4.2. Basic FPA Membership
 - 11.4.3. Full FPA Membership
 - 11.4.4. Affiliate Membership – this membership will be for individuals, companies and organisations who are not members of **ECUFPA**, via the FPA Membership options, but require access to the stipulated affiliate benefits in the “*ECUFPA Fee Structure*” document.
- 11.5. Should there be any other Value Added Services or Additional Services required, which are not stipulated as part of membership benefits, these



Value Added Services or Additional Services will be billed for at the relevant rates.

12. Register of Member FPAs

- 12.1. All **FPAs** should give the secretary of the **ECUFPA** a full list of all their members.
- 12.2. All **FPAs** to provide a copy of the **FPA's** map showing all their boundaries.
- 12.3. In the case of communities, a copy of the map showing the boundaries of the communal land.
- 12.4. In the case of Municipalities and organs of state, copies of title deeds or maps showing the boundaries of their properties.

13. Rights and Duties of Members

Membership of the association includes:

- 13.1. Paying any fees and charges set by the Board of Directors from time to time.
- 13.2. Allow members to have specified benefits of membership.
- 13.3. But does not give a member a right to any property or monies of the **ECUFPA**, except as reasonable compensation for services or goods rendered, of which such services and goods shall be approved by the **ECUFPA NPC** Board of Directors.
- 13.4. Members shall not be liable for any obligations and liabilities of the **ECUFPA** solely by virtue of their status as members.

14. Termination of Membership

- 14.1. A member may terminate membership by written notice to the secretary of the **ECUFPA**, except in the case of Municipalities and organs of state who are permanent members.
- 14.2. Termination of membership will mean that the member forfeits all monies, already paid to the association.
- 14.3. Membership is automatically terminated if a member does not pay membership fees, charges or interest within 90 days, after the due dates of these fees or charges.
- 14.4. If any member feels that their membership has been terminated unfairly and not in accordance with any of the rules, such member may draft a letter and submit said letter to the **ECUFPA** Executive Committee and the Secretary of the **ECUFPA NPC** Board of Directors.

15. Fees, Charges and Interest

- 15.1. The Board of Directors may from time to time:
 - 15.1.1. Fix fees and charges for services that are necessary for the proper management of the **ECUFPA**.
 - 15.1.2. Charge interest on unpaid fees that the law allows.

- 15.2. The membership fees of the **ECUFPA** shall annually be proposed by the **ECUFPA NPC** Board of Directors and will be approved at the **ECUFPA** Annual General Meeting (AGM).
- 15.3. Any increase in fees or charges for services must be decided at a Board Meeting.

16. Decision Making Bodies of ECUFPA

16.1. ECUFPA NPC BOARD OF DIRECTORS

- 16.1.1. In addition to Section 2.1 of the **MOI**, the following rules shall also be followed.
- 16.1.2. The **ECUFPA** directors will be formally registered through the ***Companies and Intellectual Properties Commission (CIPC)*** as Directors of the **ECUFPA NPC**.
- 16.1.3. The details of these directors can be found on the registration documents, as registered with the **CIPC**.
- 16.1.4. Appointment or additions of directors will be in line with good corporate governance and as per recommendations from EXCO and must be approved by the other directors.
- 16.1.5. No director shall be entitled to any of the property, assets or monies of the **ECUFPA**, except as reasonable compensation for services or goods rendered, of which such services and goods shall be approved by the **ECUFPA NPC** Board of Directors.
- 16.1.6. Notwithstanding any provisions and/or requirements as set out in the *Companies Act of 2008*, no director shall be liable for any obligations and liabilities of the **ECUFPA** solely by virtue of their status as director.
- 16.1.7. No director shall be held personally liable for any loss suffered by any person as a result of an act or omission which occurred in good faith while executing any official **ECUFPA** duties, unless negligence can be shown and/or proven in such act, by a court of law.
- 16.1.8. This is the body that is responsible for sound financial management of **ECUFPA**.
- 16.1.9. Purpose of the Board
 - 16.1.9.1. All directors shall act in a constructive, accountable and responsible manner in dealing with issues that are brought to them.
 - 16.1.9.2. All directors shall be given access to information relating to the work of the directors in order to facilitate due consideration by the EXCO and OPCO.
 - 16.1.9.3. All discussions relating to the tasks and functions of the directors shall be open and transparent.
 - 16.1.9.4. All proceedings of formal meetings of the directors shall be recorded.

- 16.1.9.5. All matters relating to the directors shall be addressed with the necessary urgency.
- 16.1.9.6. To facilitate the provision of information and feedback to EXCO and OPCO.
- 16.1.9.7. The ECUFPA Board of directors will appoint all permanently employed staff, e.g. Manager, Planning officer and Administration Staff.
- 16.1.9.8. The ECUFPA Board will ensure that King III Code of governance principles are adhered to with regard to the Board Composition. The specific principles adhered to in terms of Chapter 2 of King III of King III Code of governance principles are as follows:
 - 2.14 - The Board of Directors should act in the best interests of the company.
 - 2.16 - The Board should elect a chairman of the board who is an independent non-executive director. The CEO of the company should not also fulfil the role of chairman of the board.
 - 2.17 - The Board of Directors should appoint the Chief Executive Officer (CEO) of company.
 - 2.18 - The Board should comprise a balance of power, with a majority of non-executive directors. The majority of non-executive directors should be independent.
- 16.1.10. Primary Responsibilities
 - 16.1.10.1. Assist with the financial policy and planning for the **ECUFPA NPC**.
 - 16.1.10.2. Overall financial direction and planning, including the signing off on the budget and the financial statements.
 - 16.1.10.3. Accountability over financial management.
 - 16.1.10.4. To establish and maintain any Bank Account(s) and/or investments that are required for the proper and sound financial management of the financial transactions of **ECUFPA**.
 - 16.1.10.5. To amend the **Rules to the MOI**, if required, in conjunction with any recommendations, if made, from the **ECUFPA** Executive Committee (EXCO), provided that such amendments are in the best interests of the **ECUFPA**.
- 16.1.11. Aims of the Board
 - 16.1.11.1. To promote sustainable, equitable and efficient financial management.
- 16.1.12. Composition of the Board
 - 16.1.12.1. Formally appointed directors of **ECUFPA NPC**.
 - 16.1.12.2. From the above Board Members (EXCLUDING co-opted members), the following Office Bearers shall be elected:

- 16.1.12.2.1. Chairman.
- 16.1.12.2.2. Vice Chairman.
- 16.1.12.2.3. Secretary.
- 16.1.12.2.4. Treasurer.

One person may hold more than one position at any time.

16.2. **ECUFPA EXECUTIVE COMMITTEE (EXCO)**

- 16.2.1. The **ECUFPA** Executive Committee (EXCO) has been established to ensure a coordinated approach to fire risk management in respect of aerial and ground operations throughout the Province, in turn ensuring **FPA**s achieve common standards with regard to overall aerial and ground operations - awareness, training, prevention and control – in line with the aims mentioned above.
- 16.2.2. The EXCO will work closely with provincial and local government structures, as well as other fire related service providers and stakeholders.
- 16.2.3. The EXCO will be represented by one member per District as well as the Chairman, FPO / Manager and Directors of **ECUFPA NPC** that is not district representatives.
- 16.2.4. No EXCO member shall be entitled to any of the property, assets or monies of the **ECUFPA**, except as reasonable compensation for services or goods rendered, of which such services and goods shall be approved by the **ECUFPA NPC** Board of Directors.
- 16.2.5. EXCO members shall not be liable for any obligations and liabilities of the **ECUFPA** solely by virtue of their status as members of the EXCO.
- 16.2.6. No EXCO member shall be held personally liable for any loss suffered by any person as a result of an act or omission which occurred in good faith while executing any official **ECUFPA** duties, unless negligence can be shown and/or proven in such act, by a court of law.
- 16.2.7. This is the body that is responsible for strategic direction of **ECUFPA**.
- 16.2.8. **Purpose of the Committee**
 - 16.2.8.1. To establish strategic direction for **FPA** discussions on the OPCO and participation in fire risk management issues.
 - 16.2.8.2. To set strategic direction in issues related to fire risk management and aerial and ground resources within the Eastern Cape, networking closely with relevant institutions.
 - 16.2.8.3. To evaluate and monitor impacts of fire on land use, and develop strategic direction to reduce such impacts within the Eastern Cape.
 - 16.2.8.4. To assist in the compilation of documents in respect fire risk management - providing proposals and plans that may improve aerial and ground operations i.r.o. fire.

- 16.2.8.5. To liaise and interact with *Working on Fire (WoF)* with regard to **FPA** partnership agreements, *WoF* fire-fighting crews, strategic locations, etc.

16.2.9. Primary Responsibilities

- 16.2.9.1. Appointment of a FPO and /or Manager who would delegate certain powers and duties to the member **FPAs** and interact with *Working on Fire (WoF)* and other relevant organizations. This position may be filled by either one or two people.
- 16.2.9.2. Assist with the strategic policy and planning for the common area administered by several **FPAs**.
- 16.2.9.3. To provide strategic direction for fire related training.
- 16.2.9.4. Facilitate communication to Government departments, Parastatals and corporates regarding veldfire management in the area.
- 16.2.9.5. Initiate Awareness / Media Campaigns from a provincial perspective.
- 16.2.9.6. Facilitating mutual aid agreements (between fire related parties as well as the **ECUFPA (WoF, DAFF, etc.)**).
- 16.2.9.7. Overall strategic direction and planning, including the contributions to local disaster management plans.
- 16.2.9.8. Assist with the development of Standard Operating Procedures (SOPs).
- 16.2.9.9. To guide in the strategic direction in terms of fire related equipment for the benefit of the **FPAs** and their members, with respect to -
Aerial operations: Helicopters, Fixed wing Bombers, etc.
Ground operations: Fire equipment – pumps, hoses, Fire Tenders, Hand crew equipment, Personal Protective Equipment (PPE), Radio Communications, Chemicals & Gels, etc.
- 16.2.9.10. Advising when new **FPAs** are established in the area covered by the **ECUFPA**, in cases where **FPAs** are still needed.
- 16.2.9.11. Assist **FPAs** where possible with prescribed burning, common rules, joint fire preparedness & response plans, thereby ensuring common standards.

16.2.10. Aims of the Committee

- 16.2.10.1. To provide strategic direction to promote sustainable, equitable and efficient fire risk management principles within the Eastern Cape.
- 16.2.10.2. To promote fire awareness and capacity building in the Eastern Cape with regard to veld and forest fire issues.

- 16.2.10.3. To develop trust amongst the **FPA**s and to promote cooperative governance among stakeholders and authorities.
- 16.2.10.4. To liaise closely with the Local, District and Provincial Government, *Working on Fire* and the *Department of Agriculture, Forestry & Fisheries*.

16.2.11. Composition of the Committee

- 16.2.11.1. One **FPA** representative per Municipal District area – i.e. six districts in the Eastern Cape, hence a combined total of six representatives (preferably a Fire Protection Officer (FPO) or FPA Chairman).
- 16.2.11.2. **ECUFPA NPC** Board Members.
- 16.2.11.3. **ECUFPA** Manager(s).
- 16.2.11.4. **ECUFPA** FPO.
- 16.2.11.5. Representative from Provincial Disaster Management.
- 16.2.11.6. General Manager of *Working on Fire* in the Eastern Cape.
- 16.2.11.7. Representative from Agri Eastern Cape.
- 16.2.11.8. Provincial representative from DAFF (Department of Agriculture Forestry and Fisheries).
- 16.2.11.9. EW-DRM (Early Warning –Disaster Risk Management) representative from DRDAR (Department of Rural Development and Agrarian Reform).
- 16.2.11.10. Any other specialist may be co-opted to this committee as the need arises. All co-opted members will be confirmed at the onset of each meeting.
- 16.2.11.11. From the above committee members (EXCLUDING co-opted members), the following Office Bearers shall be elected:
 - 16.2.11.11.1. Chairman.
 - 16.2.11.11.2. Vice Chairman.
- 16.2.11.12. Any member of the **ECUFPA** may be elected to the EXCO.
- 16.2.11.13. The chairperson is elected for a period of two years, but may stand for re-election at the end of this period.
- 16.2.11.14. Any additional members are elected for two years, but may stand for re-election at the end of this period.
- 16.2.11.15. If the chairperson or any additional member(s) resigns, dies, becomes incapacitated or is disqualified, or is removed from office by the majority vote of the association, the respective position shall become vacant.
- 16.2.11.16. A member of the EXCO becomes disqualified if he or she –
 - 16.2.11.16.1. Is declared to be of unsound mind by a court.
 - 16.2.11.16.2. Is declared insolvent by a court.
 - 16.2.11.16.3. Is convicted of a crime involving dishonesty.

16.2.11.16.4. Has been absent without leave or a good reason from two consecutive meetings of the committee.

16.2.11.17. If there is a vacancy on the committee, it must be filled by the election of another member for the remaining period of the service.

16.3. **ECUFPA OPERATIONS COMMITTEE (OPCO)**

- 16.3.1. The **ECUFPA** Operations Committee (OPCO) has been established to ensure a coordinated approach to fire risk management in respect of aerial and ground operations throughout the Eastern Cape Province, in turn ensuring **FPAs** achieve common standards with regard to overall aerial and ground operations - awareness, training, prevention and control – in line with the aims mentioned above.
- 16.3.2. The OPCO will work closely with provincial and local government structures, as well as other fire related service providers and stakeholders.
- 16.3.3. OPCO will be represented by one of its members per Municipal District area on the **ECUFPA** EXCO to ensure integration of OPCO into the EXCO.
- 16.3.4. No OPCO member shall be entitled to any of the property, assets or monies of the **ECUFPA**, except as reasonable compensation for services or goods rendered, of which such services and goods shall be approved by the **ECUFPA NPC** Board of Directors.
- 16.3.5. OPCO members shall not be liable for any obligations and liabilities of the **ECUFPA** solely by virtue of their status as members of the OPCO.
- 16.3.6. No OPCO member shall be held personally liable for any loss suffered by any person as a result of an act or omission which occurred in good faith while executing any official **ECUFPA** duties, unless negligence can be shown and/or proven in such act, by a court of law.
- 16.3.7. This is the body that is responsible for operational management of **ECUFPA**s strategy and implementation of Integrated Fire Management (IFM).
- 16.3.8. Purpose of the Committee
 - 16.3.8.1. To provide a platform for **FPA** discussion and participation in fire risk management issues.
 - 16.3.8.2. To actively participate in issues related to fire risk management and aerial and ground resources within the Eastern Cape, networking closely with all **FPAs** and other relevant institutions.

- 16.3.8.3. To evaluate and monitor impacts of fire on land use, and develop and build appropriate resources to reduce such impacts within each **FPA** area of operation.
- 16.3.8.4. To assist in the compilation of documents in respect fire risk management - providing proposals and plans that may improve aerial and ground operations i.r.o. fire.
- 16.3.8.5. To facilitate the provision of information and feedback in relation to fire risk management issues to **FPAs**, their members, the respective communities and relevant stakeholders.
- 16.3.8.6. To liaise and interact with *WoF* in regard to **FPA** partnership agreements, *WoF* fire-fighting crews, strategic locations etc.

16.3.9. Primary Responsibilities

- 16.3.9.1. Assist with the strategic policy and planning for the common area administered by several **FPAs**.
- 16.3.9.2. To facilitate and co-ordinate fire related training for the benefit of the **FPAs** and their members in cases where training is not provided by the training industry – formulate training manuals.
- 16.3.9.3. Facilitate communication to landowners and the public regarding veldfire management in the area.
- 16.3.9.4. Undertake Awareness / Media Campaigns from a provincial / local **FPA** perspective.
- 16.3.9.5. Facilitating mutual aid agreements (between fire related parties and the **FPAs**).
- 16.3.9.6. Providing personnel and training standards, where the fires services have not provided these.
- 16.3.9.7. Develop Standard Operating Procedures (SOPs).
- 16.3.9.8. To investigate, facilitate and co-ordinate fire related equipment for the benefit of the **FPAs** and their members, with respect to;
Aerial operations: Helicopters, Fixed wing Bombers, etc.
Ground operations: Fire equipment – pumps, hoses, Fire Tenders, Hand crew equipment, Personal Protective Equipment (PPE), Radio Communications and Chemicals & Gels, etc.
- 16.3.9.9. Helping new **FPAs** to establish in the area covered by the **ECUFPA**, in cases where **FPAs** are still needed.
- 16.3.9.10. Assist **FPAs** where possible with prescribed burning, common rules, joint fire preparedness & response plans, thereby ensuring common standards.

16.3.10. Aims of the Committee

- 16.3.10.1. To promote sustainable, equitable and efficient fire risk management principles within the Eastern Cape and the **FPA** area of operations.
- 16.3.10.2. To promote fire awareness and capacity building in the Eastern Cape with regard to veld & forest fire issues.
- 16.3.10.3. To develop trust amongst the **FPA**s and to promote cooperative governance among stakeholders and authorities.
- 16.3.10.4. To liaise closely with the Local, District and Provincial Government, *Working on Fire* and the *Department of Agriculture, Forestry & Fisheries*.

16.3.11. Composition of the Committee

- 16.3.11.1. The Committee shall be open to all **FPA**s registered with *DAFF*, within the Eastern Cape and affiliated to the **ECUFPA**.
- 16.3.11.2. Two **FPA** representatives per Municipal District area – i.e. six districts in the Eastern Cape, hence a combined total of twelve representatives (preferably a Fire Protection Officer (FPO) or FPA Chairman).
- 16.3.11.3. **ECUFPA NPC** Board Members.
- 16.3.11.4. All members of the EXCO.
- 16.3.11.5. **ECUFPA** Manager(s).
- 16.3.11.6. **ECUFPA** FPO.
- 16.3.11.7. *Working on Fire* representative.
- 16.3.11.8. *DAFF* representative.
- 16.3.11.9. Co-opted representatives from commercial timber growers, agricultural, interested and affected communities, relevant governmental & non-governmental and statutory organizations, and provincial and local government structures, as and when required.
- 16.3.11.10. From the above committee members (EXCLUDING co-opted members), the following Office Bearers shall be elected:
 - 16.3.11.10.1. Chairman.
 - 16.3.11.10.2. Vice Chairman.
- 16.3.11.11. The chairperson is elected for a period of two years, but may stand for re-election at the end of this period.
- 16.3.11.12. If the chairperson resigns, dies, becomes incapacitated or is disqualified, or is removed from office by the majority vote of the association, the respective position shall become vacant.
- 16.3.11.13. A member of the OPCO becomes disqualified if he or she –
 - 16.3.11.13.1. Is declared to be of unsound mind by a court.
 - 16.3.11.13.2. Is declared insolvent by a court.
 - 16.3.11.13.3. Is convicted of a crime involving dishonesty.

16.3.11.13.4. Has been absent without leave or a good reason from two consecutive meetings of the committee.

16.3.11.14. If there is a vacancy on the committee, it must be filled by the election of another member for the remaining period of the service.

16.4. GUIDING PRINCIPLES OF ECUFPA COMMITTEES

The following guiding principles apply to all the decision making Bodies of the **ECUFPA**:

- 16.4.1. All parties within the Committee shall act in a constructive, accountable and responsible manner in dealing with issues brought before the Committee.
- 16.4.2. All parties shall be given access to information relating to the work of the Committee in order to facilitate due consideration by the respective **FPA** members.
- 16.4.3. All discussions relating to the tasks and functions of the Committee shall be open and transparent.
- 16.4.4. All proceedings of formal meetings of the Committee shall be recorded and be made accessible to the **FPA** members.
- 16.4.5. All matters relating to the committee shall be addressed with the necessary urgency.

16.5. DECISION MAKING PROCEDURES

- 16.5.1. Decision-making shall be guided by the principle of democracy and in terms of the **ECUFPA** Rules.
- 16.5.2. Where possible, issues shall be debated until consensus is reached.

16.6. MEETINGS

- 16.6.1. The committee shall meet at least three times per year and at such other times as a majority of the members may agree in order to discuss matters pertaining to its responsibilities as outlined above.
- 16.6.2. In the event of an unusual incident, any member may request an emergency meeting of the committee to deal with the incident.
- 16.6.3. Meetings will be held in a central venue accessible to all stakeholders.

16.7. CHAIRPERSON

- 16.7.1. It shall be the duty of the Chairperson to ensure the orderly conduct of meetings and to ensure that all persons present and willing to speak, are given a reasonable opportunity.

16.8. ACCOUNTABILITY

- 16.8.1. Members of the committee are accountable to their **FPAs** and are responsible for keeping their members informed of the committee's proceedings.
- 16.8.2. The committee has powers to raise specific issues and make recommendations to the other **ECUFPA** decision making bodies, as well as other regulatory bodies on fire related matters.

16.9. ADMINISTRATION

- 16.9.1. A representative from **ECUFPA** shall act as the secretary of the committee and shall be responsible for ensuring meetings are convened, take minutes and ensure the minutes are disseminated.
- 16.9.2. The secretary shall take steps to ensure that all members of the committee are notified of the dates and venues of the meetings, and that all relevant information is sent to committee members.

17. Finances

- 17.1. The financial year of the **ECUFPA NPC** runs from the date of its recognition to end of February of that financial year, and then from 1 March every year to the end of February of each year.
- 17.2. The Treasurer, in conjunction with the **ECUFPA NPC** Board of Directors, is responsible for all the financial business of the association and must keep a record of all this business.
- 17.3. The treasurer must every year at the Annual General Meeting, present a Financial Statement of the **ECUFPA NPC** accounts for the previous financial year.
- 17.4. The Financial Statement must be available for inspection at reasonable times by any member for 4 weeks, from the date of the Annual General Meeting.

18. Annual General Meeting

- 18.1. An annual general meeting must be called by the Board of Directors, alternatively the **ECUFPA EXCO** –
 - 18.1.1. Within 60 days of the end of the financial year.
 - 18.1.2. On 21 Days' notice to all members.
- 18.2. In addition to any other business, the Annual General Meeting must deal with –
 - 18.2.1. The Chairman's general report on general affairs of the association.
 - 18.2.2. The Treasurer's presentation of the financial statements of the **ECUFPA NPC**.
- 18.3. A quorum will be 25% of all members.
- 18.4. If there is no quorum, the members present must be given notice that a further meeting will be held at least 7 days later.

- 18.5. If there is no quorum at the further meeting, the members present form a quorum.
- 18.6. Each **FPA**, who is registered with *DAFF* and is a member of **ECUFPA**, has a single vote.
- 18.7. Co-opted members to **ECUFPA** has no vote.

19. Special General Meeting

- 19.1. The Board of Directors or the EXCO may convene a Special General Meeting at any time on 14 Days' notice.
- 19.2. A Special General Meeting must be convened by the Board of Directors or the EXCO if –
 - 19.2.1. 10% of the paid-up members request this meeting in writing and name the issues to be dealt with.
 - 19.2.2. The requested meeting is to be held at least 60 Days' before an Annual General Meeting.
 - 19.2.3. A quorum will be 25% of all members.
- 19.3. If there is no quorum at a Special General Meeting, the meeting must be closed and the business for discussion will go to the next Annual General Meeting.

20. Dispute Resolution

- 20.1. The rules of the association must provide for dispute resolution between members.
- 20.2. In the absence of a resolution, the Minister is to appoint a mediator or arbitrator acceptable to the Board of Directors & EXCO from a panel referred to in section 45(1) or 45(2) of the **NVFFA**. Everyone, including the complainant, will have to co-operate with the mediator and follow the decision of the arbitrator.

21. Dissolution

- 21.1. In addition to the provisions stipulated in Section 1.2 (3) of the **MOI**, the following rules shall also apply.
- 21.2. The association may be dissolved by the dissolution thereof –
 - 21.2.1. Being approved by at least two-thirds majority of members present and forming a quorum at any Special General Meeting; or
 - 21.2.2. Being approved at any other special meeting by a simple majority vote of the members then present, provided that such special meeting was called by the Board of Directors on at least 30 days prior written notice to all members and which notice specified that the Board of Directors intends dissolving the association by passing the relevant resolution at such meeting.
- 21.3. After the approval of the dissolution of the association as provided in 21.2. above, the Board of Directors shall appoint a suitably qualified liquidator to dissolve the association.

- 21.4. The liquidator referred to in 21.3. above, shall dissolve the association in the following chronological sequence:
- 21.4.1. Liquidate all assets of the association;
 - 21.4.2. Prepare a final liquidation account in accordance with international financial reporting standards and present same to the Board of Directors;
 - 21.4.3. Settle all the liabilities of the association;
 - 21.4.4. Transfer any surplus or residue remaining as a donation made to any non-profit organisation which has objectives the same or similar to the objectives of the organisation as nominated by the Board of Directors.